

19th September, 1986

A.G. -v- McNamee

A.G. -v- Pelletier

A.G. -v- J.P. Mc Connachie

DEPUTY BAILIFF: The Court is going to grant the conclusions in every case. In the case of McNamee because Advocate Mrs. Pearmain on your behalf has not sought, and very properly, to oppose the conclusions. There is nothing that I need to say. You are sentenced on count 1 to 12 months imprisonment; on count 2 to 18 months imprisonment concurrent; on counts 3 to 5 inclusive 18 months concurrent with each other and with the previous sentences; on count 6 to 6 months imprisonment concurrent making a total of 18 months imprisonment.

As far as Pelletier is concerned, we are satisfied that the conclusions which ask for borstal training, which in effect is 12 months in youth custody, does take into account all the mitigation including the guilty plea. We have had regard to the fact that there are excellent education possibilities in the youth centre organisation and if Pelletier wishes to follow a course he can do so within those establishments probably more easily than he can in Jersey. A sentence of 6 months imprisonment would mean his release in 4 months. There is a declared intention in the background report to go to Spain to live as soon as he is free which would negate an educational course of any period of time. The conclusions are granted, therefore Pelletier, you are sentenced on each of the four counts concurrently to borstal training and you will be remanded in custody pending your transfer to borstal.

In the case of McConnachie this is his fourth conviction for drugs and that we cannot ignore. We are not impressed by the English cases. The only reason given in the case of Hall, apparently, for reducing his sentence was that he was Jamaican and we cannot follow that reasoning at all. We apply the declared policy of this Court; and therefore McConnachie, you are sentenced on count 1 to 6 months imprisonment; on count 2 to 2 months imprisonment concurrent making a total of 6 months imprisonment and we order the forfeiture and destruction of all exhibits in all three cases.