

JERSEY / JUDGMENT

AG -v- Childs [2016]

JRC 094A (12 May 2016)

[2016] JRC 094A

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are here to be sentenced on two counts of importation of controlled drugs, namely 25.15 grams of herbal cannabis and 20.11 grams of cocaine, the street values respectively are £500 and £2,000. You are a user of these drugs and you acquired and imported them for your personal use. Importation of this amount of Class A drugs attracts a starting point within the range stipulated by the Crown. In our view, however, on our understanding of your involvement, we think the Crown's assessment of the starting point is slightly too high and in our view the starting point should be one of 8 years' imprisonment. 2. You pose a high risk of reconviction and your record is a poor one but we note that you pleaded guilty at the earliest opportunity and we agree that the appropriate discount is one of 25% to reflect that guilty plea even though, in our view, such a plea was almost inevitable given the internal nature of the importation. 3. We note the other mitigation and in particular the fact that personal use is to be taken as a mitigating factor and in the case of Shanowaz-v-AG

[2007] JLR 221 , a period of 1 year deduction for such use was felt to be reasonable. 4. Taking all of the factors in mitigation into account including your letter and a measure of cooperation you have shown with the authorities, we nonetheless think that the result moved for by the Crown is correct in all of the circumstances. 5. Accordingly, with regard to Count 2 you are sentenced to 3 months' imprisonment and with regard to Count 3 you are sentenced to 4½ years' imprisonment, concurrent, making a total of 4½ years' imprisonment. 6. We also order the forfeiture and destruction of the drugs. Authorities Rimmer Lusk and Bade-v-AG

[2001] JLR 373 . Shahnawaz-v-AG

[2007] JLR 221 . Page Last Updated: 23 May 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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