

JERSEY / JUDGMENT

# The Attorney General v James McCormack

COURT

ROYAL COURT

BEFORE

Sir Philip Bailhache, Bailiff, and  
Jurats Myles, Potter.

The  
Attorney General

-v-

James  
McCormack

1

count of: being knowingly  
concerned in the supplying of a controlled drug, contrary to Article 5(c) of  
the Misuse of Drugs (Jersey) Law, 1978

count

1: Cannabis resin.

1

count of: supplying a controlled drug,  
contrary to Article 5(b) of the Misuse of Drugs (Jersey) Law, 1978

count

2: Cannabis resin.

1

count of: possession of a  
controlled drug, contrary to Article 6(1) of the Misuse of Drugs (Jersey)  
Law, 1978

count 3: Cannabis  
resin.

Age: 55

Plea: Guilty

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## Source record

1999/75

3 pages

ROYAL COURT

(Samedi

Division)

30th

April, 1999.

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Before:             | <p>Sir Philip Bailhache, Bailiff, and<br/>Jurats Myles, Potter.<br/>The<br/>Attorney General<br/>-v-<br/>James<br/>McCormack<br/>1<br/>count of: being knowingly<br/>concerned in the supplying of a controlled drug, contrary to Article 5(c) of<br/>the Misuse of Drugs (Jersey) Law, 1978<br/>count<br/>1: Cannabis resin.<br/>1<br/>count of: supplying a controlled drug,<br/>contrary to Article 5(b) of the Misuse of Drugs (Jersey) Law, 1978<br/>count<br/>2: Cannabis resin.<br/>1<br/>count of: possession of a<br/>controlled drug, contrary to Article 6(1) of the Misuse of Drugs (Jersey)<br/>Law, 1978<br/>count 3: Cannabis<br/>resin.<br/>Age: 55<br/>Plea: Guilty</p> |
| Details of Offence: | <p>Twice supplied an undercover<br/>police officer with cannabis.<br/>Combined weight/value 50grams (1.8 oz) £300. When arrested had personal amount<br/>of<br/>cannabis on him.<br/>Details</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| of Mitigation:      | <p>Done as a favour, made no<br/>profit. Former unemployed occupant<br/>of the Shelter, who had found a job, persevered with it to good effect and had<br/>achieved modest independence. Not a<br/>regular commercial dealer. Age.<br/>Previous<br/>Convictions: Various but<br/>none for drugs and, prior to present convictions, 18 years gap in the record.</p>                                                                                                                                                                                                                                                                                                                       |

Conclusions:

Count 1: 6 months' imprisonment  
Count 2: 6 months' imprisonment  
Count  
3: 1 month's imprisonment  
All concurrent.  
Sentence  
& Observations of the Court: 1 year's probation;  
120 hours community service.  
Cumulatively, the mitigation  
just allowed of  
an individualised sentence.  
C.E.  
Whelan, Esq., Crown Advocate.  
Advocate  
M. Guillaume for the Accused.

## JUDGMENT

THE BAILIFF: Mc Cormack, supplying cannabis is a serious offence and the Crown Advocate was quite right to move for a custodial sentence in the way in which he did. We have in the particular circumstances of this case taken account of the small amount of drugs involved, your previous good character and the other mitigating factors to which Counsel has drawn attention in his submissions. On that basis, McCormack, we are prepared to impose a sentence of Community Service as an alternative to a prison sentence. We hope that you will not again involve yourself in illegal drugs, and will not take the sentence which I am about to impose as an indication of what might happen on another occasion. The Court places you on probation for one year, on the usual conditions, and on the further condition that you perform 120 hours of Community Service to the satisfaction of the Community Service Organiser, and we order the forfeiture and destruction of the drugs. Authorities A.G. -v- Flynn ( 23rd October, 1998) Jersey Unreported.

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Prepared on 23 October 2026 · Esheria