

26th June, 1987

Before the Bailiff, assisted by Jurats Perrée and Coutanche

A.G. -v- Gary Raymond Lucas, David Le Neveu and Jennifer Anne Smith

THE BAILIFF: It really is to some extent fortuitous that the three accused are tried before the same Court, because it is accepted by the prosecution that there was no complicity in the arrangements for going to Amsterdam and acquiring cannabis. We are therefore going to distinguish in fact each from each other. Almost certainly as far as Lucas is concerned we think that we can make a clear distinction between him and the other two. Lucas, you went to Amsterdam and you bought cannabis in order to sell it to make a profit, and it must be made abundantly clear by this Court that people who do that must expect a prison sentence and we can see no reason why the conclusions are wrong or excessive. You are therefore sentenced to twelve months imprisonment on counts 1 and 2 and six months imprisonment concurrent on count 3. So far as Le Neveu and Smith are concerned, they are as I say are slightly different because they were not importing it commercially, although of course anyone who goes to the extent of secreting drugs in the rectum or vagina are clearly doing something very deliberate and with clear intent to avoid detection and importing drugs is a serious offence, even for your own use. Nevertheless, under the circumstances and in view of what you have said Mr. Begg, and the previous cases to which we have had regard, although in the case of Murphy there were very special circumstances - the cases of Murphy, and of Smith, are not on all fours - I am going to make a slight reduction in Le Neveu's sentence. You are sentenced to six months in respect of counts 4, 5 and 6 concurrent and two months in respect of count 7; a total of six months. Smith, you will be sentenced to twelve weeks imprisonment on Counts 8, 9 and 10, which will entitle you to be released, but you are to be kept in Police custody until you are deported.

ADVOCATE NICOLLE: (indistinct) I would ask for an order for forfeiture and destruction.

BAILIFF: Forfeiture and destruction, yes. "^{ya}ca/sans dire".

Authorities referred to in the judgment

A.G. -v- Kevin Daniel Murphy and Alison Faye Hine: Jersey Judgments 22nd May, 1987, (as yet unreported)

A.G. -v- Derek Smith: 22nd June, 1984 (unreported)

Other authorities referred to:

A.G. -v- Henry Le Claire: 23rd November, 1979 (unreported)

A.G. -v- Owen Cory: 13th May, 1983 (unreported)

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