

JERSEY / JUDGMENT

AG v Lomas [2001] JRC 94 (03 May 2001)

[2001] JRC 94

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JUDGMENT

THE DEPUTY BAILIFF: 1. The Crown has withdrawn the count of possession with intent to supply and has proceeded on the basis that the heroin brought into the island by Lomas was for her own personal use. 2. The Crown advocate has nevertheless submitted that there was a risk that with such a large quantity of heroin some might have been shared or stolen, thus adding to the amount of heroin available in the island. We think that that is the proper approach and we adopt it. 3. We think, however, that the appropriate starting point in this case is one of five and a half years imprisonment. 4. This is an unusual case in the sense that Lomas, having won a large sum of money, at bingo, had no need, financially, to sell the heroin. Furthermore, we accept from the reports before us that her addiction was so heavy that the amount involved, twenty eight grams, could have been consumed by her during the planned seven days in Jersey. 5. We agree with the Crown advocate that the pregnancy, particularly as it began whilst she was unlawfully at large, having absconded after compassionate bail had been granted, is not a mitigating factor. If anything, it is an aggravating feature of this case. 6. We think that the deductions allowed by the Crown advocate for the mitigating factors are right and proper and the sentence of the court, accordingly, is that you will be sentenced, Miss Lomas, to three and a half years imprisonment and we furthermore order the forfeiture and destruction of the drugs. Authorities AG-v-de Lima . (30th June 2000) Jersey Unreported; [2000/122] AG-v-de Sousa (2nd June 1997) Jersey Unreported; [1997/101] AG-v-Price, Bass (25th May 2000) Jersey Unreported; [2000/88] AG-v-Présumé (1st November 2000) Jersey Unreported; [2000/213] Gregory-v-AG (15th January 1997) Jersey Unreported CofA; [1997/4] Campbell, MacKenzie and Malloy-v-AG

(1995) JLR 136 CofA. Humberto Ribas (9th February 1976) Court of Criminal Appeal 147 Page Last Updated: 20 Jun 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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