

**ROYAL COURT
FULL COURT**

3rd February 2020

**Before: Judge J R Finch OBE, Judge of the Royal Court and:
Stephen Murray Jones OBE, Claire Helen Le Pelley,
Jonathan Grenfell Hooley, Alan Stevenson Boyle, Peter Francis Gill,
David John Robilliard, Marilyn Jasmine King, Tina Jane Le Poidevin,
Paul Martin Burnard, Jurats.**

THE LAW OFFICERS OF THE CROWN

- v -

Jessica Robyn VINCENT

**Advocate R Calderwood appeared for the Crown
Advocate S Steel appeared for the Defendant**

JUDGE OF THE ROYAL COURT:

Background

You appear here today for sentence on an Indictment containing one count, namely unlawfully importing cannabis resin, a controlled drug of Class B. The maximum penalty is 21 years.

You are a 27 year old non-local person, living in England and are of previously good character. You have been in custody since 21st September, 2019 and a timely guilty plea was indicated.

You were apprehended at the Harbour. Concealed in the spare tyre of your vehicle was 75 bars of cannabis resin, in 7 large and 1 small packages. The total weight was 7,201grams with a Guernsey street-value of £144,020 to £216,030.

In four interviews you denied all knowledge of the cannabis. In the facts we have been given we heard the details. You came clean in the 5th interview, you requested, claiming you had been extremely frightened. In short, you were a drugs courier for a very large illegal importation, for which you would be paid £7,500.

Sentencing Considerations

Your able Advocate will have told you that the Court is bound by a decision of the Court of Appeal in this type of case. We have to select a starting-point within the appropriate band of sentences for the amount involved, which reflects the circumstances of the offence, and then go on to consider applicable mitigation.

In respect of the amount 5 to 10 kg the band of sentences for a starting-point is 7 to 10 years. In this case we first of all look at the amount and the concealment, which was carefully designed to avoid

detection and you knew you were bringing in a considerable amount, as shown by the payment you expected. We start at 8 years and 6 months' before proceeding to identify and apply relevant mitigation.

Mitigation

We have carefully considered the Probation report, what your Advocate has said on your behalf and the written materials, including your long letter to the Royal Court. Considerably in your favour is your lack of any previous convictions and we also take note of your plea, which saved valuable court time. Mainly on your personal mitigation, but not forgetting the plea, we afford you, in our view, a rather generous discount of well over one-third and almost one-half.

Sentence

Let us go back to the admitted facts of the case: you brought in a very large amount of a controlled drug for money, you lied persistently for a period of time and knew a tyre was to be filled with "hash". The drug would then be unloaded in Guernsey by villainous individuals to make money. If we are talking about bad choices, this was a "whopper". It is a good thing it was intercepted, very unfortunate that the local contact or contacts was not discovered, because their punishment would be considerably harder than yours. But as one of your effusive references correctly put it – 'actions have consequences'.

The sentence also needs to send out a consistent message. Guernsey Courts deal properly with serious drug offences. In this case, being a nice person and being naïve goes only so far. We need to think of others too.

It is more than unfortunate that a person with your background, and who is so well thought of by others in England appears here in these serious circumstances, but the over-riding fact is that this would have been worth hundreds of thousands of pounds on the street.

Taking everything fairly into account, and reminding ourselves that sentencing is not normally an activity carried-out exclusively in the interests of the accused person, the sentence today is:

- 4 years and 6 months' imprisonment, with effect from 21st September 2019
- Confiscation and Destruction Orders as requested
- 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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