

ROYAL COURT
(Samedi Division)

215.

15th November, 1996

Before: F.C. Hamon, Esq., Deputy Bailiff,
and Jurats de Veulle and Querée

The Attorney General

- v -

Simon John Golding

- 1 count of supplying a controlled drug, contrary to Article 5(b) of the Misuse of Drugs (Jersey) Law, 1978:
Count 1: Amphetamine Sulphate.
- 1 count of possession of a controlled drug with intent to supply it to another, contrary to Article 6(2) of the Misuse of Drugs (Jersey) Law, 1978:
Count 2: Amphetamine Sulphate.
- 1 count of possession of a controlled drug, contrary to Article 6(1) of the Misuse of Drugs (Jersey) Law, 1978:
Count 3: M.D.M.A.

Plea: Guilty.

Age: 24.

Details of Offence:

Premises searched and usual paraphernalia associated with trade found together with some 17 wraps of amphetamine sulphate. Co-operated with police and admitted earlier supply. Two ounces in total involved.

Details of Mitigation:

Supply charge based entirely on admissions. Co-operative. Long term addict. Sold to pay for his own habit.

Previous Convictions: Some but none for drugs.

Conclusions:

Count 1 : 12 months' imprisonment.
Count 2 : 12 months' imprisonment, concurrent.
Count 3 : 1 month's imprisonment, concurrent.
Confiscation Order : £221.32.

Sentence and Observations of the Court:

Count 1 : 8 months' imprisonment.
Count 2 : 8 months' imprisonment, concurrent.
Count 3 : 1 month's imprisonment, concurrent.
Golding a "pathetic cog in a vicious machine".

J.A. Clyde-Smith, Esq., Crown Advocate.
Advocate J.C. Gollop for the accused.

JUDGMENT

THE DEPUTY BAILIFF: Golding is charged with and has pleaded guilty to supplying amphetamine sulphate, having in his possession amphetamine sulphate with intent to supply, and possession of ecstasy.

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On Saturday, 13th July, 1996, a search warrant for the premises 21, Belmont Road, was obtained. The premises were then occupied by Golding. The search revealed all the paraphernalia associated with drug dealing and some white powder found in a clear plastic bank bag proved to be amphetamine sulphate. Golding was later arrested. His car was taken to police headquarters where more drug dealing paraphernalia including some more amphetamine sulphate was found. Golding has admitted injecting himself with drugs and had been using drugs on and off for some seventeen years. He has a supplier; he has been co-operative and has been supplied with drugs at 'Churchills' public house where his supplier encouraged him by giving him small amounts on credit. It is estimated that he had supplied a minimum of 30 wraps of this poison with a local street value of some £470. He had repaid £200 to his supplier when he was caught.

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The ecstasy was in tablet form which Golding said he found on the floor of the 'Venue' nightclub. Whether that is true or not is not really material to us - he admits he would have sold it had anyone asked for it. We have to say that this was a commercial quantity of Class B drugs and warrants a custodial sentence. His previous record includes no drug related offences. He is 35 years old. We have to say, on reading the background report, that he appears to us to be a pathetic cog in an increasingly vicious machine. He says he was only going to sell these poisons to those people who asked for them and we must recall that he did write his own indictment on the first count. The dealer with whom he dealt of course had no scruples whatsoever. The dealer's only aim was, by whatever means possible, to draw as many users as he could into this increasingly deadly business.

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Be that as it may Mr. Gollop has made his arguments very clearly and we note that Golding has already been in custody for some four months. Golding, stand up, please. You are sentenced to eight months' imprisonment. We order for forfeiture and destruction of the drugs.

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Authorities

AG -v- Bevis and Bateman (8th May, 1996) Jersey Unreported.

AG -v- Sumner (1st March, 1995) Jersey Unreported.

AG -v- Hanney (3rd April, 1995) Jersey Unreported.

Whelan: "Aspects of Sentencing in the Superior Courts of Jersey"
pp.29-35.

Ibid: "Noter Up May 1994 to May 1995": pp.1-27.

Ibid: "Noter Up May 1995 to May 1996": pp.1-17.

AG -v- Chainey (11th October, 1996) Jersey Unreported.