

5th September, 1986.

Her Majesty's Attorney General

-v-

Lee John Smythe

BAILIFF:not entirely your fault. The economic position and difficulties in the Wirral for employment has turned you to drugs as a relief but as the Solicitor General has said, a custodial sentence must be imposed and this is the principle of this Court unless there are exceptional circumstances. But we think we can distinguish a little more than the Solicitor has done between the case of Kenny and yourself in as much as that he had a previous conviction, he was less co-operative than you and he really had not made a serious effort to try and kick the habit, which we think you have, and as a measure of the trust that we are going to place in you and assist you when you come out (because you must serve a prison sentence). to keep away from drugs no matter what the circumstances because I think you realise what a terrible thing Class A drugs are, we are going to reduce the conclusions and sentence you to 7 months and 7 months concurrent. But I want to make it clear that if you abuse our trust which we are putting in you to this extent (but you must go to prison) and come back here on any kind of drug charge you must expect a longer sentence next time. You understand that?