

ROYAL COURT
(Samedi Division)

43.

26th March, 1993

Before: The Bailiff, and
Jurats Blampied and Hamon

The Attorney General

- v -

John Philip McConnachie

- 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, contrary to Article 6(2) of the said Law. (Count 2 of the Indictment);
- 1 count of possession of a controlled drug, contrary to Article 6(1) of the said Law.

AGE: 28.

PLEA: Guilty.

DETAILS OF OFFENCE:

The defendant hid two bars of cannabis resin in undergrowth at the foot of a tree and was later seen retrieving one of the bars which was 256.8 grams of cannabis resin. He admitted he had purchased two 9 ounce bars of cannabis resin for £2,340 based on a wholesale price of £130 per ounce. He sold 9 ounces to a friend for £1,260 and profited by £90. He proposed to sell the remaining drugs. When arrested a further quantity of herbal cannabis weighing 765 milligrams was discovered.

DETAILS OF MITIGATION:

The potential profit to the defendant was insubstantial but the street value was substantial. The defendant was a shy and uncertain man living a very quiet existence. The defendant resorted to drugs to enable him to cope with day-to-day life. He was co-operative (eventually) and in confidence named his supplier.

PREVIOUS CONVICTIONS:

Numerous road traffic offences and several previous drugs related offences. Probation Orders and treatment apparently had not worked.

CONCLUSIONS:

Count 1: 18 months' imprisonment.
Count 2: 18 months' imprisonment concurrent.
Count 3: 12 months' imprisonment concurrent.
Total: 18 months.

SENTENCE AND OBSERVATIONS OF THE COURT:

The defendant must face a custodial sentence having failed to respond to the treatment and help offered to him in the past.

Conclusions granted plus order for destruction of the drugs and a Confiscation Order under the Drug Trafficking Offences (Jersey) Law, 1988, in the sum of £130.

**S.C.K. Pallot, Esq., Crown Advocate.
Advocate A. Messervy for the accused.**

JUDGMENT

THE BAILIFF: McConnachie, you started dealing in cannabis when you were 19, which is now nearly 10 years' ago. You have had several convictions involving drugs; you cannot or will not change your way of life and I am afraid it is inevitable that if you go on offending in this way you will be sent to prison and the sentences will get longer and longer.

In accordance with the conclusions of the Crown Advocate, you are sentenced to 18 months' imprisonment on count 1; 18 months' imprisonment concurrent on count 2; and 12 months' imprisonment concurrent on count 3, making a total of 18 months' imprisonment. We further order the forfeiture and destruction of the drugs.

Authorities

Rawlinson -v- A.G. (19th January, 1993) Jersey Unreported C.of.A.