

JERSEY / JUDGMENT

# AG v Lakeman

COURT

ROYAL COURT

BEFORE

Sir Philip Bailhache, Bailiff, and

Jurats Le Brocq and Le Breton

The Attorney General

-v-

Matthew Ryland Campbell Lakeman

Breach of a one year

probation made by the Royal Court on 15th March, 2002 (See Jersey Unreported Judgment of that date: 2002/63) with attendant conditions that the defendant: (1) attends the drugs and alcohol service; (2) remains abstinent from all drugs; (3) complies with any treatment recommended by the drugs and alcohol service; and (4) attends the SMART programme. In addition the defendant was to comply with the directions of his probation officer regarding his employment,

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2002/160

ROYAL COURT

(Samedi Division)

30th August, 2002

Before:

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Jurats Le Brocq and Le Breton

The Attorney General

-v-

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|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| following a guilty plea to:            | 1 count of:<br>Possession of a controlled drug, with intent<br>to supply, contrary to Article 6(2) of the Misuse of Drugs (Jersey) Law, 1978:<br>count 2: ecstasy<br>[On 8th February, 2002,<br>the Court ordered that count 1 should remain on court file.] |
| Plea:                                  | Breach admitted.                                                                                                                                                                                                                                             |
| Conclusions:                           | 2 ½ years' youth<br>detention.                                                                                                                                                                                                                               |
| Sentence and<br>Observations of Court: | Conclusions granted.<br>C.M.M. Yates, Esq., Crown Advocate.<br>Advocate -----D.<br>Cadin for the Defendant                                                                                                                                                   |

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## JUDGMENT

THE BAILIFF: 1. Lakeman, your counsel has already said this, but we will repeat what you were told by the Deputy Bailiff when you appeared before the Court in March of this year. The Deputy Bailiff said “you can consider yourself very fortunate. If you come back before us because you have not attended any of these programmes, or you have committed further offences, or you have not done what the probation officer told you, then you will face a strong likelihood of a prison sentence. So this is your opportunity, take advantage of it.” Now you have not taken advantage of the opportunity that was given to you and we have therefore to sentence you again for the offences to which you pleaded guilty in March. 2. We have considered very carefully our duty under the Criminal Justice (Young Offenders) (Jersey) Law 1994. We have asked ourselves whether it is possible to avoid imposing a sentence of youth detention. You have been before the Courts on four occasions. You have been bound over for possession of cannabis on three occasions and on the last occasion for possessing ecstasy with intent to supply you were placed on probation. You failed to comply with one of the binding over orders and you have failed to comply with the probation order. We are satisfied that you have a history of failure to respond to non-custodial penalties and are unable or unwilling to respond to them. We are also satisfied that the offence of possessing ecstasy with intent to supply is so serious that in the circumstances a custodial sentence must be imposed. 3. Your counsel has said, on your behalf, everything that could have been said. The reality is that your motivation to change and to kick your drug habit only emerges when you are facing the likelihood of a custodial sentence. That is not good enough. If you want to make something of your life, and you are an intelligent lad with a potentially bright future in front of you, you must develop a stronger determination that you are not going to have anything to do with drugs. 4. In the meantime we have to punish you and we hope that you will take advantage of the facilities and the advice and guidance which will be available to you in the young offenders centre. The conclusions are granted and on count 2 you are sentenced to 30 months' youth detention and we discharge both the probation orders. No Authorities

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