

**ROYAL COURT
FULL COURT**

9 November 2020

Before: John Russell Finch, Esq., O.B.E., Lieutenant Bailiff and:

**Claire Helen Le Pelley, Terry John Ferbrache, Peter Sean Trueman Girard,
Steven John Morris, Joanne Marie Wyatt, Alan Stevenson Boyle, Peter Francis Gill,
Stuart Michael Crisp, Paul Martin Burnard, Jurats.**

THE LAW OFFICERS OF THE CROWN

- v -

MATTHEW LEE JOHNSON

**Advocate J McVeigh appeared for the Crown
Advocate S Steel appeared for the Defendant**

LIEUTENANT BAILIFF:

Background

You appear here today for sentence on an Indictment containing 2 Counts; both of unlawfully importing the controlled drug cannabis, each with a maximum of 21 years. They came in on 2 and 3 June of this year. We will total the amount which came to 173.51 grams, street value in Guernsey of between £3,470.20 and up to £5,205.30. Further investigation showed drug conversations on your mobile phone. You were not fully forthcoming in your first interview, but said a good deal more in the second.

You are a 43 year old non-local man, currently working here. You have a caution for possession of cannabis in 2009, theft in 1996 and another caution for cannabis. You told the Probation officer about some of your activities when in England. You indicated an early guilty plea and have been on conditional bail throughout.

Sentencing Considerations

We are bound for sentencing by a Court of Appeal decision, which puts the starting-point for this amount in the band of 3 to 6 years. The claim, whether believed or not, that a drug in such a quantity is for personal use, does not help you. This was hardly a small quantity for personal use, and adds to the stock in the Island. Importations of a small amount for 1-2 days can be treated more leniently, but amounts like this pose a continuing risk and temptation to others.

We start, considering the amount, but noting that misuse of the postal system (twice), is an aggravating feature, so we start at 3 years and 3 months. We note a Drug Trafficking investigation is no longer proceeding.

Mitigation

We have considered what your Advocate has told us, the written materials and the helpful Probation report. We note your pleas and your record ending in 2009. We see you have not previously served custodial sentences. You also disclosed your phone PIN and eventually did co-operate. All-in-all, we err on the side of leniency by affording you a discount of notably over one-third and treating these two importations, so close together, as one. However, we sentence consistently with our approach in other cases, though each is different, and we sentence in accordance with binding authority. A suspended sentence is inappropriate.

Sentence

We make the sentences concurrent. Guernsey has no room for people who come over here and abuse its hospitality by committing offences. As stated, the abuse of the post is another aggravating factor. Taking everything fairly into consideration on each Count, the sentence is:

- 21 months' imprisonment, concurrent
- Total: 21 months from 09.11.2020
- Forfeiture, Confiscation and Destruction Orders as requested.

**John Russell Finch, Esq., O.B.E.,
Lieutenant Bailiff**

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