

Man (31) Failed to Remain Drug-Free

A Waterford man who failed to remain free of illicit drugs when given a chance by the Circuit Criminal Court, was last week sentenced to four years in prison with the final year suspended.

Father of two, Craig Murphy (31) with an address at No 39, Newport Square, Waterford, pleaded guilty to possession of heroin with a street value of €6,350 for sale or supply to another which were seized by the Gardaí in a raid on a house in Tramore on November 14th 2011.

Judge Thomas Teehan said the accused man had a severe addiction to heroin and the case was adjourned for twelve months ago to see how he got on.

He was given a chance but did not take it and admitted he had not remained free of drugs since he was last before the court.

Waterford State Solicitor Frank Hutchinson said the court was concerned that during the last 12 months the accused man would not come to the adverse notice of the Gardaí and have no further drug related convictions. But the Gardaí found him in possession of a number of “€50 euro deals” of heroin. That matter was due to come before Waterford District Court on July 22nd next.

Barrister Elaine Morgan, defending, said she did not disagree with the State Solicitor and the court had in mind a four year sentence with part of it suspended.

The accused man had a chronic and entrenched heroin addiction and he came from an extremely difficult and dysfunctional family background. His mother had her own addiction and he fell into a severe heroin dependency.

Throughout 2012 he was drug-free and was on a methadone programme. Currently he was “clean of heroin” and the probation services felt he needed counselling.

He continued to struggle and make some progress and took part in a FAS wood working course earlier this year. But his progress was “unfinished” and he now came before the court in circumstances that were not ideal.

Judge Teehan said the accused man was no stranger to the court and had a long list of previous convictions and admitted he had not remained free of illicit drugs. He was deemed to be a high risk of re-offending.

The type of drug involved in this case was heroin which more than any other drug had led to crime and caused untold misery in society.

The case merited a sentence of four years in prison but there were mitigating factors. The early guilty plea weighted heavily with the court and saved the State a considerable amount of time and resources.

There would be considerable credit for that and he was honest enough to take all blame for the crime. Material assistance was not given to the Gardaí through fear of more sinister individuals in the drugs hierarchy.

Heroin was a very difficult habit to get rid of and the accused went to some lengths to “kick the habit”. He met the case favourably, acknowledged his re-offending and engaged in the methadone programme and was on a low dose.

Consideration had to be given to the very dysfunctional family background involved and he did not have the same chance in life as others.

The Judge said a custodial sentence could not be avoided. The appropriate sentence was four years but having regard to the mitigating factors he would suspend the last year of the sentence.

The accused entered a bond to keep the peace for two years after his release from prison and he was directed to remain entirely free of drugs and engage with the probation services and comply with requests made of him.

An order was made for the destruction of the seized drugs.