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**ROYAL COURT**  
**(Superior Number)**

192.

26th October, 1992.

**Before: The Bailiff, and Jurats**  
**Coutanche, Blampied, Myles, Hamon,**  
**Orchard, Gruchy, Le Ruez.**

**The Attorney General**

- v -

**Anthony Hunter Milne**

**Sentencing, following guilty plea on 18th September, 1992, to:**

1 count of obtaining board and lodging by false pretences (Count 1 of indictment);  
1 count of larceny (Count 2); and  
2 counts of possession of a controlled drug, with intent to supply, contrary to Article 6(2) of the Misuse of Drugs (Jersey) Law, 1978. (Counts 7 & 8);

**And following change of plea to guilty on 14th October 1992, to:**

2 counts of importation of a controlled drug, contrary to Article 23 of the Customs and Excise (General Provisions) (Jersey) Law, 1972. (Counts 3 & 4); and  
2 counts of supplying a controlled drug, contrary to Article 5 of the Misuse of Drugs (Jersey) Law, 1978. (Counts 5 & 6).

**AGE: 22.**

**PLEA: Change to Guilty.**

**DETAILS OF OFFENCE:**

Came through airport with 20 LSD and half an ounce Amphetamine Sulphate concealed in rectum. Not detected at the time. Bilked guest house (£110); stole £238 from another guest house. When arrested for these offences, remainder of drugs imported by him were found. Confessed to importation, supply since being in Jersey and intention to supply remainder. Total value of drugs circa £380.

**DETAILS OF MITIGATION:**

Importation and supply could not have been charged but for his confession. Despite his attempted withdrawal of the confession and a half-day trial before change of plea, Crown allowed mitigation under this head in its conclusions.

**PREVIOUS CONVICTIONS:**

Bad record for dishonesty. One previous drugs conviction - importation of personal amount of cannabis into Jersey.

**CONCLUSIONS:** Four years and six months' imprisonment.

**SENTENCE AND OBSERVATIONS OF THE COURT:**

Crown's proposed starting point of 6½ years correct. More room for mitigation, however. Slight reduction = 4 years. (Concurrent 3 years for amphetamine; concurrent 9 months for theft; concurrent 1 month for blking).

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**C.E. Whelan, Esq., Crown Advocate.**

**Advocate Miss D. Cubitt-Sowden for the accused.**

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**JUDGMENT.**

**THE BAILIFF:** Milne, you already have one conviction for importing a drug into this Island, though admittedly not a Class 'A' drug. This is therefore your second conviction for importing drugs into this Island - this time a Class 'A' drug and a Class 'B' combined. Moreover you mixed them together and made your own cocktail, so to speak. The Court has examined very carefully the cases placed before us to see whether the starting point for the sentence suggested by the Crown is too high. We cannot find that it is too high, and therefore one starts from a figure of 6½ years.

However, having regard to all the circumstances and the cases - certainly the cases of Campbell -v- A.G. (28th September, 1992) Jersey Unreported C.of.A.; A.G. -v- Unthank (6th August, 1992) Jersey Unreported; and A.G. -v- Davidson (6th August, 1992) Jersey Unreported, where greater amounts than yours were imported - we think that the conclusions were on the high side. That is not to say that we are prepared to reduce them very substantially, because what you did was a serious offence and the Court is determined - as far as lies within our power - to impose considerable sentences for people who import these sort of drugs.

Therefore you are sentenced as follows: On Count 1: one month's imprisonment; on Count 2: nine months' imprisonment concurrent; on Count 3: four years' imprisonment; on Count 4: three years' imprisonment concurrent; on Count 5: four years' imprisonment concurrent; on Count 6: three years' imprisonment concurrent; on Count 7: four years' imprisonment concurrent; on Count 8: three years' imprisonment concurrent; concurrent with each other and concurrent with Counts 1 and 2: making a total of four years' imprisonment. The drugs are to be forfeited and destroyed.

Authorities

Schollhammer -v- A.G.; Reissing -v- A.G. (14th July, 1992) Jersey Unreported C.of.A.

Clarcken and Pockett -v- A.G. (3rd July, 1991) Jersey Unreported C.of.A.

A.G. -v- Davidson (6th August, 1992) Jersey Unreported.

Campbell -v- A.G. (28th September, 1992) Jersey Unreported C.of.A.

A.G. -v- Unthank (6th August, 1992) Jersey Unreported.

Archbold (1992 Ed'n) s.26-80 - 26-83.

The Law on the Misuse of Drugs (Sweet & Maxwell): p.p. 270-1.