

ROYAL COURT
(Samedi Division)

153.

28th July, 1995

Before: The Deputy Bailiff, and
Jurats Myles and Gruchy.

The Attorney General

- v -

Gary James Postill

Application for bail, following remand for trial before the Inferior Number after entering not guilty pleas to:

- 5 counts of possession of a controlled drug, contrary to Article 6(1) of the Misuse of Drugs (Jersey) Law, 1978 (counts 1 and 3: MDMA; count 5: amphetamine sulphate; count 6: cannabis resin; count 7: herbal cannabis).
- 2 counts of possession of a controlled drug (MDMA) with intent to supply, contrary to Article 6(2) of the said Law (counts 2 and 4).
- 1 count of larceny (count 8).

The Attorney General.
Advocate H. Tibbo for the Applicant.

JUDGMENT

THE DEPUTY BAILIFF: As the learned Attorney has reminded us - although reminding is not probably necessary - in the case of A.G. v. Hickson (7th June, 1991) Jersey Unreported the Court said this:

5 *"In the case of even simple possession of a Class A drug there shall be a custodial sentence unless there are exceptional circumstances".*



Miss Tibbo has brought to our attention the personal circumstances of the accused and we have every sympathy with them, but we must say this: we have little sympathy with a man who, while on bail for serious drug offences, is found outside a town nightclub with more drugs in his possession. And this is particularly so when he is also in breach of a binding over order for assault on 19th January of this year.

These affairs have taken a long time to come to a conclusion and we find that disturbing, but despite that we have to say that bail is refused and, Postill, you are remanded in custody for trial commencing on 25th October, 1995.

Authorities

A.G. v. Hickson (7th June, 1991) Jersey Unreported.