

16th January, 1986.

R. -v- James Fleming Reid & Claire Bertha Elizabeth Reid.

BAILIFF: In recent years the Court has laid down the way in which it looks in these kind of cases, and has, as far as it has been able to, followed a consistent policy of imposing substantial prison sentences in cases of importing class 'B' drugs. It is always difficult, Mr. Robinson, although you have clearly drawn the Court's attention to a number of Jersey cases, to reach comparisons without knowing the full facts, and most cases depend on their own facts and it is difficult to devise a precise formula to cover every occasion. We have, however, looked at the full report of Aramah, the extract from which you drew our attention to. We can find nothing inconsistent in the conclusions of the acting Attorney General with that case. We have indeed looked carefully also at all the matters mentioned in Thomas, and although the conclusions may appear, perhaps, to be at the top end of the scale, nevertheless this is a serious offence, and we cannot overlook the circumstances under which this drug was imported; nor can we overlook what happened afterwards in the Island when further drugs were obtained by you, Reid, and sales were effected on two occasions to Bouchard. We have no doubt that you are one of the main persons responsible, not necessarily the main one, but one of the main persons responsible for cannabis being used and sent around and delivered in this Island. Accordingly we cannot find that the conclusions are wrong. You are, therefore, sentenced to 4 years on each count, concurrent - a total of 4 years. As far as Mrs. Reid is concerned, we are going to sentence you to probation. We are doing so, because we wish to be merciful because of your personal difficulties and the sadnesses which you have endured but I want to make it quite clear that had it not been for those circumstances, you would probably have gone to prison as well. We also order the drugs to be destroyed.