

ROYAL COURT  
(Samedi Division)

25th July, 1997 147

Before: Sir Philip Bailhache, Bailiff, and  
Jurats Vibert and Potter.

The Attorney General

- v -

Daniel Stephen Oliver

1 count of being knowingly concerned in the fraudulent evasion of the prohibition on the importation of a controlled drug, contrary to Article 77(b) of the Customs and Excise (General Provisions) (Jersey) Law, 1972:  
Count 1 : cannabis resin.

Plea: Guilty.

Age: 26.

Details of Offence:

The accused (a native of the United Kingdom) arrived on the car ferry. Concealed in the car was 2,943.9 grams of cannabis resin, with a street value of £16,951.68, sufficient to supply 831 "deals". Eventually the accused was co-operative but did not name his supplier.

Details of Mitigation:

The accused was naive. He was out of work and got into debt when borrowing money for the funerals of his father and two grandparents. The accused was told that the debt would be wiped out if he brought drugs to Jersey. He did not know the nature or the amount of drugs.

Previous Convictions:

One minor conviction for theft, and one in 1992 for being in possession of a controlled drug.

Conclusions:

2 1/2 years' imprisonment (starting point 3 years, mitigation 6 months). The drugs to be forfeited and destroyed.

Sentence of Observations of the Court:

Conclusions granted.

The Solicitor General.  
Advocate A.P. Begg for the accused.

JUDGMENT

THE BAILIFF: Oliver, the Court has listened carefully to the submissions made by your counsel and, indeed, we think that your counsel has said everything that could possibly be said on your behalf. However, at the end of the day, you brought about the situation in which you now find yourself. You brought a commercial quantity of drugs into the Island. The Court is satisfied that you knew full well what you were doing and you have, as a result, let down yourself and your family.

10           The Court considers that the mitigating factors, such as they are, have been taken into account fully by the Solicitor General. Accordingly, the conclusions are granted. You are sentenced, on the single count on the indictment, to 2½ years' imprisonment, and we also order the forfeiture and destruction of the drugs.

Authorities.

Campbell, MacKenzie and Molloy (1995) JLR 136 CoFA.