

JERSEY / JUDGMENT

AG -v- Buchanan [2015]

JRC 170 (18 August 2015)

[2015] JRC 170

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are to be sentenced in respect of one count of possession of a controlled drug with intent to supply. The quantity was 278.2 grams and the drug was heroin, of varying degrees of purity. This has a street value of £278,000. 2. Whilst you do not have an unblemished record, you have no previous convictions for drugs offences and we view your record as not relevant for our present purposes. 3. You are to be sentenced on your version of events, namely that you were simply a minder, having been asked to hold the drugs for an acquaintance for a short period. Minding drugs for another is an important part of the chain of supply and would not, of itself, cause the Court to look for a lower starting point than that recommended by the Crown. However, we have had regard to the fact that there is no indication that you were involved at all in the drugs trade and, indeed, the indications in this case appear to be to the contrary. 4. We note the extracts from the case of Rimmer (Rimmer and Ors-v-AG

[2001] JLR 373) cited by your counsel which indicate that the starting points are guidelines only and that amongst the things we are to take into account are other factors showing the degree to which a defendant was concerned in drug trafficking. In the circumstances we feel able to reduce the starting point in this case from the 11 years recommended by the Crown to one of 10 years. 5. We have considered the mitigation available to you with care. We note your guilty plea and we note your relative youth and that, from our perspective, is an important factor. We also pay particular regard to the letters that you have provided from your family which speak extremely well of you and we have taken these very much into account in our thinking. 6. I have to tell you that the Court is divided in how you should be dealt with; a number of members of the court feel that you should be dealt with more seriously than we are proposing to deal with you. However, the sentence of the Court is that you will go to prison for 4½ years. 7. We also order the forfeiture and destruction of the drugs. Authorities Rimmer and Ors v AG

[2001] JLR 373 . Vipond v AG

[2004] JLR Note 24 . AG v Wareing

[2015] JRC 035 . Selway v AG

[2003] JCA 010 . Page Last Updated: 27 Sep 2016 BAILII: [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#) | [Donate to BAILII](#)

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Prepared on 29 October 2026 · Esheria