

**SUPREME COURT OF SEYCHELLES**

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**Reportable**  
[2019] SCSC 307  
CO58/2017

In the matter between:

**THE REPUBLIC    Republic**  
*(rep. by George Thachett)*

and

**JERRY LENCLUME    Accused**  
*(rep. by Nichol Gabriel)*

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**Neutral Citation:** *Republic v Lenclume* (CO58/2017) [2019] SCSC 307 (11 April 2019)

**Before:**            Burhan J

**Heard:**            04 April 2019

**Delivered:**        11 April 2019

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**SENTENCE**

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**BURHAN J**

[1]     The convict Jerry Lenclume was found guilty of the offence of importation of a quantity of 280.7 grams (purity content of 126.3 grams) of Heroin. He faces a maximum term of life imprisonment.

[2]     At the request of Learned Counsel for the convict, a probation report was called and thereafter Learned Counsel made a plea in mitigation on his behalf. I have considered the facts contained in the probation report and the plea in mitigation made by Learned Counsel.

- [3] The convict according to the report is 52 years of age has a partner and two children aged 22 years and 19 years. After being employed as a navigator in the navy, the convict has worked as a casual labourer for the past 20 years with both Hunt Deltel and Land Marine. At the time of the incident the convict it appears was working with Hunt Deltel as a casual labourer. He still denies the offence but admits he is a drug dependent person.
- [4] In mitigation, Learned Counsel on behalf of the convict stated he was a first offender and the convict being a drug dependent person should be rehabilitated rather than incarcerated for a long period of time. Learned Counsel also brought to the notice of Court that the convict is now undergoing the methadone program which is being administered within the prisons to rehabilitate drug dependent persons. He moved Court that the convict be rehabilitated rather than sentenced to a long period of imprisonment.
- [5] I have considered the facts before me in mitigation. I also observe that the convict has not expressed any remorse or regret about the incident upto date. Further the offence is of a very serious nature namely importation of a Class A drug Heroin. The quantity is well over 2 grams and when one considers the quantity of controlled drug imported by the convict, it is very clear it was not only for his own personal consumption.
- [6] Having considered all the aforementioned factors in mitigation together with the serious nature of the charge, I proceed to sentence the convict on Count 1, to a term of 8 years imprisonment and a fine of SR 25,000/- (Twenty Five Thousand). In default of payment of the fine of SR 25,000/-, the convict is to serve a term of 6 months imprisonment consecutive to the term of 8 years imprisonment imposed in Count 1.

Signed, dated and delivered at Ile du Port on 11 April 2019

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Burhan J