

ROYAL COURT  
(Samedi Division) 159.

22nd November, 1993

Before: The Bailiff and Jurats Bonn and Vibert

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Police Court Appeal

Mathew Alan Rault

- v -

The Attorney General

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Appeal against a total sentence of 4 weeks imprisonment passed in the Magistrate's Court on 23rd September, 1993, following a guilty plea to:

3 counts of:            possession of a controlled drug, contrary to Article 6(1) of the Misuse of Drugs (Jersey) Law, 1978: Count 1 (Cannabis Resin) on which the appellant was sentenced to 2 weeks' imprisonment; Count 2 (Amphetamine Sulphate) on which he was sentenced to 1 week's imprisonment (consecutive); and Count 3 (Ecstasy), on which he was sentenced to 1 week's imprisonment (consecutive)

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Advocate R.J.F. Pirie for the Appellant.  
Advocate A.D. Robinson on behalf of the  
Attorney General.

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**JUDGMENT**

**THE BAILIFF:** There was before the Magistrate a statement by Counsel who appeared for the appellant on that occasion, to the effect that the appellant had seen Mr. Gleeson, the Probation Officer, and that Counsel understood that Mr. Gleeson would certainly, if he were in Court, encourage a remand so that a full background

report could be prepared. We think the Magistrate perhaps overlooked that statement; it is an important one, and we are going to allow the appeal and remit the matter back to the Magistrate so that he might obtain a report.

Authorities

A.G. -v- Ryan, Mesney (20th April 1990) Jersey Unreported.