

JERSEY / JUDGMENT

AG v Ahmed [2011] JRC 078 (13 April 2011)

[2011] JRC 078

Source: bailii.org · Research copy typeset by Esheria. Not court-issued or certified.

JUDGMENT

THE commissioner: 1. On the face of it this is a straightforward application by the Crown for a recommendation for a deportation order, following this defendant's conviction and sentence for a serious drug trafficking offence. The defendant has no permanent connections with Jersey. His only connection with the Island is that he brought in, for onward distribution, a quantity of heroin, concealed internally, that could have caused great harm in this community. Applying the conventional two part test there is little doubt that his continued presence in the Island is not conducive to the public good. Furthermore he has no family connections in Jersey and there are no human rights considerations which would outweigh the desirability that Ahmed be removed from Jersey. 2. The complication arises because the Crown Advocate has told us that the United Kingdom Border Agency has given an indication, although we have seen nothing in writing to that effect, that if a Deportation Order is made in Jersey it will not be subject to any further consideration in the United Kingdom and will simply be implemented. We think, from our reading of the statutory provisions, that this is a surprising conclusion, but we have proceeded on the basis that one of two things will happen if a Deportation Order is or is not made in Jersey. If an order is made and is held to be automatically enforceable it will nonetheless be open to the defendant to apply to the Secretary of State to dis-apply it on the basis of his family connections in the United Kingdom and any other human rights considerations that may be relevant to the application. It would then be for the relevant authority to make a decision. Similarly if no order for deportation is ultimately made by the Lieutenant Governor it would be for the relevant United Kingdom authority to balance the same human rights considerations against Ahmed's conviction for a drug trafficking offence, in considering whether his leave to enter the United Kingdom should be extended or not. We are reluctant to engage in consideration of matters which seem to us more appropriately to be for consideration by the relevant United Kingdom authority. 3. So far as we are concerned we apply the conventional test set out in *Camacho v AG*

[2007] JLR 462 . We declare that we are satisfied, first of all, that Ahmed's continued presence in Jersey is not conducive to the public good. He has committed a serious criminal offence for which he has been sentenced to a lengthy period of imprisonment. Secondly, considering the relevant human rights considerations, Ahmed has no family or other connections in Jersey. We do not consider that there are any human rights factors which outweigh the desirability of recommending to the Lieutenant Governor that Ahmed should be deported from the Island at the conclusion of his sentence. 4. We therefore

make that recommendation to the Lieutenant Governor. Authorities Camacho v AG

[2007] JLR 462 . Page Last Updated: 18 Aug 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bailii.org/je/cases/UR/2011/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-ahmed-2011-jrc-078-13-april-2011>

Prepared on 27 October 2026 · Esheria