

JERSEY / JUDGMENT

AG v Cank [2019] JRC 238 (10 December 2019)

[2019] JRC 238

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JUDGMENT

THE Commissioner: 1. You are here to be sentenced on a single count of being knowingly concerned in the importation of a 14.8kg of cannabis resin having pleaded guilty on Indictment. The drugs were brought over in a car which you had hired a few days earlier and which you brought over on the ferry from Poole. There were four packages in that car containing cannabis. Two of those packages had your finger prints on them. You have previous convictions for the possession of cannabis in 1994 and of cocaine in 2015, and a conviction of possession with intent to supply cannabis in 1996. 2. The Crown has moved for a starting point of 6 years' imprisonment on the application of the structure which is set out in *Campbell v AG*

[1995] JLR 136 , and moves for a sentence of 3 years' imprisonment on that count in the Indictment, having regard to all the mitigation. 3. On your behalf Advocate Wilson has not challenged the conclusions, they are accepted. He has reminded us of the mitigation. You have expressed remorse and regrets to all concerned. The other points which he has mentioned, your guilty plea which is the most significant part of the mitigation, your cooperation with Customs in pointing to the other parcels in the car, the cannabis under the bonnet, and bereavement difficulties and other tragedies which there have been in your personal life, and he has reminded us of the stable family life that you have at the moment. 4. We think that a case could have been made out for a starting point of 7 years' having regard to the quantity of cannabis involved, but we have decided in light of the unsophisticated nature of the importation and the cooperation which you have given that your involvement in drug trafficking can allow us to find an appropriate starting point of 6 years' as the Crown have said. So we take that as the starting point. Having regard to all the mitigation before us and what is set out in the papers for the Court we consider the Crown's conclusions are justified. 5. On Count 1 on the Indictment you are sentenced to 3 years' imprisonment. 6. We also order the forfeiture and destruction of the drugs seized. There will be no order for costs. Authorities *Campbell v AG*

[1995] JLR 136 . *AG v Przydanek*

[2019] JRC 216 *AG v Hole, Rice & Rodrigues*

[2018] JRC 062A . Page Last Updated: 19 Dec 2019 BAILII: [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#) | [Donate to BAILII](#)

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