

**ROYAL COURT**  
**(Samedi Division)**

25

19th February, 1993

**Before: J.H. Vint, Esq., Lieutenant Bailiff**  
**and Jurats Myles and Orchard**

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**The Attorney General**

-v-

**Anthony Edward Watkins**  
**Michael Roy Gibson**

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3 Counts of being knowingly concerned in the fraudulent evasion of the prohibition on the importation of goods contrary to Article 77 (b) of the Customs and Excise (General Provisions) (Jersey) Law, 1973 (Counts 1-3 of the Indictment).

1 Count each of possession of a controlled drug contrary to Article 6 (1) of the Misuse of Drugs (Jersey) Law, 1978. (Watkins: Count 4; Gibson: Count 5).

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**WATKINS**

**AGE:** 26

**PLEA:** Guilty

**DETAILS OF OFFENCE:**

All importations were by post within hollowed out books from Halifax using a false name and the Jersey address of the co-accused Michael Roy Gibson who tenanted a flat in a block of 10 making identification of consignee/importer difficult. Before detection two thirds of the importation had been distributed. 9oz in total with a street value of £3,500.

Confiscation Order for £815.97 made by consent.

**DETAILS OF MITIGATION:**

Absolute co-operation and 2 of the importation counts could only be laid as a result of his confessions. It is inappropriate to detail the co-operation in this document and those with the requisite authority are directed to the summary prepared for the S.G. and the Court by Crown Advocate Whelan.

**PREVIOUS CONVICTIONS:**

None.

**CONCLUSIONS:**

Count 1 - 15 months imprisonment  
Count 2 - 15 months imprisonment concurrent  
Count 3 - 15 months imprisonment concurrent  
Count 4 - 12 months imprisonment concurrent

Total - 15 months imprisonment

Forfeiture and Destruction Order

**SENTENCE:**

Conclusions granted.

**GIBSON**

**AGE:** 26

**PLEA:** Guilty

**DETAILS OF OFFENCE:**

See Watkins (above), the co-accused. Watkins was the architect of the offences, he organised the importations and had the contact with the supplier. Gibson's role was only marginally less because he provided the premises for all importations, intended to benefit from 2 of them, took an actual benefit from one and was instrumental in arranging sales. Gibson's co-operation was significantly less. No basis for distinguishing disposal sanctions.

Confiscation Order for £500.00 made by consent.

**DETAILS OF MITIGATION:**

Youth and ultimate guilty pleas.

**PREVIOUS CONVICTIONS:**

Minor and none involving drugs or violence.

**CONCLUSIONS:**

Count 1 - 15 months imprisonment

Count 2 - 15 months imprisonment concurrent

Count 3 - 15 months imprisonment concurrent

Count 5 - 9 months imprisonment concurrent

Total 15 months imprisonment

Forfeiture & Destruction Order

**SENTENCE AND OBSERVATIONS OF THE COURT:**

Conclusions granted.

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**The Solicitor General  
Advocate P. Landick for Watkins  
Advocate P.C. Harris for Gibson**

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**JUDGMENT**

**THE LIEUTENANT BAILIFF:** The Court is concerned that these two mature young men knew exactly what they were doing and what

they were about; they had been friends for a number of years. This was obviously a very carefully concealed exercise which due to the vigilance of Customs Officers at the Post Office, was doomed to failure.

The Court's policy in relation to drugs is well known and a custodial sentence is obviously inevitable, and this in fact was accepted by counsel. The leniency of the sentence is due to the co-operation of the accused, in particular Watkins. Further mitigation and considerable weight was given to the fact that this is both the accuseds' first venture into drugs. However, they are mature young men of 26 and should have known better. You are, therefore, sentenced as follows:-

Watkins, you are sentenced to 15 months on count 1; 15 months on count 2; 15 months on count 3, and 12 months on count 4, all concurrent, i.e. a total of 15 months. The drugs are to be forfeited and destroyed.

As for you, Gibson, a similar sentence: You are sentenced to 15 months on count 1; 15 months on count 2; 15 months on count 3, and 9 months on count 5, all concurrent; a total of 15 months. And, again the confiscation and destruction of the drugs is ordered.

**Authorities**

McCullough (1982) Cr.App.R.362.

Rawlinson -v- A.G. (19th January, 1993) Jersey Unreported C.of.A.