

22nd August, 1986

A.G. -v- Ian Ronald Cash

BAILIFF: The Court wants to repeat what has been said already on several occasions, that it is normal practice unless there are exceptional circumstances to impose a sentence of imprisonment in respect of persons found in possession of Class A drugs and furthermore, the Court agreed entirely with you Mr. Attorney, that the Court hopes that steps will be taken by the appropriate Public Health Authorities of this Island to bring in legislation to require drug addicts to register in a particular place and to obtain their drugs from one source only - officially, that is to say, under legal prescription. It should help to cut down the scourge which appears to be growing in this Island. You are quite right to draw our attention to the fact that there appears to be developing in Jersey, a market for Class A drugs and anything that we do this morning is not to be taken as an indication that we are condoning the setting up of that market.

Having said that, we have asked ourselves very carefully whether there are particular circumstances in this case which will entitle us to depart from our usual practice and we have come to the conclusion - not without some reservations, that there are. We have taken into account, particularly the recommendation of the probation officers, and also, though you have a bad record, Cash, nothing to be proud of - it is the lasting gaps in it which indicate that you can keep yourself out of trouble, and also the Court has taken into account the position you were in - sleeping rough and having these financial problems and you were quite properly looking after your wife and children to the best of your ability. Having regard to your employers recommendations and this report we have got from him, we agree with counsel that you have appeared to have gotten over this drug habit and we think that we can encourage you by placing you on probation for 2 years with an order for 120 hours of community service. You must understand that if you do not behave during that period and come back to this Court it will have to be a prison sentence next time.