

27th June, 1985.

POLICE -v- BLEWITT

(Appeal against total sentence of six weeks imprisonment imposed by the Magistrates Court on the 11th June, 1985, for importation and possession of 916 milligrams of cannabis resin).

BAILIFF: "We do not think that the sentence was wrong in principle but we do think that the sentence of imprisonment was longer than it should have been. We are not prepared to accept that the sentencing policy of the Police Court is that never, in any circumstances, would a person who imports cannabis into the Island go to prison. We do not think there is any same policy which states that never would a person who imports small quantities of cannabis into the Island, would never go to prison. Having said that, we also think that the Magistrate or the Assistant Magistrate are entitled to take into account the defendant's previous record and in this particular case the defendant has a worse record, including a sentence of imprisonment, than the cases put to us by way of comparison and obviously that was taken into account and we think was justifiably taken into account by the Assistant Magistrate. Nevertheless, having said that, because the amount imported was so very small, we think that the total of six weeks imprisonment was too much and we are going to reduce that total to four weeks imprisonment, from six to four weeks imprisonment - we allow the appeal to that extent - and therefore the sentence, on charge 1 - 4 weeks imprisonment and on charge 2 - 2 weeks imprisonment concurrent. A total of 4 weeks imprisonment.