

JERSEY / JUDGMENT

AG -v- Duffy [2016] JRC 096 (13 May 2016)

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JUDGMENT

THE DEPUTY BAILIFF: 1. You are to be sentenced for one count of importation of diazepam, one count of possession of that drug, and one count of possession of cannabis. This was a postal importation and you had your mother unwittingly collect a package sent to a false name containing 1,778 10 mg diazepam tablets and a further 389 tablets were found in your flat. The total street value of the tablets was £4,334. 2. It is accepted by the Crown that most of these tablets were for your own use but that there was a risk that a significant number may have found their way into the general supply. You immediately accepted that the drugs were yours in order to make it clear that your mother was not, in fact, involved and to the extent you were cooperative but your cooperation was limited as you would not help the police with access to your phone. 3. We have read your letter and other letters sent in your support very carefully. It is a sad feature of this type of offending often the consequences reach beyond the defendant and affect innocent persons and that is something that you should have thought about before you embarked on this course of offending. However, you have engaged very positively with the Alcohol and Drugs service and we accept that you genuinely wish to turn your life around. 4. In general we agree with the Crown's assessment of the features of this case in so far as they relate to the significance size of the importation and your lack of full cooperation but in our view there is significant mitigation as put forward by your counsel, set out in the social enquiry report, and in the letters that enable us to consider a non-custodial disposal on this occasion. We are heartened by the fact that you seem to be making very genuine attempts to wean yourself off your dependence on any form of drugs. 5. Accordingly for Count 1 we are going to impose a Probation Order of 12 months duration. We are going to order you to carry out 150 hours' of community service, which is the equivalent of 9 months' imprisonment. You will obey the directions of the Probation Service concerning the attendance at the Alcohol and Drugs Service and you will conform to any directions given to you by the Probation Service for the duration of the probation Order. You will also submit to random analysis tests to ensure that you remain free of the drugs. 6. We deal with the other two counts by imposing a community service equivalent to 2 months on Count 3 and 1 week on Count 4 to run concurrently with the Community Service Order on Count 1. 7. We also order the forfeiture and destruction of the drugs. Authorities AG-v-Turmel, le Monnier and Rees

[2016] JRC 009 . AG-v-Whitcombe

[2014] JRC 173 . Page Last Updated: 16 Aug 2016 BAILII: [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#) | [Donate to BAILII](#)

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