

**ROYAL COURT
FULL COURT**

10th April 2024

**Before: John Russell Finch, Esq., O.B.E., Lieutenant Bailiff
and Jurats: Jonathan Grenfell Hooley, Steven John Morris,
Stuart Michael Crisp, Paul Martin Burnard, Felicity Jane Quevâtre,
Heather Reed and Jillian Clark**

THE LAW OFFICERS OF THE CROWN

- v -

NATASHA JANE SPINKS

Advocate L.C. Roffey appeared for the Crown

Advocate S. E. Steel appeared for the Defendant

LIEUTENANT BAILIFF:

Background

You appear here today for sentence on one count of unlawfully importing the Class C controlled drug, Alprazolam. The maximum penalty is 14 years' imprisonment.

You are a 37 year old local person of previously good character in a responsible job and with a 13 year old daughter.

You were charged on 11th December, 2023 and an early guilty plea was indicated and you have been on bail throughout.

The charge comes about following the importation of 90 tablets intercepted at the Post Office. It is very relevant that a consignment of 150 of these tablets was intercepted back on 6th July, 2022 and seized, with a Notice of Seizure showing that these drugs were illegal and no further action being taken. You provided access to your mobile phone which showed messages demonstrating you were aware of the illegality of your actions and attempted to conceal the tablets. For example, *"fingers crossed I don't get arrested."*

You explained to the authorities that you suffered with anxiety and self-medicated with this drug to help. Your GP prescriptions, you stated, did not help.

Sentencing Considerations

There has been a considerable increase in the use of Class C drugs in recent years, as well as new types coming to notice. We have previously selected a starting-point roughly one half of that for the considerably more serious Class A drugs. When this is done we then go on to find relevant mitigation, both personal to you and also that arising from the facts of the offence.

We consider, here, that a starting-point in the region of 18 months is appropriate. Misuse of the postal system is generally regarded as an aggravating feature.

Mitigation

On the facts and looking at your own situation there is considerable mitigation here. You are of good character and have a responsible job. We take note of the praiseworthy support your employer is giving you. You have had to detox from this substance, and it was found that your usage had been increasing as you were developing tolerance. Your GP has, we note, explained the potential health risks. You are not, we are told, in need of help from the Criminal Justice Substance Service. You also take regular exercise.

This mitigation is all to your credit but you had a fair warning from the authorities but failed to comply with it and took steps to avoid detection. We also note your daughter lives with you. We also, further note, the helpful Probation Report, your Advocate's submissions and the impressive references. We must add, in our judgment, you have been let down more than once and we note also you did cooperate with the authorities after your arrest.

Sentence

We consider, and every case is different, needing to be looked at on its own facts but the mitigation put forward enables us to treat you with a degree of leniency. You still have a useful role to play and there is only evidence of personal use. A Community Service Order is the Probation Officer's preferred recommendation and in all the circumstances of this case, we agree especially in light of your previous good character.

You will perform **120 hours of unpaid work in the community for the next 12 months**, as an alternative to 6 months' imprisonment. You must comply and complete every minute of the Order, the only excuse not to is a valid medical certificate. Even if there is only a few minutes left and you don't complete them you will be brought back and you can be re-sentenced and also, although I scarcely need to mention it, if you were re-offend you can be re-sentenced as well.

That is the Order of the Court. We make a Confiscation and Destruction Order, partly, in this case, in all the circumstances - unusually in all the circumstances - the phone can be released back to you.

This sentence is a merciful one but it will not be the same should you re-offend at all and I am sure you understand that very clearly indeed because I certainly don't want to see you ever here again and I want you, as do the members of the Court, and I am speaking personally now, to get on with your life, fulfil this non-custodial sentence and get this behind you.

That is the Order of the Court. Leniency has been shown in view of the individual circumstances.

J R Finch, O.B.E.
Lieutenant Bailiff

10th April 2024