

ROYAL COURT

16th December, 1988

Before: The Deputy Bailiff and  
Jurats Coutanche and Orchard

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Her Majesty's Attorney General

- v -

Adrian Raymond Bichard

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Possession of controlled drug (1 count).  
Possession of controlled drug with intent to  
supply (1 count).  
Cultivation of controlled drug (1 count).  
Possession of utensils (1 count).

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Advocate S.C. Nicolle, Crown Advocate  
Advocate A.R. Binnington for the Accused.

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**JUDGMENT**

DEPUTY BAILIFF: This is a painful duty because Bichard's father and other members of the family are known personally to me, but the Court cannot depart from its clearly stated policy that where there is a supply of drugs there will be a custodial sentence unless there are exceptional circumstances. Whilst in this case there are many mitigating factors, they do not amount to exceptional circumstances as recognised by the Courts.

We are not convinced of the intention not to make a profit. Bichard sold half an ounce for £60 and threequarters of an ounce for £100. On the eight ounces found he would have made £960, giving him a small profit, but he allegedly bought between ten and eleven ounces. As in all these cases there are gaps in the information that do not ring true.

Whilst there is remorse and co-operation and we accept that there was, we find the same lack of information about the supplier as in all other cases. All we have is a man called "Jeff". Bichard gave his name and address but had nothing in return. He owed "Jeff" between £800 and £900, but presumably could not pay him until "Jeff" reappeared. Bichard cannot lead the police to "Jeff". We cannot judge as to the truth or otherwise of facts of this kind. People who supply drugs as the agent of a larger, undisclosed supplier must accept the responsibility for doing so, and the message must go out clearly from this Court that they will not avoid a custodial sentence.

Whilst there is much mitigation it has, in our opinion, been fully taken into account by the prosecution and therefore the conclusions are granted. Bichard, on count 1, you are sentenced to one month's imprisonment; on count 2, to nine months' imprisonment; on count 3, to six months' imprisonment; on count 4, to six months' imprisonment; all those sentences to run concurrently making a total of nine months' imprisonment. Although the Crown did not ask for it, all the drugs and the utensils are forfeited and will be destroyed.

*n.G. no authorities.*