

HANDLING/RECEIVING STOLEN GOODS

Theft Act (NI) 1969

21. - (1) A person handles stolen goods if (otherwise than in the course of the stealing), knowing or believing them to be stolen goods, he dishonestly receives the goods, or dishonestly undertakes or assists in their retention, removal, disposal or realisation by or for the benefit of another person, or if he arranges to do so.

Maximum Sentence:

Theft Act (NI) 1969, s.7

Indictment: 14 years imprisonment or an unlimited fine or both

Magistrates' Court (NI) Order 1981, Art.46(4)

Summary: 12 months imprisonment or a fine not exceeding the prescribed sum (£5,000) or both

Assessment of Offence

(Starting points and ranges based on 1st time offender convicted following contest)

<u>Nature of Offence</u>	<u>Starting Point</u>	<u>Sentencing Range</u>
N/A	3 months Custody	Fine to 12 months Custody

Examples of Possible Aggravating Factors of Offence

1. Closeness of offender to primary offence (geographically or temporally)
2. High level of profit made/expected by offender
3. Seriousness of primary offence (e.g. domestic burglary)
4. High value of goods
5. Features of planning/sophistication

Examples of Possible Mitigating Factor of Offence

1. Little or no benefit to the offender
2. Voluntary restitution to victim

Relevant Cases:

NI Cases:

1. R v Jackson (4 April 1995)(Unreported)
2. R v Corrigan [2010] NICA 23

English Cases:

1. R v Webbe [2002] 1 Cr App R(S) 22

Notes:

1. Indictable offence triable summarily with consent of the accused (Art.45 of, and Sch.2 to, the Magistrate's Court (NI) Order 1981).