

JERSEY / JUDGMENT

AG v Buckley [2021] JRC 222 (25 August 2021)

[2021] JRC 222

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

JUDGMENT

THE BAILIFF: 1. You are to be sentenced today for two counts of importing Class A drugs, 51 MDMA tablets and 10 LSD tablets with the intention of selling them on. You are also to be sentenced for possession of cannabis. This was a postal importation and the padded envelopes addressed to you were selected for inspection by an officer of the Jersey Customs and Immigration Service. Following discovery of the drugs in those envelopes a search warrant was executed at which time you were arrested, and the cannabis was seized. 2. You initially denied all knowledge of the importation of the Class A drugs and during your second interview you made "no comment". The drugs in question were valued as to the 51 MDMA tablets with a street value of between £1,000 and £1,500, the 10 LSD tablets with a value of between £200 and £300 and the cannabis valued between £80 and £100. An examination of your phone disclosed text messages, photos and some videos which indicate drug use including both MDMA and LSD. Accordingly, you have lied in your interview and you have been less than honest at other stages of the investigation. 3. You entered guilty pleas when you first appeared before the Youth Court and have maintained those pleas since. You have been made aware, we are sure, that this offending crosses the custody threshold and the Crown has taken a starting point in its consideration of sentencing of 7 years' imprisonment, which is to our mind correct. We accept with regard to the cannabis, had that been the only count you were facing, this matter would probably have been dealt with at the Parish Hall and you may have received a written caution. 4. The provisions of the Criminal Justice (Young Offenders)(Jersey) Law 2014 apply and we have had regard to the three factors that we must consider on the matter of whether to deal with you by way of a custodial sentence. You do not have a history of failure to respond to non-custodial penalties and we do not think the protection of the public arises in this case, so like the Crown we have considered whether or not the totality of your offending is so serious that a non-custodial sentence cannot be justified. 5. We note that you are of good character in the sense that you have no previous convictions and although a guilty plea was very likely inevitable, we also note that you have pleaded guilty at the earliest opportunity. We accept your expressions of remorse as genuine and we have paid particular care to the contents of the references that have been provided to us, including your letter which together with the Social Enquiry Report has, we believe, given us considerable insight into your background and the difficulties that you have

faced. You are assessed as being of low risk of reconviction and not as presenting a risk of harm to yourself or to others. Indeed, the author of the Social Enquiry Report does not consider that probation is necessary. 6. We have taken all this personal mitigation into account and in particular have due regard to the difficulties that you have faced. Many young people face difficulties. Many experience serious challenges in their lives. Many have not had the advantages that you have had and most do not go on to commit serious crimes. Your actions were not justified in any circumstances and are not acceptable and it is far from given that in cases involving offenders of your age would receive a non-custodial sentence. 7. In imposing the sentence that we do we are doing so on the faith that your remorse is genuine, that you wish to put this criminality behind you and that you will embrace the opportunities that you now have. We are minded to deal with the matter by non-custodial means which means that we intend to impose a significant sentence of Community Service. This is not a soft option. You must comply with its terms and be guided by the Probation Service. If you fail to do so in any particular you will be returned before this Court for your sentence to be reconsidered. Do you understand? This is a chance you get once, do not squander it. 8. You are sentenced as to Count 1, the importation of the MDMA tablets, to 312 hours' Community Service an equivalent of 2 years' Youth Detention. Count 2, the importation of the LSD, 312 hours' Community Service, again equivalent to 2 years' Youth Detention. to be served concurrently to Count 1 and Count 3. As to Count 3, the possession of cannabis, in the circumstances we agree that there be no further penalty. 9. We make a declaration as to the benefit in the sum of £2,280 and order confiscation in the sum of £1,880. 10. We order the forfeiture and destruction of the drugs and any drugs paraphernalia in this case that have been seized by the police. Authorities Criminal Justice (Young Offenders)(Jersey) Law 2014. Customs and Excise (Jersey) Law 1999 AG v Burnside

[2021] JRC 085 . AG v G

[2018] JRC 166 . AG v Le Coguiec

[2017] JRC 120 . Bonnar v AG

[2001] JLR 626 . Page Last Updated: 21 Sep 2021 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/2021/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-buckley-2021-jrc-222-25-august-2021>

Prepared on 29 October 2026 · Esheria