

JERSEY / JUDGMENT

AG -v- Davis [2005] JRC 075 (03 June 2005)

[2005] JRC 075

Source: bailii.org · Research copy typeset by Esheria. Not court-issued or certified.

JUDGMENT

THE DEPUTY BAILIFF: 1. This defendant had 1 kilo of cannabis resin and 50 ecstasy tablets, but it is accepted that it was for his own personal use. He has a recreational drug habit and had bought them in the UK because they were much cheaper there. 2. We have to consider first a starting point. On the ecstasy having regard to the case of Finnegan -v- A. G . [2004]JRC077 we think the correct starting point would be one of 4 years. Taking into account the fact that there was also the cannabis resin, we think we should add 6 months, therefore, a starting point of 4½ years. 3. There is, however, powerful mitigation in this case. The defendant pleaded guilty and was very co-operative. He has no previous record apart from one conviction for the possession of cannabis. He has an extremely good work record. He is assessed at being at low risk of re-offending. Whilst in prison he has come to realise that he needs to stop taking drugs and the Drug and Alcohol Report and the Social Enquiry Report support this. There are also letters and references. 4. The correct sentence in our judgment would be one of 2 years' imprisonment. However, we have decided that, given all the particularly strong mitigation in this case, we can proceed by way of a non-custodial sentence. 5. We are going to impose a Community Service Order of 240 hours and because we want to ensure that you attend the Drug and Alcohol Service we are going to make a Probation Order of one year on condition that you comply with the treatment goals agreed with Drug and Alcohol, you attend the Service as directed, and that you abstain from all controlled drugs and be subjected to random drug tests. 6. We wish to emphasise to you, that this is your chance. Should you fail, in other words, should you not comply with Drug and Alcohol's requirements for drug tests or should you not turn up and carry out the community service properly then you will be brought back here and there certainly will be a prison sentence, and as we indicated earlier we think the correct level of sentence would be one of 2 years' imprisonment. 7. The opportunity is yours, but the risk if you fail will be that you will go back to prison. We order the forfeiture and destruction of the drugs. We confirm a not guilty verdict on Counts 3 and 4. Authorities Finnegan -v- A. G . [2004]JRC077. Page Last Updated: 14 Jul 2016
BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bailii.org/je/cases/UR/2005/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-davis-2005-jrc-075-03-june-2005>

Prepared on 25 October 2026 · Esheria