

JERSEY / JUDGMENT

## AG v Chester and Ryan

COURT

ROYAL COURT

BEFORE

Sir Philip Bailhache, Bailiff, and Jurats de  
Veulle, and Clapham.

The Attorney General

-v-

Ailsa Kate Chester;

Paul Thomas Ryan

Ailsa Kate Chester

1 count of:

possession of controlled drug, with intent

to supply, contrary to Article 6(2) of the Misuse of Drugs (Jersey) Law, 1978

Count 1: cannabis resin

1 count of:

possession of controlled drug, contrary to

Article 6(1) of the Misuse of Drugs (Jersey)

Law, 1978

Count 2: cannabis resin

[On 18th September, 2003, the

Crown accepted a plea of not guilty to count 1].

Age: 24.

Plea: Guilty.

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### Source record

[2003]JRC185

ROYAL COURT

(Samedi Division)

17th October, 2003

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|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Before:                | <p>Sir Philip Bailhache, Bailiff, and Jurats de Veulle, and Clapham.<br/>The Attorney General<br/>-v-<br/>Ailsa Kate Chester;<br/>Paul Thomas Ryan<br/>Ailsa Kate Chester<br/>1 count of:<br/>possession of controlled drug, with intent to supply, contrary to Article 6(2) of the Misuse of Drugs (Jersey) Law, 1978<br/>Count 1: cannabis resin<br/>1 count of:<br/>possession of controlled drug, contrary to Article 6(1) of the Misuse of Drugs (Jersey) Law, 1978<br/>Count 2: cannabis resin<br/>[On 18th September, 2003, the Crown accepted a plea of not guilty to count 1].<br/>Age: 24.<br/>Plea: Guilty.</p>                                                                                 |
| Details of Offence:    | <p>Ryan and Chester were found in joint possession of 5 oz of cannabis resin as a result of a drugs warrant search. At the time, Ryan was a serving prisoner nearing the end of a 12 month sentence for 9 counts of false pretences. He had driven in a car to meet Chester without valid insurance. At interview both Ryan and Chester initially gave misleading information, but both pleaded guilty on indictment. Chester had spent 2½ months on remand in custody before being granted bail. Ryan had served the equivalent of 3 months 17 days on remand, having completed his 12 month sentence on 5th August, 2003. The approximate wholesale value of the cannabis was between £575 and £700.</p> |
| Details of Mitigation: | <p>Guilty pleas. Apologies to the Court.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Previous Convictions:  | <p>1 for possession of cannabis, met with £150 fine.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Conclusions:           | <p>A bind over to leave the Island for 3 years within the provisions of Article 2(1)(ii) of the Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sentence and<br>Observations of Court: | Conclusions granted.<br>Paul Thomas Ryan<br>1 count of:<br>possession of controlled drug, with intent<br>to supply, contrary to Article 6(2) of the Misuse of Drugs (Jersey) Law, 1978<br>Count 3: cannabis resin<br>1 count of:<br>possession of controlled drug, contrary to<br>Article 6(1) of the Misuse of Drugs (Jersey)<br>Law, 1978<br>Count 4: cannabis resin<br>1 count of:<br>using a motor vehicle uninsured, contrary to<br>Article 2(1) of the Motor Traffic (Third Party Insurance)(Jersey) Law 1948 (Count 5)<br>[On 18th September, 2003, the<br>Crown accepted a plea of not guilty to count 3].<br>Age: 41.<br>Plea: Guilty. |
| Details of Offence:                    | See Chester above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Details of Mitigation:                 | See Chester above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Previous Convictions:                  | A persistent offender with 20<br>convictions involving 40 offences, including an 8 year prison sentence for<br>armed robbery. 7 previous drugs<br>offences.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Conclusions:                           | 3 months' imprisonment<br>consecutive to his 12 month sentence, the effect of which would allow him<br>immediate release. 1 month's imprisonment concurrent<br>for driving without insurance.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Sentence and<br>Observations of Court: | Court gave very<br>serious consideration to increasing conclusions but decided that the interests<br>of the community dictated that he should be bound over to leave the Island for 3<br>years in respect of both counts.<br>Mrs S. Sharpe, Crown Advocate.<br>Advocate D. Hopwood for A.K. Chester<br>Advocate J.C. Gollop for P.T. Ryan                                                                                                                                                                                                                                                                                                       |

## JUDGMENT

THE BAILIFF: 1. Chester, you have behaved extremely foolishly as well as illegally and we are not going to say anything more to you other than that we hope that you will not offend in this way again. We have read all that has been said about you in the Background Report. We are going to bind you over to be of good behaviour on condition that you leave the Island and do not return for three years. Are you prepared to accept those conditions? Very well then, on the count to which you have now pleaded guilty, the Court will bind you over on those conditions. 2. Ryan, stand up please. The Court has, as is no doubt obvious to you, given very serious consideration to

increasing the conclusions of the Crown Advocate because we are not at all impressed by the treatment which you have afforded to the prison authorities by responding to the privileges that you have been given by breaking the law and in effect, treating the system with contempt. It is for that reason that we have given very serious consideration indeed to increasing the prison term moved for by the Crown Advocate. We are not going to do that because, having already served the equivalent of a three months' sentence, we think that it is in the interests of this community, in fact, that you leave the Island as soon as possible and make a new life for yourself and we hope that you will do that as suggested by your counsel. Now, are you prepared to be bound over on condition that you leave the Island and do not return for three years? Very well then, on the two counts to which you have pleaded guilty, the Court will bind you over to be of good behaviour during that time on condition that you leave the Island and do not return for three years, and until arrangements are made for you to depart from the jurisdiction, you will be remanded in custody. We order the forfeiture and destruction of the drugs. No Authorities

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