

WARNING: reporting restrictions may apply to the contents transcribed in this document, particularly if the case concerned a sexual offence or involved a child. Reporting restrictions prohibit the publication of the applicable information to the public or any section of the public, in writing, in a broadcast or by means of the internet, including social media. Anyone who receives a copy of this transcript is responsible in law for making sure that applicable restrictions are not breached. A person who breaches a reporting restriction is liable to a fine and/or imprisonment. For guidance on whether reporting restrictions apply, and to what information, ask at the court office or take legal advice.

This Transcript is Crown Copyright. It may not be reproduced in whole or in part other than in accordance with relevant licence or with the express consent of the Authority. All rights are reserved.

IN THE COURT OF APPEAL
CRIMINAL DIVISION



Neutral Citation NO: [2023] EWCA Crim 775

CASE NOs 202200108/B3 & 202202103/B3

Royal Courts of Justice
Strand
London
WC2A 2LL

Tuesday 20 June 2023

Before:

LORD JUSTICE LEWIS
MR JUSTICE MORRIS
SIR NIGEL DAVIS

REX
V
A.R.B

Computer Aided Transcript of Epiq Europe Ltd,
Lower Ground, 18-22 Furnival Street, London EC4A 1JS
Tel No: 020 7404 1400; Email: rcj@epiqglobal.co.uk (Official Shorthand Writers to the Court)

MR T MOLONEY appeared on behalf of the Applicant

J U D G M E N T

1. LORD JUSTICE LEWIS: We order pursuant to section 11 of the Contempt of Court Act 1981 that there be no publication of the name of the applicant or of any matter that could identify him or his family.
2. On 20 May 2022 in the Crown Court at Luton, the applicant, whom we will refer to as "A", was convicted of various offences involving the importation or conspiracy to supply class A drugs, namely cocaine. He was sentenced to 17 years' imprisonment for each of two offences of conspiracy to supply a class A controlled drug (cocaine), those sentences to be served concurrently. He was sentenced to nine years for an offence of fraudulent evasion of a prohibition on the importation of drugs, 10 years for each of two offences of supplying class A drugs and nine years for another conspiracy to supply a class A drug, all to be served concurrently with the sentence of 17 years' imprisonment.
3. A was refused leave to appeal against conviction on the papers by the single judge. He was also refused leave to appeal against sentence. He renews those applications for leave. He also seeks an extension of time to make the application in relation to sentence. We grant that extension of time. No extension of time is needed in relation to the renewed application for leave to appeal against conviction.
4. We have received detailed submissions and detailed documentation from Mr Moloney on A's behalf. We have considered very carefully all of the matters raised in the papers put before us and all the submissions made orally on A's behalf by Mr Moloney this morning.
5. We are satisfied that there are no arguable grounds that the conviction is unsafe and that there are no arguable grounds that the sentences imposed in this case were manifestly excessive.
6. Accordingly, we refuse leave to appeal against conviction. While we grant an extension of time to renew the application for leave to appeal against sentence, we refuse that

application.

Epiq Europe Ltd hereby certify that the above is an accurate and complete record of the proceedings or part thereof.

Lower Ground, 18-22 Furnival Street, London EC4A 1JS

Tel No: 020 7404 1400

Email: rcj@epiqglobal.co.uk