

Neutral Citation Number: [2004] EWCA Crim 1742  
IN THE COURT OF APPEAL  
CRIMINAL DIVISION

No: 200400903/A1

Royal Courts of Justice  
Strand  
London, WC2

Wednesday, 16th June 2004

B E F O R E:

LORD JUSTICE BUXTON

MR JUSTICE MORLAND

HIS HONOUR JUDGE BARKER

(Sitting as a Judge of the CACD)

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R E G I N A

-v-

NATALIE VERONICA KNIGHT

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Computer Aided Transcript of the Stenograph Notes of  
Smith Bernal Wordwave Limited  
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(Official Shorthand Writers to the Court)

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MR J ORME appeared on behalf of the APPLICANT

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J U D G M E N T

(As Approved by the Court)

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1. MR JUSTICE MORLAND: On 11th March 2003, in the Crown Court at Kingston upon Thames before His Honour Judge Macrae, the applicant was convicted of the importation of Class A drug, namely cocaine, and on 11th April sentenced by that judge to 12 years' imprisonment.
2. The applicant renews her application for leave to appeal against sentence and also for an extension of time, some 274 days after refusal by the Single Judge.
3. On 15th October 2002 the applicant arrived at Heathrow Airport on a flight from the Caribbean. She passed through the Green Channel and was stopped and questioned. Luggage was searched and in a concealed compartment in her suitcase a total of 4 kilograms of cocaine powder was recovered. The equivalent of pure cocaine of 3.3 kilograms and the drugs having a street value of over £300,000.
4. When interviewed the applicant said that she had borrowed the suitcase from a woman named Karen Malcolm. The arrangement was that she would be met by Karen Malcolm on her return from the Caribbean at Heathrow and return to her her suitcase. At her trial, her case was that she was an innocent dupe and she had no knowledge that the suitcase contained cocaine.
5. Mr Orme, who has appeared for the applicant before us, has submitted that the sentence of 12 years imposed was manifestly excessive. He has submitted to us that the sentencing judge took no account of the fact that certain information was provided when the applicant was interviewed. The name of Karen Malcolm is given. Also, a piece of paper which had an address in Guyana and at least the Christian names of people from whom she had received hospitality and a place to stay when in Guyana.
6. It is right to say that the judge in passing sentence could not make any allowance for what information the applicant had given following her arrest. But no statement was obtained either from the police or from Customs and Excise as to the value and accuracy of the information that had been given by her when she was interviewed.
7. So, in those circumstances, in our judgment, the judge was right not to make any discount on the basis that she had supplied valuable information that would assist either the police or Customs and Excise in tracking down drug importers and distributors.
8. Mr Orme has also submitted that the applicant, a woman of 26, of good character, who had a hard and difficult childhood and upbringing, who was a vulnerable personality, just the sort of person who would be picked on by the real criminals behind the drug importation and that no allowance was made for her previous and otherwise good character.
9. This Court has, for many years, taken the strong view that previous good character in cases such as this has little, if any, relevance. Because there is a grave evil resulting from the importation of Class A drugs such as cocaine. Almost inevitably, and almost always, the actual couriers are chosen because they are people of otherwise good character. Inevitably the sentences passed have in them a deterrent element.
10. In our judgment, long though the sentence of 12 years was, it was not manifestly excessive or in any way outside the guidelines laid down by this Court. For those reasons, we refuse this application.
11. LORD JUSTICE BUXTON: The application is refused for reasons given by my Lord. Mr Orme, I think you are appearing pro bono today. We are very grateful for you doing that, I think I indicated earlier that unfortunately we cannot accommodate you in any other way but we are grateful for your help.