

ROYAL COURT
(Superior Number)

141.

6th August, 1992.

**Before: The Bailiff, and Jurats
Coutanche, Vint, Myles, Orchard,
Hamon, Gruchy, Le Ruez and Rumfitt.**

The Attorney General
-v-
Michael Unthank.

Sentencing, following guilty pleas by the accused to the following counts in the indictment laid against him on 7th July, 1992:

- 1 count of supplying a controlled drug, 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 with intent to supply it to another, contrary to Article 6(2) of the Misuse of Drugs (Jersey) Law, 1978. (Count 2.)
- 1 count of knowingly permitting the smoking of Cannabis Resin in premises of which he was the occupier, contrary to Article 9(c) of the misuse of Drugs (Jersey) Law, 1978. (Count 3.)

AGE: 23.

PLEA: Guilty.

DETAILS OF OFFENCE:

Unthank's flat was searched, and 30 LSD squares were found in the toilet. Said that he and friends had used 3, and that he proposed to sell the remainder. Roach ends and cannabis resin were found in the flat. Unthank admitted smoking it with friends.

DETAILS OF MITIGATION:

Unemployed for 4 weeks and £500 in debt. Girlfriend was pregnant, and he was desperate to get some money in order to be able to pay for her abortion. Co-operative with the police. Good reference from former employer.

PREVIOUS CONVICTIONS:

Several, but none for drugs.

CONCLUSIONS:

Count 1: 3 Years; Count 2: 3 years; Count 3: 9 months. Concurrent.

SENTENCING AND OBSERVATIONS OF THE COURT:

Dealing in drugs is a serious matter. Count 1: 2½ years; Count 2: 2½ years; Count 3: 9 months. Concurrent. Confiscation and destruction of drugs.

Miss S.C. Nicolle, Crown Advocate.
Advocate Miss D.C. Sowden for the accused.

JUDGMENT.

THE BAILIFF: Dealing in drugs of this nature is a serious matter and having regard to the personal circumstances and what your counsel has said on your behalf, Unthank, we are going to reduce the conclusions slightly. You are sentenced to 2½ years' imprisonment on each of Counts 1 and 2, and to 9 months' imprisonment on Count 3, all concurrent. A confiscation and destruction order will be made.

Authorities

Clarkin, Pockett -v- A.G. (3rd July, 1991) Jersey Unreported
C. of A.

R. -v- Bennett (1981) 3 Cr. App. R.(S.)68. (Butterworth: Current
Sentencing Practice B11-2.3).

A.G. -v- Reissing (26th March, 1992) Jersey Unreported.

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