

ROYAL COURT
(Superior Number)

106

5th August, 1993

Before: The Bailiff, and Jurats
Vint, Bonn, Orchard, Hamon,
Gruchy, Le Ruez, Rumfitt.

The Attorney General

- v -

Justin John Saunders

Sentencing, following guilty pleas on 23rd July, 1993, before the Inferior Number, to:

- 1 count of** supplying a controlled drug (L.S.D.), contrary to Article 5(b) of the Misuse of Drugs (Jersey) Law, 1978. (Count 1 of the Indictment);
- 1 count of** possession of a controlled drug (L.S.D.), with intent to supply it to another, contrary to Article 6(2) of the said Law. (Count 2);
- 2 counts of** possession of a controlled drug (Amphetamine Sulphate), contrary to Article 6(1) of the said Law. (Counts 3 & 4).

AGE: 20.

PLEA: Guilty.

DETAILS OF OFFENCE:

Bought 50 LSD tablets for resale to fund drug habit. Sold 41 tablets (Count 1). Arrested with remaining nine tablets of LSD (Count 2); and 4 of amphetamine for own use (Count 3). After period on bail, remanded in custody. On arrival at prison, two amphetamine tablets found in rucksack (Count 4). Said that he had forgotten they were there.

DETAILS OF MITIGATION:

Broken home. Now rejected by family because of lifestyle. Some talent for graphic design: probation had found him place at college to study but thrown away because of addiction. Youth. Co-operation.

PREVIOUS CONVICTIONS:

Bad, including previous for drugs. Unlawfully at large from Guernsey, where sentenced for drug trafficking.

CONCLUSIONS:

Count (1) 3½ years; Count (2) 3 years; Count (3) 2 months concurrent; Count (4) 3 months consecutive.
Drugs forfeited and destroyed.

SENTENCE AND OBSERVATIONS OF THE COURT:

Conclusions granted.

Miss S.C. Nicolle, Crown Advocate.
Advocate Mrs. S. Sharpe, for the accused.

JUDGMENT

THE BAILIFF: Saunders, you are an articulate and in some ways, talented, young man. You have been given many chances but the particular one which we have looked at was, of course, the chance you were given to study. Unfortunately you have not taken the opportunities given to you, although you appear, whilst in the Young Offenders' Centre, to understand that people are trying to help you.

Nevertheless, with your record and the seriousness of the offences we cannot but impose a substantial prison sentence. Having regard to the circumstances of this case and the general principles and guidelines set out in Schollhammer -v- A.G; Reissing -v- A.G. (14th July, 1992) Jersey Unreported C.of.A., which we have used in this Court since that decision was handed down by the Court of Appeal, we think the conclusions asked for by the Crown are correct.

You are, therefore, sentenced on Count 1, to 3½ years' imprisonment; on Count 2, 3 years' imprisonment; on Count 3, 2 months' imprisonment concurrent; on Count 4, 3 months' imprisonment consecutive, making a total of 3 years and 9 months' imprisonment. There will be an order for the forfeiture and destruction of the drugs.

Authorities

Schollhammer -v- A.G.; Reissing -v- A.G. (14th July, 1992) Jersey
Unreported C.of.A.

A.G. -v- Siham (10th August, 1992) Jersey Unreported.