

24th July, 1986.

**Her Majesty's Attorney General**

-v-

**David Lester Williams**

**and Stephen Murphy**

**BAILIFF:** It doesn't need me to tell both of you that dealing in "Class A" drugs is dealing in lethal drugs, and it doesn't need me to tell you, as I'm sure you already know, that this Island has set its face against the use of drugs and the bringing of drugs into Jersey, which I hasten to add you didn't do. Nevertheless there are certain other matters which I have to stress. This was a case where these two young men, you two, supplied each other with this drug, but we've had particular regard, Mr. Solicitor, Mrs. Pearmain, to the case of "Gee" which we think sets out the position in which the Court found itself, and I think it would be helpful if I read from part of the judgment of Mr. Justice Mustill, and this really applies to what we feel. "The Courts have repeatedly expressed their revulsion, and it is a revulsion which is shared by the public at large at the commission of offences concerning the supply of these lethal drugs. The social consequences of such offences have been emphasised by the Courts so often that there is no need for the Court to repeat them. It is, however, essential to realise that there are gradations in the gravity of offences of this type and it is essential in each case for the Court to do it's best to place the particular offences at the correct part of the scale of seriousness". The Judge goes on:- "Where do the present offences lie on the scale?", and that is indeed the question we asked ourselves. "At the bottom of the scale is the small scale social supplier, a man who does supply drugs, but only within a limited circle of friends, and not for gain", and this is very much the case with you two. We took into account the fact that you were able to get Methadone from a second Medical Practitioner, and I shall have something to say about that in a moment, but you didn't supply it, except to these two girls, which is a very serious offence. We examined what the sentence should be without mitigation and then we applied our minds to the mitigating factors, and there were a number of them, not least that this was at the lower end of the scale and you didn't supply any of these drugs for gain. Because we are going to reduce the conclusions, I do not wish it to be thought that this Court regards drug offences as less serious than the Solicitor General. We do not. They are serious offences, but there are particular mitigating factors which we have taken into account and which I needn't recite. We are therefore going to sentence you as follows as regards the drug offences, but before doing that I must deal with Counts 1 and 2. We think that it is not

wrong in principle to have a prison sentence for particular cases for defrauding Hoteliers and Guest House Keepers but we think the amount asked for, Mr. Solicitor is too high. Williams, you are therefore sentenced as follows: On count 1 - one month; on count 2 - one month concurrent; on count 3 - twelve months concurrent; all the cases are concurrent; on count 4 - fifteen months; on count 5 - two years; on count 6 - two years; on count 7 - fifteen months; on count 8 - eighteen months; on count 9 - fifteen months. You are therefore sentenced to a total of two years.

Murphy, you are sentenced on count 1 to one month; count 2 - one month; count 10 - ten months; count 11 - twelve months; count 12 - twelve months; a total of one year.

Now, as regards the doctor who supplied these drugs without apparently investigating matters further, Mr. Solicitor, we hope that some change in the law can be achieved under which, where there are registered drug addicts, the doctor should be aware of them and perhaps be warned and have a list. I don't know what the arrangements could be but certainly the control of these drugs may well want looking into.

**Solicitor General:** I shall look into them.

**Bailiff:** Right, thank you.