

**ROYAL COURT**  
(Samedi Division)

200.

24<sup>th</sup> October, 1997

**Before: Mrs J.G.B Myles, Lieutenant Bailiff, and  
Jurats Vibert, and de Veulle**

**The Attorney General**

- v -

**Paulo Duarte Gomes Camacho  
and  
Ana Lidia Vasconcelos Melim**

**PAULO DUARTE GOMES CAMACHO.**

4 counts of possession of a controlled drug contrary to Article 6 (1) of the Misuse of Drugs (Jersey) Law 1978

- Count 1: diamorphine.
- Count 2: methadone
- Count 3: diamorphine
- Count 4: cannabis

**Age:** 26.

**Plea:** Guilty.

**Details of Offence:**

- Count 1: 11 wraps of heroin, 256 milligrams street value up to £210
- Count 2: 42 millilitres of methodone
- Count 3: a syringe and needle with traces of diamorphine
- Count 4: 692 milligrams of cannabis and cannabis seeds

Counts 1 and 2 were committed on 16<sup>th</sup> February, 1997; Counts 3 to 6 on 1<sup>st</sup> June, 1997. Camacho and Melim had been charged in the Police Court with drugs offences on 17<sup>th</sup> February, 1997 and both had been bailed. The offences on 1<sup>st</sup> June thus constituted a reoffence for Camacho, although Melim was ultimately not indicted in respect of the February offences.

**Details of Mitigation:**

Both admitted they were addicts and they had sought help from the drugs and alcohol advisory service. Both claimed to have resolved to give up drugs. Nothing else of any particular significance.

**Previous Convictions:** One unrelated in respect of Camacho

**Conclusions:**

- Count 1: 8 months imprisonment.
- Count 2: 8 months imprisonment, concurrent.
- Count 3: 8 months imprisonment, concurrent.
- Count 4: 1 months imprisonment, concurrent.

**Sentence and Observations of the Court:**

Conclusions granted.

ANA LIDIA VASCONCELOS MELIM

I count of possession of a controlled drug contrary to Article 6 (1) of the Misuse of Drugs (Jersey) Law 1978

Count 5: diamorphine

I count of obstructing a police officer in the execution of her duty, contrary to Article 17(5) (a) of the Misuse of Drugs (Jersey) Law 1978 (Count 6).

Age: 24.

Plea: Guilty.

Details of Offence:

Count 5: 252 milligrams of heroin secreted per vaginam.

Count 6: even when it was obvious that Melim had concealed drugs internally, she refused to hand them over necessitating application for permission of an intimate search.

Counts 1 and 2 were committed on 16<sup>th</sup> February, 1997; Counts 3 to 6 on 1<sup>st</sup> June, 1997. Camacho and Melim had been charged in Police Court with drug offences on 17<sup>th</sup> February, 1997 and both had been bailed. The offences on 1<sup>st</sup> June thus constituted a reoffence for Camacho, although Melim was ultimately not indicted in respect of the February offences.

Details of Mitigation:

Both admitted they were addicts and they had sought help from the drugs and alcohol advisory service. Both claimed to have resolved to give up drugs. Nothing else of any particular significance.

Previous Convictions: None.

Conclusions:

Count 5: 6 months imprisonment.

Count 6: 2 weeks imprisonment, consecutive.

Sentence and Observation of the Court: Conclusions granted.

**Mrs S. Sharpe., Crown Advocate.  
Advocate S.J. Young for P.D.G. Camacho  
Advocate M.P.G. Lewis for A.L.V. Melim.**

**JUDGMENT.**

**THE LIEUTENANT BAILIFF:** It is a well known policy of this Court that a custodial sentence will be imposed on persons unlawfully possessing class A drugs unless there are exceptional circumstances.

In this case two relatively young people seem to have taken to using heroin, Camacho originally when depressed following a separation from Miss Melim, but both after the reconciliation because if one was on drugs and the other not they had rows.

It seems to this Court extraordinarily stupid that such could be a reason for one member taking drugs rather than the other giving them up, however it appears that both defendants have realised their stupidity and we are glad to see them making attempts to cut themselves off from drugs completely.

We have taken into account the social enquiry reports, very fully documented, the references and all that was said on your behalf by Advocate Young and Advocate Lewis, nevertheless, we feel that the Crowns conclusions are correct.

Camacho, you are sentenced on count one to eight months imprisonment, count 2 eight months imprisonment concurrent, count 3 eight months imprisonment concurrent, and on count 4 one month concurrent, that means a total of eight months imprisonment.

Miss Melim you are sentenced on count 5 to six months imprisonment, and on count 6 to two weeks imprisonment consecutive, making a total of six and a half months imprisonment, and there will be an order for the forfeiture and destruction of the drugs.

Authorities.

A.G -v- de la Haye, Kearney (15<sup>th</sup> December 1995) Jersey Unreported.

A.G -v- Buesnel (21<sup>st</sup> August 1996) Jersey Unreported.

A.G -v- Trindade and Anor (20<sup>th</sup> September 1996) Jersey Unreported.

A.G -v- de Freitas (18<sup>th</sup> October 1996) Jersey Unreported.

A.G -v- Snaith (30<sup>th</sup> May 1997) Jersey Unreported.

A.G -v- Roche (4<sup>th</sup> July 1997) Jersey Unreported.

Archbold (1997 Edition ): paragraphs 4292 - 4299.