

ENGLAND AND WALES / JUDGMENT

R v Conrad Byrd

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[2026] EWCA Crim 586 Royal Courts of Justice Strand London WC2A 2LL Friday 24 April 2026
Before: LORD JUSTICE HOLGATE MR JUSTICE WALL RECORDER OF LEICESTER (HIS HONOUR JUDGE TIMOTHY SPENCER KC) (Sitting as a Judge of the CACD) REX V CONRAD BYRD

Computer Aided Transcript of Epiq Europe Ltd, Lower Ground, 46 Chancery Lane, London WC2A 1JE Tel No: 020 7404 1400; Email: rcj@epiqglobal.co.uk (Official Shorthand Writers to the Court)

MR B HARGREAVES appeared on behalf of the Appellant.

J U D G M E N T LORD JUSTICE HOLGATE:

1. On 15 April 2025 in the Crown Court at Birmingham, the appellant (then aged 50) pleaded guilty to possessing cocaine with intent to supply. On 13 June 2025 the appellant was sentenced by Her Honour Judge Buckingham to imprisonment for 13 years 6 months. At a slip rule hearing on 16 June the judge reduced that sentence to imprisonment for 12 years 9 months. The appellant now appeals against sentence with the leave of the Single Judge.

2. On Friday 14 March 2025 police conducted an intelligence led stop and search of a BMW car being driven by the appellant in Birmingham. Officers found 19 large blocks of drugs in a laundry bag inside the vehicle. A blue backpack located in the offside passenger footwell contained a further five blocks. The total weight of these blocks was 25 kilograms. Forensic testing confirmed that they were kilogram blocks of cocaine with a purity of between 77 and 84 per cent.
3. The appellant's home address in Sidcup, Kent, was also searched. Officers found nine empty plastic packaging carcasses with the same appearance as the kilogram blocks discovered in the appellant's car. A further 2 kilograms of cocaine was discovered in separate locations in the flat as well as watches and £4,885 cash.
4. During mitigation, counsel accepted that the appellant had been making drug runs between London and Birmingham, over 2 to 3 months, on at least two, three or four occasions. The appellant did not answer any questions in his police interview.
5. The appellant had one previous conviction for harassment in 2018, for which he received a 12-month conditional discharge. That offence was of no significance for the sentence passed on the index offences.
6. No pre-sentence report was prepared. We consider that no such report was necessary in the Crown Court or for the appeal in this Court. 7. In her sentencing remarks the judge said that the appellant had a significant role, was clearly aware of the scale of the operation, gained financial reward and the offending continued for some time. He was not just a courier making a one-off journey but was trusted to carry and store large amounts of drugs and cash. However, there were no statutory or other aggravating features. The previous conviction was both irrelevant and old. The judge then had regard to the positive character references from family and friends and medical records. She accepted the mitigation advanced by counsel based upon those documents. At the age of 50 she said that custody for the first time, particularly for such a lengthy period, would be hard for the appellant in comparison with other offenders generally. The judge said that the sentence after trial, allowing for mitigation, would have been 18 years. After allowing credit of 25 per cent for the guilty plea the sentence imposed was imprisonment for 13 years 6 months.
8. At the following slip rule hearing the judge said that she had made a material error in the sentence she had imposed. She had not made sufficient allowance for the mitigation advanced by the appellant's counsel and also for the admissions he had made at the roadside when initially stopped by the police. She therefore reduced the sentence after trial by a further year and the sentence became one of 12 years 9 months.
9. We are grateful to Mr Hargreaves for his helpful written and oral submissions. In summary, he submits that the sentence was manifestly excessive because the judge had not taken sufficiently into account the appellant's personal circumstances, mitigation, lack of previous convictions and the current state of prisons. Discussion

10. The current state of prisons does not provide mitigation for an offence as serious as this, requiring a lengthy term of imprisonment. That is clear from previous decisions of this Court. On the other hand, the fact that such a term will be harder for someone aged 50 in the appellant's circumstances is a material factor, one which the judge accepted and took into account.
11. The appellant had had a successful career and family life for 25 years. He had bought a home and had two daughters who went to university and were now in their 20s. Unfortunately when they were young the appellant started taking cocaine for recreational purposes. He also abused alcohol. He became addicted to cocaine, ending up losing his partner, job, home and contact with his daughters. The consumption of cocaine resulted in substantial debts. He attempted suicide in 2017 and received treatment for mental health issues. He had effectively been of good character for the purposes of this sentencing exercise. The judge acknowledged that the appellant had shown a constructive approach to his incarceration. She also said that he is highly unlikely to reoffend.
12. In our judgment, the appellant's role was towards the upper end of significant and the quantity of drugs involved was several times greater than the indicative amount for the midpoint for the range for category 1 harm. A sentence of 18 years after trial but before allowing for mitigation, although perhaps severe, would not have been manifestly excessive. The issue in this appeal is what allowance should have been made for all the mitigation, which in this case was significant. The judge, very properly, recognised that the sentence she initially imposed had been erroneous but was the correction she applied sufficient to prevent the sentence being manifestly excessive? We consider that in the particular circumstances of this case it was not, and that the sentence after trial should have been reduced to 16 years before allowing 25 per cent credit for the guilty plea. Accordingly we quash the sentence of 12 years 9 months and substitute a term of imprisonment for 12 years. To that extent only the appeal is allowed. Epiq Europe Ltd hereby certify that the above is an accurate and complete record of the proceedings or part thereof. Lower Ground Floor, 46 Chancery Lane, London, WC2A 1JE Tel No: 020 7404 1400 Email: Rcj@epiqglobal.co.uk 5

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Prepared on 23 October 2026 · Esheria