

JERSEY / JUDGMENT

AG v Crowley [2005] JRC 069 (23 May 2005)

[2005] JRC 069

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JUDGMENT

THE BAILIFF: 1. This is a sad case. The defendant is a young man of good character with a stable family background and the Court has noted a number of excellent testimonials presented to us on his behalf by his counsel. 2. He has however pleaded guilty to the offence of possession of cocaine with intent to supply. The amount involved was 15 grams with a street value of approximately £12,000. The Crown accepts that the defendant is not a drug user but had yielded to the temptation of earning £100 or so for minding these drugs for a few days for an unnamed older man whom he knew through sporting associations. 3. The defendant has not been prepared to identify this man. We wish to state that if he had had the courage to identify the older manipulative man involved in the local footballing scene, that would have been a significant mitigating factor which would probably have allowed us to treat this as an exceptional case. 4. We have asked ourselves, as we are required to do by the Criminal Justice (Young Offenders) (Jersey) Law 1994, whether in all the circumstances of the case the offence is so serious that a custodial sentence cannot be avoided and we have concluded that this is such a case. Those who abuse drugs such as cocaine often use others to hold the drugs in order to reduce the risk to themselves. The message must go out from this Court that anyone falling prey to temptation in this way is likely to receive a custodial sentence irrespective of age. We conclude, therefore, that a custodial sentence must be imposed. 5. As to the starting point we think that it is possible to accept the submissions of defence counsel that a lower figure can be taken than suggested by the Crown. Having regard to the peripheral involvement of the defendant in drug trafficking and to all the other circumstances of the case, we propose to take a starting point, in this case, of 6 years' youth detention. 6. We have made allowance for all the very substantial mitigation that is available to you and we are going to sentence you to 18 months youth detention. We hope that you will take advantage of the time at La Moye to plan for your future, which we hope will have no connection whatsoever with the drug scene. We order the forfeiture and destruction of the drugs. No Authorities A. G. -v- Roberts (11 th October, 2002) Jersey Unreported [2002/194B]. Morgan -v- A. G. [2001]JLR225. Page Last Updated: 14 Jul 2016 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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