

Sentencing remarks regarding offences of being concerned in the supplying of Class A drugs, MDMA and Class B drugs, Cannabis. Possession of Class B drugs, Cannabis and being concerned in the supplying of Class C drugs, Gabapentin.

[2025]GRC012

**ROYAL COURT  
FULL COURT**

**3<sup>rd</sup> February 2025**

**Before: Catherine Maureen Fooks, Judge of the Royal Court  
and Jurats Steven John Morris, Marilyn Jasmine King,  
Paul Martin Burnard, Jillian Clark, Ian Michael Brown,  
Kay Parnwell and Heather Reed.**

**THE LAW OFFICERS OF THE CROWN**

- v -

**RYAN BENJAMIN GALLIE  
SOPHIE MICHELLE HEAD  
SIMON JAMES AYNSLEY DOMAILLE  
AARON JOHN SARRE**

**Advocate L C Roffey appeared for the Crown**

**Advocate S J Maindonald appeared for Ryan Benjamin Gallie  
Advocate S E Steel appeared for Sophie Michelle Head  
Advocate C J Green appeared for Simon James Aynsley Domaille  
Advocate S E Steel appeared for Aaron John Sarre**

**JUDGE OF THE ROYAL COURT:**

**Background**

Mr Gallie, Miss Head, Mr Domaille and Mr Sarre you have each pleaded guilty to the following offences contrary to The Misuse of Drugs (Bailiwick of Guernsey) Law, 1974, as amended: Mr Gallie and Miss Head, together, pleaded guilty to being concerned in the supplying of Class A drugs, MDMA, the maximum penalty for which is life imprisonment, and of being concerned in the supplying of Class C drugs, Gabapentin, the maximum penalty for which is 14 years' imprisonment; Mr Gallie, alone, also pleaded guilty to being concerned in the supplying of Class B drugs, the maximum penalty for which is 21 years, and also to possessing Class B cannabis, the maximum penalty for which is 10 years; Mr Domaille pleaded guilty to being concerned in the supplying of Class A drugs, MDMA, for which, as I have said, the maximum penalty is life imprisonment and Mr Sarre has also pleaded guilty to a similar count, namely supplying Class A, MDMA.

The facts have been fully set out by the Prosecuting Advocate so can be briefly summarised. The offences came to light upon the execution of a search warrant at the home of Mr Gallie and Miss Head on 15 November 2023. Mr Gallie alerted police to the 0.33 grams of cannabis (Count 4) and the police

found 62 MDMA tablets with a Rolex symbol and 32.27 grams of cannabis in a wardrobe and other substances which are not the subject of any charge. Mr Gallie and Miss Head were arrested. Two phones belonging to Mr Gallie and one belonging to Miss Head were seized and it is from analysis of those devices that the evidence of the supplying was recovered in the form of numerous messages.

In relation to the supplying of MDMA (Count 1) there are numerous messages sent by Mr Gallie and Miss Head offering to sell and agreeing prices for MDMA between 9 and 15 November 2023, immediately prior to the execution of the warrant. The Prosecution case is that there is evidence that Mr Gallie was in possession of as many as 236 MDMA and that he is a receiver of wholesale quantities of drugs into the island for onward distribution to sellers and others. Some of the deals were clearly for onward selling referencing up to 50 pills and so part of a chain. In one of the messages there is reference to a 1000 pill bag. The messages also show that Miss Head assisted Mr Gallie by offering the drugs to her associates.

There were messages between Mr Sarre and Mr Gallie on one of Mr Gallie's phones on 10 November culminating in a deal to supply 110 pills to Mr Sarre at the quoted price of £1,760 (Count 6). The men arranged to meet at a specific quiet location for the handover. As a consequence of messages found, Mr Sarre and Mr Domaille were arrested and analysis of their phones revealed an exchange of messages in which Mr Domaille agreed to buy 100 MDMA from Mr Sarre (Count 5) which from the evidence was a clear reference to the deal above for the purchase from Mr Gallie at a price which yielded a profit for Mr Sarre of £200. It is accepted that Mr Domaille was not directly involved with Mr Gallie or Miss Head. Mr Domaille has pleaded guilty on the basis that the 100 pills were for his personal use to which I will return.

Regarding the supplying of Class C, Gabapentin (Count 2), again the evidence against Mr Gallie and Miss Head comes from the messages in one of which Mr Gallie arranged to purchase 170 Gabapentin. In relation to the supplying of cannabis (Count 3) which relates to Mr Gallie only, the evidence is in the form of videos and messages from him showing home-grown herbal cannabis plants which he was prepared to sell on when ready.

All of you were interviewed and mostly exercised your right to silence when asked relevant questions with the exception of Mr Sarre who admitted setting up the deal for Mr Domaille for which he was to receive £200.

Whilst street values are a secondary consideration to quantity, the Prosecution has helpfully provided some information in this case as to the overall financial level of dealing which in the case of MDMA runs into several £1000s.

Mr Gallie you have lived in Guemsey since you were young. You are now 20 years of age, you were 19 when the offences were committed. You are a single man with a child. You have previous convictions, none directly in relation to drugs but the RIPL for which you were sentenced in July 2021 to 16 weeks' Youth Detention related to a drugs investigation. In October 2022, you were sentenced to 7 months' Youth Detention by the Magistrate's Court for various offences.

Miss Head you are a local woman of 22 years, 21 when the offences were committed. You are single with a child. You have a significant history of offending with multiple referrals to the Convenor and relevant previous convictions in that in August 2022 you were sentenced to 2 years 6 months by this Court for various drug offences, including the supply of Class C, Gabapentin. You were released on 9 June 2023 under a Parole licence and you are currently on a Youth Detention Supervision Order. The offences for which you appear today were committed in breach of Parole licence but you were not recalled.

Mr Domaille you are to all intents and purposes a local man. You are 45 years old, a plasterer, married, with children. You also have relevant previous convictions going back to 2012 in relation to money laundering, importation of Class A, (including a small amount of MDMA for personal use), Class B

and C. The majority of the drugs, we are told, were Class B drugs. You were sentenced for that offending to 5 years by this Court.

Mr Sarre you are a local man of 34 years of age. You are a qualified chef and a family man. You have some previous convictions only one of which is relevant, possession of Class A, MDMA, for which you were fined.

In terms of the procedural history, this has been set out fully by the prosecuting Advocate. The Court notes and takes into account the delay from November until now of this hearing. You have all been on conditional bail throughout the proceedings. We note that Miss Head breached the condition as to photographic ID.

### **Sentencing Considerations**

The sentencing guidelines applicable to offences involving the supply of drugs are contained in the case of Richards. Those guidelines were recently considered by the Guernsey Court of Appeal in Barras, Watt and Orchard v The Law Officers 2021 GCA045 and re-affirmed as current and appropriate. This Court will continue to follow those guidelines. There are no guidelines for possession offences. In view of the very small quantity of cannabis in Mr Gallie's possession, we propose to impose no separate penalty for that offence.

We must first set out starting points before consideration of aggravating and mitigating factors. At this stage we will focus on the quantity.

In Mr Gallie's case and Miss Head's case there is more than one offence so we will aggravate the starting point for the Class A supplying to take into account the Class C supplying counts, plus, in Mr Gallie's case, the supplying of Class B, as follows:

In the case of quantity, the quantity remains the same for both Mr Gallie and Miss Head, in principle, we will consider role as a mitigating factor. Based on quantity alone we start, therefore, at 8 years. In relation to the standalone starting points were we only dealing with Class C and Class B, they would have been 12 months for Class C and 3 years for Class B.

In the case of Mr Domaille and Mr Sarre there is just the one offence and the starting point will be 7 years in respect of each of them.

Turning now to aggravating and mitigating factors, first of all dealing with Mr Gallie, in terms of role, we see you as having the main role, that of wholesale dealing with the 236 MDMA and the 100 Gabapentin being the tip of the iceberg. You have a relevant previous conviction for the RIPL matter and a bad record overall. Taking into account all of these factors and bearing in mind the other offences, we increase the starting point to 11 years.

In terms of Miss Head, there are aggravating factors and relevant previous convictions. You are still subject to a sentence for similar drugs offences. The offences in this matter were committed in breach of a Parole licence in relation to one of the same offences very shortly after release. There is the mitigating factor of the lesser role but you were still fully involved, so we revise the starting point to 10 years.

Mr Domaille, turning to you in terms of aggravating and mitigating factors you have a relevant conviction, albeit in 2012, for the same drug. We make your starting point, accordingly, 7½ years. You have claimed that the tablets were for personal use. This type of claim is covered in Richards, unless the amount is so small as to be the equivalent of a possession charge, the matter is sentenced in accordance with the appropriate band of Richards, as was accepted by your Advocate. 100 pills is not the equivalent of a possession charge.

Mr Sarre, turning now to you. You have no significant relevant previous conviction, so your starting point will remain at 7 years.

Mr Gallie you are under 21 years old, so we must approach sentencing in accordance with the sentencing principles applicable to young persons, which in Guernsey are set out in the statutory framework under the terms of the Criminal Justice Youth Detention (Bailiwick of Guernsey) Law, 1990. Under that Law, the Court must be satisfied that the only appropriate method of dealing with you is to pass a custodial sentence, which is one of Youth Detention which must not be passed unless one of three factors is satisfied, only two of which are applicable to you, namely that a custodial sentence is necessary for the protection of the public or the prevention of crime, or that the offence was so serious that a non-custodial sentence cannot be justified. We have no hesitation in finding those two conditions satisfied in respect of you. We have taken into account your age in the total sentence.

## **Mitigation**

### **Plea**

The Court must consider the impact of your guilty pleas on sentence. We afford you all full credit for your guilty pleas to all offences.

### **Personal Mitigation**

The Court has considered very carefully the carefully considered Social Enquiry Reports prepared in respect of each of you and we have listened carefully to helpful submission of your Advocates. We have also read and taken fully into account the letters and references which have been provided.

Mr Gallie, I need to make it clear to you that the Court has not taken into account what is said in the Social Enquiry Report about the assault offence which will be sentenced separately. In reality, there is little to say on your behalf and sensibly you instructed your Advocate to make no excuses. The best point is that you are still young and the Court takes that into account. You have had a disrupted education, you have no work record to speak of and currently have no settled home. Your drug taking began when you were a very young person. You have also abused alcohol but there is some indication that you are recognising the problems alcohol causes. We take full account of the issues with which you continue to struggle. We will discuss the situation relating to your child later in these remarks.

In our assessment, you have demonstrated no remorse. You have admitted that you were dealing in drugs for financial gain so that you and your ex-partner could live comfortably and you were indifferent to the impact of the use of controlled substances on the users. You are assessed as having a very high likelihood of re-offending which we must take into account.

Miss Head, equally I must make it clear to you that this Court has not taken into account what is said in the report about the traffic offences which will be sentenced separately. You are young person also, only just 21 when the offences were committed which we have taken into account. We also assess you to be a vulnerable person. We note your struggles with education and issues and the trauma you have experienced both emotionally as a young person and especially the bereavements and other matters. Your offending started at a young age, aligned to the start of your difficulties. You have a history of substance abuse which the report writer considers you have successfully put behind you, such that motivation for these offences was financial. We note your apology. The assessment of the report writer is that, on release from Youth Detention in 2023, you had engaged well with therapies offered and did your best to engage with the opportunities offered in terms of education and afterwards to secure employment and that you were motivated to change but your past, some setbacks and particularly bad associations, including that with your co-defendant, led you to offend again, very quickly. You had secured suitable work which you then had to leave because you were pregnant. It is said that the birth of your child has been life-changing and we will come to the impact on your child of any custodial sentence. It is noted that a sentence of imprisonment will have the effect that you will lose your home.

You are rightly and understandably distraught and frustrated at finding yourself in this situation. You are assessed as having statistically a high likelihood of re-offending which the report writer reduces to medium taking into account your engagement with services and life changes of motherhood and the split with from previous associates, including your co-defendant.

Mr Domaille, it is clear from the Social Enquiry Report that you have a history of substance misuse and you have been using MDMA since 2022 to cope with pain and other issues. You say that it was a stupid act at a low point to accept the pills when they were offered to you. You were under strain with work, pain, bereavement and the birth of a second child. To your credit you were engaging with Independence (there is a letter from them) to develop better coping strategies with physical pain and emotional wellbeing issues. You are a qualified plasterer and have built up and are running your own business which you built up since your release from custody in 2014. We note the positive references from customers. We note the impact on customers and other businesses for whom you do sub-contractor work, were you to be imprisoned. You are in a stable relationship with a very supportive wife and settled in a home, subject to a mortgage with two young children. Your mother describes the family as a "solid unit". Your sister also raises your role in helping their mother. You had everything to lose by becoming involved in this matter. There is evidence of insight and remorse and we refer to your letter, and specifically, your address to this Court. It is noted that since completion of the Adult custody Supervision Order in 2017 you had not come to the Court's attention. You are not assessed as needing any compulsory intervention as you are doing what is necessary. You are assessed as having a moderate likelihood of re-offending.

Mr Sarre, we note your early admission in interview and your co-operation with the investigation, including giving access to your phone revealing incriminating evidence. You say that it was an impulsive act to get involved in this limited transaction. The reasons are hard to fathom for you and also for this Court that you should risk so much for £200. That financial gain was limited and you have no significant drug or alcohol history, although there is some use of alcohol as a coping strategy. There is no significant offending history. You have a good work ethic and it is to your credit that you tried to continue to work despite difficulties. You had a good job and you were able to support your family as the main breadwinner. You acknowledge that your family will bear the brunt of the serious consequences and your remorse is assessed as genuine. We note your letter. Your referees speak highly of you and express surprise at your getting involved in this matter. We note your adverse childhood experiences, which would benefit from some work, but you are not assessed as needing compulsory intervention. You are assessed as having a medium likelihood of re-offending which we take into account.

We note that there is a request only for one drug trafficking investigation and that is in respect of Mr Gallie but we note, specifically, what has been said by counsel in relation to that investigation and the reasons for it.

In accordance with Bourgaize v The Law Officers of the Crown 2014, (Judgment 49) the Court is required specifically to consider the Article 8 rights of the minor children and others affected by a person being imprisoned, as well as the effect on the person him or herself. A sentence of imprisonment almost by definition interferes with family life. The imposition of a sentence of imprisonment for a serious criminal offence is in accordance with law and in pursuit of a legitimate aim within Article 8.2. Parents who commit serious offences face prison like everyone else. The issue for this Court is always whether the imposition of an immediate custodial sentence would be a proportionate interference with family life given the balance between the various factors.

Mr Gallie and Miss Head, you have a young child together and we must consider the likely arrangements for that child in the event that you both go into Youth Detention or prison. Mr Gallie you have been forming a bond with the child so your going into Youth Detention would have an effect which we must consider. Miss Head you are the primary and sole carer for this child and you have been assessed, (although I note that it is said that the paternal grandmother also shares care, so I think it may not be correct to say sole carer). You have been assessed as a capable parent and able to meet the child's

physical and emotional needs, indeed described as “excelling” as a mother. HSC consider placement with you to be in the child’s best interests. We are told that, if you go to prison, the child, at the moment, will live with the paternal grandmother, who has the benefit of an Interim Residence Order in her favour and with whom the child has already been spending some time. There is some uncertainty as to what will happen on the next review in relation to the arrangements for the child. We note the original proposal of HSC was to place the child in foster care.

Mr Domaille you have two young children and are actively involved in their day to day care. Were you to be imprisoned they would be cared for by their mother but there would inevitably be an impact on them and her, emotionally and financially, in terms of your lost income and the likely reduction of hers. She fears the loss of your home.

Mr Sarre you have a child who shares his time between you and his mother and you live with a partner and her child, to whom you are the father figure. The two families would be impacted emotionally and financially to the extent that you and your partner fears the loss of the family home.

The Court has to balance the legitimate aims of sentencing in serious drugs cases against the impact on the Defendant and families. Your cases are not cases which stand on the cusp of custody as they all fall squarely within the Richards guidelines. In cases, such as these, where the custody threshold has clearly passed, the balancing exercise entitles the Court to consider reducing the length of sentence, or suspending it, or imposing a CSO as a direct alternative if the sentence falls within range to enable those alternatives to be imposed.

## **Sentence**

Mr Gallie, Miss Head, Mr Domaille and Mr Sarre, you have all been involved in dealing in the most serious of drugs, Class A, which this Island community deplores. Offences of this nature clearly cross the custody threshold and have to be sentenced in accordance with the guidelines. The community must be protected from such offending and others deterred from it.

The Court has undertaken the balancing exercise required by Bourgaize very carefully and given anxious consideration to the welfare of all those affected, particularly the child of Miss Head and Mr Gallie. In your cases, however, it does not matter how the calculations are performed, it is impossible to arrive at sentences at a level which would enable non-custodial alternatives to be imposed whilst properly applying the Richards guidelines and applying appropriate and justified discounts. In sentencing you, Mr Gallie and Miss Head we have taken into account the totality principle.

All of you, what stands out from the papers and what your Advocates have said is the wide ranging impact of your offending, and I stress that it is your offending, on yourselves and those close to you, your partners, children and wider family and indeed those in the wider community. Mr Domaille and Mr Sarre you are old enough to know better. Mr Gallie and Miss Head you have not yet learned from your mistakes and Miss Head especially from her recent time in prison. The penalties in Guernsey for dealing in Class A drugs are well known in the drug scene and in the wider community. Miss Head and Mr Domaille have first-hand experience of the sentences, nonetheless, you all involved yourselves in Class A dealing. Mr Gallie you are right that it is time that you grew up. You need to engage with the work the Report Writer says is essential to stop you re-offending. Miss Head the Court was encouraged by the Social Enquiry Report in terms of your engagement with the help provided when you are released next time you need to sustain that change. Mr Domaille and Mr Sarre you know that you have let yourselves and your families down. Your families deserve better.

Taking into account all that has been said and applying the appropriate discounts, the sentences will be as follows:

### **Mr Gallie**

- **Count 1** – suppling Class A - 6½ years.

- **Count 2** – supplying Class C – 7 months, concurrent.
- **Count 3** – supplying Class B – 18 months, concurrent.
- A total of **6½ years’ Youth Detention**
- **Count 4** – there is no order.

**Miss Head**

- **Count 1** – supplying Class A – 4 years.
- **Count 2** – supplying Class C – 7 months, concurrent.
- A total of **4 years’ imprisonment.**

**Mr Domaille**

- **Count 5** – 3 years

**Mr Sarre**

- **Count 6** – 2 years, 9 months

All the sentences run from today. Supervision for the adults, that is to say, not Mr Gallie in accordance with Section 1 of The Criminal Justice (Supervision of Offenders) (Bailiwick of Guernsey) Law, 2004, upon release or completion of any parole period if applicable, you will be subject to supervision by the Probation Service for a period equal to one quarter of the total sentence or the period you would have served had you not received remission, whichever is the shorter. If you fail to comply with the conditions of the supervision, you will be liable to further imprisonment, a fine, or both.

Mr Gallie your arrangements are different, on release you will be subject to the supervision of a Probation Officer for a period of 3 months starting from the date of your release or the date upon which you would have been released, had you not received remission, whichever is the later, a maximum of 12 months. If you fail to comply with the conditions of the supervision, you will be liable to further imprisonment, a fine, or both.

The Crown’s application pursuant to Section 3 of The Police, Property and Forfeiture (Bailiwick of Guernsey) Law, 2006, which was not opposed, for forfeiture of the lawfully seized three Apple iPhones and One plus phone, the details of which were given by the Prosecuting Advocate, and which are valued respectively at £90, £110, £200 and £431 which relate to the offences is also granted but subject to any drug trafficking investigation, the Court having considered the likely effects on you all of forfeiture.

The Crown’s application pursuant to Section 26 of The Misuse of Drugs (Bailiwick of Guernsey) Law, 1974, as amended, which was not, for the forfeiture and destruction of the drugs, (except the Fentanyl and Clonazepam) as listed by Advocate McVeigh which were lawfully seized and relate to the offences is also granted.

Summary:

- **Mr Gallie** - there is a total term of Youth Detention of **6½ years** from today, plus forfeiture and destruction of the drugs, and, subject to the drug trafficking investigation, forfeiture of the Apple iPhones.
- **Miss Head** - you have a total of **4 years** and forfeiture of the Apple iPhones. In being so far as there were joint charges, the forfeiture and destruction of the drugs applies to both.
- **Mr Domaille** - your sentence is one of **3 years**.
- **Mr Sarre** - your sentence is one of **2 years and 9 months** and there was forfeiture of the One Plus phone.

**Catherine Maureen Fooks  
Judge of the Royal Court**

**3<sup>rd</sup> February 2025**