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ROYAL COURT

26th April, 1991 56c.

Before: The Bailiff, and  
Jurats Le Boutillier and Vibert

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The Attorney General

- v -

Nicholas David Bull

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Possession of a controlled drug contrary to Article 6(1) of the Misuse of Drugs (Jersey) Law, 1978.

**PLEA:**

Guilty.

**DETAILS OF OFFENCE:**

Stop checked by police. Found to be in possession of 11 units of L.S.D. for personal consumption.

**DETAILS OF MITIGATION:**

Dependent on drugs; alienated; no motivation towards anything other than drugs.

**PREVIOUS CONVICTIONS:**

Many for drugs.

**CONCLUSIONS:**

12 months' prison.

**SENTENCE AND OBSERVATIONS OF THE COURT:**

Conclusions granted after an adjournment to consider possibilities of treatment under the Mental Health Law.

Mr. Hollywood advised against compulsory treatment. Accused himself opposed to it.

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C.E. Whelan, Esq., Crown Advocate.

Advocate Mrs. S.A. Pearmain for the accused.

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**JUDGMENT**

BAILIFF: The Court has held on many occasions that unless there are exceptional circumstances, drug offences of this nature carry with them a sentence of imprisonment. Because last time you appeared, Bull, we heard of the possibility that you should be treated under the Mental Health Law and because of the Probation Officer's Report, we have put the matter off until today to see if it were possible to make an Order under Article 13 of the Mental Health Law.

However, this morning we have heard from your counsel that you yourself do not wish to be sent to hospital under that Law, although Dr. Faiz would be prepared to do it; but we have also heard from Mr. Hollywood that if that were to be done, it might make it harder for you to realise (and we understand you have just started to realise) the effect that the continued use of these drugs has been having upon you.

We think, therefore, that a sentence of imprisonment is the right form of sanction to impose and having heard the conclusions before the adjournment and having listened to your counsel this morning, we think that it is not right for you to

be released immediately. You have a long way to go before you understand why you have gone to prison, and why the continuation of this behaviour is gradually going to destroy your life.

You are nowhere near fully appreciating what is happening to you and you must go to prison for a sufficient length of time for Mr. Hollywood to help you and anybody else who can and for you to understand that your life is in your hands in future. We do not think that the conclusions are in any way wrong. You are therefore sentenced to twelve months' imprisonment.

No authorities.