

13th October, 1986.

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Royal Court of Jersey

BEFORE V.A. Tomes, Esq., Deputy Bailiff,
Mrs J.G.B. Myles, & G.H. Hamon, Esq.

Attorney General -v- William Sutherland McGregor (Appellant)

Advocate A.D. Robinson for the Appellant.

Advocate S.C. Nicolle on behalf of the Attorney General for the Crown.

THE DEPUTY BAILIFF: This appeal is without merit. We are not concerned here with the question of guilt because the appellant pleaded guilty. This means that in mid-morning on the day immediately after that upon which he was released from Prison for a like offence, he was drunk and disorderly in Parade Gardens. Although there was no binding-over order in force on the day in question, the fact remains that in the past six months he had twice been bound over to keep away from public parks. He had breached those orders and they had been discharged. And here he was again 24 hours after release from Prison.

The appellant has a deplorable record. In 1985 there are 5 convictions for being drunk and incapable, 3 for being drunk and disorderly, and 1 for being drunk on licensed premises. In 1986, prior to that with which we are concerned today, there are again 5 convictions for being drunk and incapable, and 5 for being drunk and disorderly.

This Court has said before that there should be other ways of dealing with alcoholics and habitual drunkards. But in the meantime the Court must administer the law as it finds it. If the appellant does not like the way that Jersey treats its alcoholics he has the remedy available of returning to Scotland from where he came.

On the most recent previous occasion the appellant was sentenced to 6 weeks imprisonment and 3 months was both reasonable and proper on this occasion.

The appeal is dismissed. Advocate Robinson will have his legal aid costs.