

ROYAL COURT

25th January, 1991

10

Before: The Deputy Bailiff, and
Jurats Blampied and Myles

The Attorney General

- v -

Robert George Henry Bowman

- OFFENCES:**
- 1) Importation of a controlled drug, contrary to Article 23 of the Customs & Excise (General Provisions) Jersey Law, 1972.
 - 2) Possession of a controlled drug with intent to supply contrary to Article 6(2) of the Misuse of Drugs (Jersey) Law, 1978.
 - 3) Possession of controlled drug contrary to Article 6(1) of the Misuse of Drugs (Jersey) Law, 1978.

PLEA: Guilty

DETAILS OF OFFENCE:

On the 23rd September, 1990, Bowman was apprehended by the police in the public lavatories at Broad Street in possession of cannabis resin. He was taken to Police Headquarters and searched and the total weight of cannabis resin removed from him was eleven and three quarter ounces with an approximate street value of £1,880. Bowman admitted having imported the drug from Barcelona via France and that he intended to sell it in Jersey. He was remanded in custody and on the 27th September, 1990, he was found to be in possession of more cannabis resin in his cell at Her Majesty's Prison, La Moye. This made the total amount recovered from Bowman just over 18 ounces with a total street value of £2,880.

DETAILS MITIGATION:

Bowman admitted the offences and pleaded guilty to the indictment. He was also fairly co-operative with the police.

PREVIOUS CONVICTIONS:

- 1) Several convictions for offences of dishonesty.
- 2) Numerous convictions for threatening behaviour and causing a breach of the peace.
- 3) Several convictions for consuming alcohol under age.
- 4) One conviction for assault occasioning actual bodily harm.
- 5) One conviction for criminal damage.
- 6) Several road traffic offences.
- 7) One previous conviction for drug trafficking.

CONCLUSIONS:

Count 1: 15 months' imprisonment
Count 2: 15 months' imprisonment concurrent
Count 3: 3 months' imprisonment consecutive

Total: 18 months' imprisonment.

SENTENCE AND OBSERVATIONS OF THE COURT:

The Court commented that its policy had been restated on many occasions and that there was no doubt that Bowman was a drug trafficker. The Court added that in its view the use of cannabis was unacceptable because many users progressed thereafter to Class A drugs such as LSD. Furthermore the Court agreed that the Attorney General was right in principle to treat the possession of cannabis in the Prison as a consecutive count.

The Attorney General.
Advocate S. Howard for the accused.

JUDGMENT

DEPUTY BAILIFF: The policy of this Court on drugs has been restated on many occasions. Accordingly the Court is unimpressed and uninfluenced by Bowman's views. There is no doubt at all, on the facts of the present case, that in Jersey at least, Bowman was a drug trafficker. He may not accept or recognise any serious consequences related to cannabis and believes that one day it will be accepted - he means legalised - here. That is not the view of this Court - over and over again we hear cases where drug users have progressed from cannabis to Class A drugs such as LSD and cocaine. Persons who share the views expressed by Bowman to the Probation Officer will be well advised to stay away from this Island, because they will receive no leniency from this Court.

Clearly this was an importation for gain, adding to the stock of drugs and to the contamination of other people, in the Island.

The Attorney General is correct in principle to treat the third count of possession in the prison consecutively and we cannot find any fault with the conclusions which are granted.

Therefore, Bowman, on Count 1, you are sentenced to 15 months' imprisonment.

On Count 2, you are sentenced to 15 months' imprisonment concurrent.

On Count 3, you are sentenced to 3 months' imprisonment consecutive; making a total of 18 months' imprisonment.

The Court makes an Order for the forfeiture and the destruction of the drugs.

No authorities.