

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

1st March, 1995

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

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**The Attorney General**

- v -

**Peter Moore**

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**Sentencing by the Superior Number of the Royal Court, to which the accused was remanded by the Inferior Number on 3rd February, 1995, following guilty pleas to:**

**2 counts of**            **being knowingly concerned in the fraudulent evasion of the prohibition on importation of a controlled drug, contrary to Article 77(b) of the Customs and Excise (General Provisions) (Jersey) Law, 1972):**

**Count 1: cannabis resin;**  
**Count 2: amphetamine sulphate.**

**AGE: 27.**

**PLEA: Guilty.**

**DETAILS OF OFFENCE:**

**Imported 2.39kg cannabis (street value £14,000) concealed in car [count 1] and 568 mg. amphetamine in underpants [count 2]. Courier for the cannabis. Amphetamine a personal amount. Guilty plea virtually inevitable. Did not name supplier.**

**DETAILS OF MITIGATION:**

**Married with two small children. Trying to patch up marriage. Offered trip to Jersey with wife plus some spending money. Was a drug user with previous debts. Easy target. After agreeing, minded to pull out but scared to. Frank in interview. Remorse, especially on account of children who were missing him. Did not stand to make large amount.**

**PREVIOUS CONVICTIONS:**

**Many for dishonesty, none for drugs.**

**CONCLUSIONS**

**count 1: 3½ years' imprisonment.**  
**count 2: 1 month's imprisonment, concurrent.**

SENTENCE AND  
OBSERVATIONS OF  
THE COURT:

count 1: 3 years' imprisonment.

count 2: 1 month's imprisonment, concurrent.

If there were no couriers there would be no dealers. Greater mitigation allowed by Court than by Crown for guilty plea. Count (1) 3 years other wise conclusions granted.

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The Solicitor General.  
Advocate D.M.C. Sowden for the accused.

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**JUDGMENT**

**THE BAILIFF:** Peter Moore has pleaded guilty to the fraudulent evasion of the prohibition on importation of controlled drugs by importing cannabis resin and amphetamine sulphate.

5           The facts are that the drugs were found in the back of a car  
driven by the defendant upon his arrival at the harbour. The  
packages concealed in the back of the car contained a total of  
2.39 kilograms of cannabis resin. They had been covered by a  
10       green washing-up liquid and powder with the intention, in the view  
of the investigating officers, of making it more difficult for the  
drugs to be detected by sniffer dogs. The value of the drugs was  
in the region of £14,400. Moore's explanation was that he had  
been asked to carry out this delivery by a man whom he refused to  
15       name for fear of reprisals. His reward was said to be some £300  
for the tickets for himself and his wife to travel to Jersey and a  
further unspecified sum which he was to receive when he delivered  
the drugs in Jersey.

20           Counsel for Moore put it to us that the defendant was no more  
than a courier. We accept that he was a courier, but we do not  
find that to be a particularly compelling piece of mitigation. If  
there were no couriers, there would be no drugs problem in this  
Island.

25           Moore claimed to have made no enquiry as to the nature of the  
drugs which he was transporting and it must therefore be said that  
he was fortunate that he was not found to be transporting Class A  
drugs.

30           In mitigation the defendant has pleaded guilty to the  
indictment, although he had of course, in the circumstances of  
this case, little choice but to do so.

35           Having regard to the cases laid before us by counsel we feel  
able to make a slightly greater reduction for the mitigating

factors than has been allowed by the Crown in its conclusions and we accordingly, Moore, sentence you on count 1, to 3 years' imprisonment; on count 2, to 1 month's imprisonment concurrent, making a total of 3 years' imprisonment and we order the forfeiture and destruction of the drugs.

Authorities

A.G. -v- Davies (10th September, 1992) Jersey Unreported.

A.G. -v- Toone, McNally (24th September, 1992) Jersey Unreported.

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

A.G. -v- Stead (21st June, 1993) Jersey Unreported.

A.G. -v- Campbell (15th September, 1994) Jersey Unreported.

A.G. -v- Kelly (16th January, 1994) Jersey Unreported.