

JERSEY / JUDGMENT

AG -v- Prior [2007] JRC 089 (27 April 2007)

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JUDGMENT

THE Commissioner: 1. Jason Prior is charged with two counts of breaking and entry and one count of possession of a controlled drug (Class C). He has pleaded guilty to all three counts. The first count involves a breaking and entry and larceny at the Route du Fort Surgery. Police were called when a member of the public saw a man, now known to be Prior, at 7 o'clock in the morning smashing a window at the doctors' surgery and climbing in. He was seen going through cupboards in the surgery and apparently each of the doctors' rooms had been ransacked. 2. The window had been broken with the use of a fire extinguisher. Prior had consumed three containers of 10 milligram Diazepam Stesolid. There were other packets of medication strewn about. That was on the 30 th November last year, and on 27 th November in the early hours, Prior was seen by police cycling along the precinct towards Charing Cross. He had no lights on his bicycle and appeared very, very unsteady. 3. He was found to have twenty-three containers of various different forms of medication on him. It was on that day that the break-in occurred at the Cleveland Clinic. Blood at the Clinic matched the DNA of Prior, and he also had a set of keys to the clinic on his person. The Class C drugs found on him had clearly come from the Cleveland Clinic break-in. 4. Prior is also in breach of his 12 months' Probation Order imposed for common assault by the Magistrate on 7 th September, 2006. Prior is not unknown to the Court, he has eight convictions for thirty-six offences which include drug offences, but undoubtedly his worst offence was committed in July 2001 when he was imprisoned for ten years for a very serious grave and criminal assault. 5. The background reports that we have read make for very sad reading. The defendant claims that, in his own words, "he was as high as a kite on drugs and alcohol and went into the surgery to get medication to bring him down" . 6. We have read most carefully the very detailed reports from the Probation Service, from Mr Gafoor of the Alcohol and Drugs Service and the Psychological and Psychiatric Reports. Mr Gafoor and Dr Harrison strongly support a treatment order. We have of course considered this matter long and hard. It is undoubtedly true that this defendant has serious mental health problems, exacerbated by his drug and alcohol problem. 7. We do feel that the breaking into a doctor's surgery is so serious that a custodial sentence is virtually inevitable. We put that out as a warning to anyone else who may consider taking such action, but we have been most seriously concerned in this matter. 8. Prior is apparently at a high risk of re-offending. He is without a doubt mentally ill. All of the experts without exception recommend a last chance treatment order. He will apparently, if he comes out of prison, live with his sister. 9. Our problem is that putting this man into prison will not allow

him the treatment that all of the experts recommend. This is a further prime example where a prison sentence followed by after care supervision and treatment is called for but sadly we cannot in this Court act without political authority. 10. We are going to put you on two year' probation. During this time you must serve a treatment order as detailed by your Probation Officer you must also as a punishment carry out a community service order for 240 hours. If you fail to do this in any respect you will immediately be brought back to Court and a prison sentence will follow. No Authorities Page Last Updated: 26 Jun 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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