

REX V. JULIU KUBOLA

SENTENCING REMARKS

1. You fall to be sentenced for a total of six non-dwelling burglaries. Having pleaded guilty to all matters in the magistrates' court, you have been committed for sentence to this Court.
2. The burglaries span the period between 1st May and 19th June 2025. Each burglary involves commercial premises in London used as restaurants. You appear to have targeted relatively high value wines from two restaurants in particular and with one of them, returning to take further bottles.
3. The first offence in time took place at the 'Comptoir Café' in Mayfair. Just before 1:30am on 1st May, you broke in through a side entrance and stole wine valued at £6,000 and removed £200 in cash from the till. This was all captured on CCTV. You were also seen back at the same premises on 10th May.
4. On 13th May, you broke into 'Oliveto and Olivo' on Elizabeth Street, SW1 and took from those premises money from the till and bottles of wine. A few weeks later on 8th June, you returned to the same premises, broke in and took £50 from the till and several bottles of wine valued at £300 each before leaving.
5. On 6th June, you broke into 'Piazza Italiana' on Threadneedle Street, in the City of London and took from that restaurant £100 in cash and 73 bottles of wine. Those bottles of wine are valued at £23,801. You then used a pedal cab to remove the items you took, making a couple of trips to move all the items you had taken. In committing this offence you caused damage to the door and locks that cost over

£1,500 to repair. You returned to the same premises on 15th June, just before 4:30am and took three more bottles of wine valued together at £680 as well as £55 in cash from the till. You returned to the same address on a third occasion on 19th June, again in the early hours of the morning. On this occasion an alarm sounded and you left empty handed.

6. You were arrested on 22nd June. When arrested you were cycling a pedal cab and various items were found in your possession including various bottles of alcohol, an angle grinder, an adjustable spanner, pliers, screwdrivers, and crowbars. On the mobile phone found, there were images of wine bottles. It is said that the tools you had were in relation to the pedal cab rather than being for the purpose of committing burglaries.
7. When interviewed on 22nd June, you raised no defence and did not dispute the allegations. In a later interview on 2nd September, when asked about the wine and what you intended to do with it, you indicated it was to be drunk. When told the value of items, you said it was not that much.
8. You are now aged 61 and there are three previous offences recorded against you. In December 2017, for theft (shoplifting) you were fined. In December 2019, for road traffic offences and the possession of cocaine, you were fined and disqualified from driving. In February 2020, for driving whilst disqualified and no insurance you were made subject to a suspended sentence order – 8 weeks imprisonment suspended for 12 months.

Sentencing guidelines.

9. Having regard to the relevant sentencing guidelines for non-dwelling burglaries, turning first to consider culpability, all the offences here are ones that come within category B: there was clearly some planning or organisation and you went equipped to carry out the offences. In terms of harm, if one looks at the offence involving ‘Piazza Italiana’, there was significant loss and damage resulted and it would come within category 1 as to harm. For the other five offences, they fall into category 2 with the most serious of those other matters being the burglary at Comptoir Café.

10. In terms of factors increasing seriousness, there is a previous conviction for theft and I am told you were on police bail at the time of the commission of all but one of the offences here. I note those features, but they make no significant uplift to the level of sentence.
11. For a single offence in categories 'B' and '1', the guidelines provide a start point for sentence of 12 months and a range of sentence between a high level community order and 2 years' custody. Here, in my judgment, looking at the facts of the specific offence, a sentence before plea of 21 months' imprisonment would be appropriate.
12. For the offences falling in categories 'B' and '2', a start point in the guidelines of 6 months' custody and a range of sentence from a medium level community order and 1 year's custody. Here, for the burglary of the Comptoir Café, the most serious of those other offences, a sentence of the order of 9 months' imprisonment, and for each of the other offences with the same categorisation, 6 months' imprisonment. In each case those sentences are before allowance for plea or any consideration as to totality. I need to have regard to the fact that I am sentencing you for a total of six offences and the principles of totality.
13. I have seen and read a Pre-Sentence Report [PSR]. I am grateful to the author for his analysis of the offences and the detail as to your background. You have accepted your offending and some remorse is expressed in the report, albeit the author states that little genuine empathy is shown to those who are the victims of your offending. I note what the author of the report says about it being difficult to ascertain the fact from the fiction in the accounts you have given. Having said that, full credit will be given for the pleas that have been entered.
14. You have been in custody since 3rd September. Before then you were on a tagged curfew for 72 days and so in addition to the two months in custody a further 36 days would count towards any sentence of immediate custody passed.
15. I read the overall conclusion of the report as one of custody in the light of the author's observations as to the repeated use of misinformation whilst the report was being

prepared and the lack of real motivation to comply meaningfully with work to address your offending behaviour. If not immediate custody, it is suggested that a single Rehabilitation Activity Requirement (RAR) of 30 days would be a way of getting you to address your offending behaviour.

Mitigation.

16. Miss Kell-Jones accepts where this case fits within the sentencing guidelines as outlined by the prosecution. She invites the court to pass a suspended sentence order. As to concerns on the address that would be applicable, it is said that you are going to rent a room in house or a hostel and that a contact address at a local church can be used.
17. As to the reason for the offending, it is said that you worked at two of the locations and were not paid. Rather than seeking your salary by conventional routes with the owners, it is said you took matters into your own hands. It was submitted that you had much of the wine and wished it to be returned to its rightful owners. When this was said in mitigation, I paused and gave 14 days for this to be done. As I indicated at the time, it was relevant to the issue of the compensation sought and also as to remorse. I also made clear that I was not saying the return of the wine would necessarily make a difference to the sentence, but it could do so.
18. You have provided information as to the location of the wine and to date 32 bottles of wine valued at £6,687 have been recovered. The process of returning of the wine will continue.

Sentence.

19. I propose to adjourn consideration of all financial orders today for a period of 28 days. The level of compensation sought is to the value of wine stolen and so it is in your best interests that more of it is returned. The matter will be listed before me on 11th December 2025.

20. On sentence, before credit for plea, in my judgment an overall sentence of the order of 3 years' imprisonment would have been appropriate, and giving credit for plea, 2 years' imprisonment. Having reflected on all that I now know about you, a sentence of 20 months' imprisonment is appropriate.
21. On the burglary of 'Piazza Italiano' a sentence of 14 months imprisonment. On the burglary of 'Comptoir Café', 6 months' imprisonment. That sentence to be consecutive to the sentence of 14 months. On the other four offences, making allowance for totality sentences of 4 months' on each to be concurrent to each other and concurrent to the 20 months' and so 20 months' in total overall. I propose to make you subject to a Suspended Sentence Order.
22. The custodial term of 20 months will be suspended for two years. If in the next two years you commit any offence, whether or not it is of the same type for which I am sentencing you today, you will be brought back to court and it is likely that this sentence will be brought into operation, either in full or in part. Also, for the next 12 months you will be subject to a rehabilitation activity requirement for up to 30 days. That means is that you must meet with the officer supervising this requirement as and when required and you must attend and co-operate fully with any activities that are arranged. If you fail to comply with this requirement you will be in breach of this order, which means that you will be brought back to court and you will be liable to serve the sentence, either in full or in part.

The Recorder of London
His Honour Judge Mark Lucraft KC
Central Criminal Court
Old Bailey, London EC4M 7EH
November 3rd 2025.