

JERSEY / JUDGMENT

AG -v- Sousa [2005] JRC 180 (19 December 2005)

[2005] JRC 180

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

JUDGMENT

THE BAILIFF: 1. Sousa has pleaded guilty to the importation of 191 grams of heroin valued at between £50,000 and £90,000. He knew what he was doing and expected to receive a fee of £5,000 for the job. There is no suggestion that he was involved in the distribution. He is the classic 'mule'. 2. Nonetheless, he was prepared to play a part in bringing to the Island a drug which wrecks lives and is a menace to this society. He was prepared to do this because he thought he would earn good money. 3. In mitigation he has no previous convictions, and is a young man of 23. A reference has been placed before us, signed by a number of friends and relatives testifying to the fact that he was previously regarded as an honest and reliable young man. 4. He has pleaded guilty to the indictment and he has co-operated with the police and customs service. The Crown Advocate has taken a starting point, applying the guidelines in *Rimmer Lusk & Bade -v- AG*, of 11 ½ years' imprisonment. 5. There is an unusual facet to this case in that the defendant has authorised his counsel to reveal the fact that he has co-operated in open court. The open disclosure of such co-operation is a significant mitigating factor. It is in the public interest that criminals should be encouraged to inform on each other. This Court has made it clear in previous cases that it will give substantial discounts on what would otherwise have been the proper sentence, to reward the giving of such information. Taking all this into account we propose to reduce substantially the conclusions of the Crown, notwithstanding the generous discounts already allowed. 6. Sousa, you behaved foolishly, but also criminally, and we must punish you for the crime that you have committed. The sentence of the Court is that you will go to prison for 3½ years, and at the conclusion of the sentence we will recommend to the Lieutenant Governor that you be deported from the Island to Portugal. We order the forfeiture and destruction of the drugs. Authorities *Rimmer Lusk & Bade -v- AG* [2003]JLR373. Page Last Updated: 18 Aug 2015 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/2005/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-sousa-2005-jrc-180-19-december-2005>

Prepared on 27 October 2026 · Esheria