

**ROYAL COURT
FULL COURT**

28 June 2019

**Before: Judge J R Finch OBE, Judge of the Royal Court and:
Stephen Murray Jones OBE, David Percy Langley Hodgetts LVO,
Terry John Ferbrache, David James Mortimer, Joanne Marie Wyatt, Peter Francis Gill,
David John Robilliard, Marilyn Jasmine King, Margaret Ann Spaargaren, Jurats.**

THE LAW OFFICERS OF THE CROWN

- v -

DARREN LEE DIXON

Crown Advocate C G Dunford appeared for the Crown

Advocate P Lockwood appeared for the Defendant

JUDGE OF THE ROYAL COURT:

Background

You appear here today for sentence on an Indictment containing one Count: the illegal importation of the Class B controlled drug, cannabis resin. The maximum sentence is 21 years’.

This was a large amount – just under 20 kilos, with a Guernsey street value of around £395,000 - £593,000.

You were apprehended on 29th March, 2019 and have been in custody throughout, indicating an early guilty plea. You are a 53 year old non-local person, and the drugs were concealed in a car that you brought into Guernsey by Condor Ferry from St Malo.

You have old, but still relevant previous convictions, from 1992 and 1994 for supplying drugs, where custodial sentences were imposed. You have nothing more recent. You live, we are told, in South West Spain.

It appears you stated you were under some pressure as a result of drug debts. It is also apparent that you would have made some profit from this illegal importation.

Sentencing Considerations

Your capable Advocate will have informed you that we are bound by sentencing guidelines set out by the Guernsey Court of Appeal. We are obliged to select an appropriate starting-point before considering relevant mitigation. For the amount 10-30 kilos, the starting-point is 9-12 years. Here we have slightly under 20kg. This is a very substantial amount to import into this Island. It is a very serious matter, and, taking all the circumstances into account, we select a starting-point of 10 years and 6 months’. We acknowledge your relevant convictions are by now quite old, but they demonstrate at the very least your willingness to break the law in the past, and, despite the

consequences, to do so in a very substantial way in 2019. This was a planned enterprise, with an element of profit and concealment. It is fortunate the G.B.A. was alert. We also have to note that this is the first such large-scale importation in quite a few years so a deterrent element is necessary and appropriate in the circumstances.

Mitigation

We have carefully considered the very clear observations of your Advocate and a typically thorough Probation report from Issy Richmond.

The main mitigation is your guilty plea. Even though you had, in reality, very little choice, we are still obliged to give some effect to it. Next, you have not acquired any more convictions for some time, and that is also in your favour. As your Advocate rightly said, you have not prolonged the matter.

The alleged element of threats, even if correct, does not help you. Firstly, you had the opportunity to go to the authorities, next, as already stated, there was a profit motive.

Erring on the side of generosity, but also reflecting your good record since the 1990's, we give you a discount of one-third.

Sentence

You took a chance which had it come off would have very seriously increased the stock of illegal drugs in this jurisdiction. Fortunately you were caught. It is disturbing that there are individuals, not before the court, who would have been able to manage this large amount so that it filtered down the chain. Those people can expect appropriate punishment if they appear before the Royal Court. It is some comfort that some villainous individuals have lost their stock and chance of profit. You were caught and the punishment, which is never a mere mathematical exercise, has to fit the crime.

The sentence of the Court is 7 years' imprisonment, with effect from the 29th March 2019.

We make the appropriate order for forfeiture, under Section 26 of the Misuse of Drugs Law.

Compulsory Supervision after release for one-quarter of the total sentence.

Drug Trafficking timetable as agreed.

Judge J R Finch OBE
Judge of the Royal Court

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