



1 **IN THE GRAND COURT OF THE CAYMAN ISLANDS**
2 **CRIMINAL DIVISION**
3

4 **Neutral Citation Number: [2026] CIGC (Crim) 22**
5 **INDICTMENT NO: 27 of 2023, 6 of 2025, 7 of 2025 and 8 of 2025**
6
7

8 **R**
9

10 **V.**
11

12 **COURTNEY BUCH MYLES JR.**

13 **AND**

14 **EDDIE MARLON EBANKS**
15
16
17

18 **Appearances: Mr. Brian Treadwell, Senior Crown Counsel, Office of the Director of Public**
19 **Prosecutions for the Prosecution**
20

21 **Ms. Amelia Fosuhene, Brady Law for the Defendant Myles Jr.**
22 **Ms. Prathna Bodden, Samson Law for the Defendant Ebanks**
23
24

25 **Before: The Hon. Justice Cheryll Richards KC**
26

27 **Submissions Heard: 17th June 2026**
28

29 **Sentence Judgment: 18th June 2026**
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33
34 ***Criminal Law – Sentencing, Conspiracy to Import Firearms/Component Parts of Firearms, Issue of***
35 ***maximum penalty for this offence, Possession of Firearm, Mandatory Minimum, Principles on Sentencing,***
36 ***Proportionality and Totality.***
37



SENTENCE JUDGMENT

1. The two defendants Courtney Buch Myles Jr. and Eddie Marlon Ebanks are before the Court for sentencing following their guilty pleas to some counts of the joint Indictment.
2. They pleaded guilty to Counts 1 and 2.
3. **Count 1** charges them jointly with Conspiracy to Import Firearms and or Component Parts contrary to s.321 of the **Penal Code** (2019 Revision). The particulars are that they between the 1st day of February 2019 and the 2nd day of June 2022, within the Cayman Islands, conspired together with John Comiskey and others unknown to import firearms and or component parts of firearms.
4. **Count 2** charges them with the offence of Conspiracy to Import Firearms (Ammunition) contrary to s.321 of the **Penal Code** (2019 Revision). The particulars are that they between the 1st day of February 2019 and the 2nd day of June 2022, within the Cayman Islands, conspired together with John Comiskey and others unknown to import firearms (Ammunition).
5. The maximum penalty for the offence of Conspiracy to commit any offence is provided by s. 321 of the **Penal Code** under which the defendants are charged. This states: -

“A person who conspires with another or others to commit any offence or to do any act in any part of the world which if done in the Islands would be an offence punishable with imprisonment and which is an offence in the place where it is proposed to be done commits an offence and is liable, if no other punishment is provided, to imprisonment for ten years, or, if the greatest punishment to which a person convicted of the offence in question is liable is less than imprisonment for ten years, then to imprisonment for such lesser term.”
6. Counsel disagree as to the meaning of this section. Mr. Treadwell for the prosecution has submitted that as s.3 of the **Firearms Act** provides a maximum penalty of 20 years for the offence of Importation of Firearms, that is also the maximum penalty for Conspiracy to Import



1 Firearms. He relies on the dicta of the Cayman Islands Court of Appeal in the case of *Marcus*
2 *Alexander v HM the Queen*¹. Both defence Counsel submit that on the interpretation of s.321
3 of the Penal Code the maximum penalty is 10 years.

4
5 7. My understanding of the cited judgment is that the Appellate Court referenced s.321 of the
6 *Penal Code* in answer to a submission that the maximum sentence for an offence of Conspiracy
7 to Commit Fraud on Government was limited to 2 years because no specific provision was
8 made in the *Anti-Corruption Act*. I may be wrong, but I do not understand the Appellate Court
9 to be saying by this that the maximum sentence for the inchoate offence of Conspiracy is the
10 same as the maximum sentence for the completed offence in all cases.

11
12 8. That the *Penal Code* makes a distinction is clear from the fact that within the Penal Code itself
13 there is specific provision for sentences for Conspiracy offences. (See for example s.197,
14 Conspiracy to Murder.) The meaning of s.321 in this context appears to me to be plain. Where
15 no specific provision is made for the sentence for an offence of Conspiracy to Commit a
16 particular crime, the maximum is 10 years except where the substantive offence has a lower
17 maximum.

18
19 9. Thus, as the maximum penalty for the offence of Importation of Firearm/Ammunition as
20 provided by s.3 of the *Firearms Act* is 20 years imprisonment, which is not less than 10 years,
21 the maximum penalty for the offence of Conspiracy in this case is 10 years imprisonment.

22
23 10. The defendant Myles Jr. also entered pleas of guilty to Counts, 4, 5, and 10 of the Indictment.

24
25 11. Count 4 charges him with the offence of Possession of an Unlicensed Firearm contrary to s.15
26 (1) and (5) of the *Firearms Act* (2008 Revision). The particulars are that he on the 1st day of
27 June 2022 at #23 Spotts Breeze Street, George Town, Grand Cayman, within the Cayman
28 Islands, had in his possession a firearm, namely a Springfield Armory XD-40 semiautomatic
29 pistol, which was not under the terms and conditions of a Firearm User's Licence.
30

¹CICA 17/2020 Unreported Judgment delivered 10th September 2021



12. Count 5 charges him with the offence of Possession of an Unlicensed Firearm (Ammunition). The particulars are that he on the 1st day of June 2022 at #23 Spotts Breeze, George Town, Grand Cayman, within the Cayman Islands, had in his possession eight (8) rounds of ammunition, which possession was not under the terms of a Firearm User's Licence.

13. The maximum penalty for these offences is provided by section 15 (5) and 39 of the *Act*. It is 20 years imprisonment and or a fine of \$100,000. There is a mandatory minimum penalty of 7 years imprisonment on a guilty plea in respect of the firearm.

14. Count 10 charges the defendant with the offence of Misconduct in a Public Office contrary to Common Law. The particulars are that he between the 1st day of August 2021 and the 2nd day of June 2022 within the Cayman Islands, whilst acting as a public officer, namely a police civilian employee, wilfully misconducted himself by gaining access to Criminal Records Office data when unauthorised to do so.

15. The maximum penalty is at large.

16. Counts 3, Importing a bulletproof vest as against the defendant Myles Jr., Count 8, Conspiracy to Import Controlled drugs, and Count 9, Conspiracy to Supply Controlled Drugs as against both defendants and Count 11, Misconduct in Public Office as against the defendant Myles Jr. are all to be left on file as requested by the prosecution.

17. All Counts against Chanel Cranston, ("CC") are to be discontinued by the prosecution.

CHRONOLOGY

18. The defendant Myles Jr. was first before the Grand Court on the 17th March 2023 on Indictment 27 of 2023. This charged him with the two offences of Unlawful Possession of Firearm and Ammunition. He was arraigned on the same day, pleaded Not Guilty and a trial was listed for the 23rd October 2023. It was re-listed for other trial dates.

19. On the 9th December 2024, the prosecution advised that there were to be additional defendants and other charges.



1
2 20. The defendants Myles Jr. and CC were arraigned on the current Indictment on the 4th April
3 2025 and entered Not Guilty pleas. A trial date was set for the 13th October 2025. The defendant
4 Ebanks was not then arraigned. On the 30th May 2025, the date set for his arraignment, he
5 indicated that he was seeking a **Goodyear** indication.

6
7 21. The **Goodyear** application was heard on the 16th September 2025. The Court declined to give
8 an indication of sentence noting the allegation of conspiracy and the issue of roles which may
9 possibly become clearer should there be a trial of co-defendants.

10
11 22. On the 18th September 2025, the defendant Ebanks entered pleas of Guilty to Counts 1 and 2
12 of the Indictment on full facts.

13
14 23. On the 25th September 2025, Mr. Ebanks provided a witness statement to the police. In
15 summary he described his friendship with the defendant Myles Jr. which developed from their
16 work relationship. He details assisting Mr. Myles Jr. with importing firearm components and
17 ammunition and being at the home of Mr. Myles Jr. and seeing him with the Springfield firearm
18 and ammunition.

19
20 24. The statement was served by the prosecution by Notice of Additional Evidence on the 7th
21 October 2025 on the defence for Mr. Myles Jr.

22
23 25. Following receipt of that statement and on the trial date of the 13th October 2025, Mr. Myles
24 Jr. asked to be re-arraigned and entered the pleas of guilty to Counts 1, 4, 5 and 10 of the
25 Indictment. Issue was taken by defence Counsel with Count 2 of the Indictment and time was
26 sought to consider their position on this. The defendant was re-arraigned on Count 2 on the 5th
27 December 2025 and pleaded Guilty. The defence disagree with the level of ammunition said to
28 have been imported but neither party seeks a Newton Hearing. The prosecution is of the view
29 that this will not materially affect the sentence.

30 31 **THE FACTS**

32
33 26. The prosecution has provided a summary of facts which is referenced below.



1 27. The defendant Myles Jr. is thirty-four years old. The defendant Ebanks is forty-three years old.
2 The gravamen of the Conspiracy was to import component parts for firearms from the United
3 States to the Cayman Islands in order to assemble what are said to be “ghost guns”. These are
4 guns which are often without serial numbers and are thus untraceable.

5
6 28. The Conspiracy came to light in the following way.

7
8 29. On the 1st June 2022, police officers arrested the defendant Myles Jr. He was then employed to
9 the Royal Cayman Islands Police Service in a civilian capacity. They searched his workstation
10 and his home address. At his home at the top of a closet adjacent to his bedroom they found a
11 child’s bag. The bag contained a Springfield XD-40 firearm and ammunition. The police seized
12 the defendant’s Samsung mobile phone and his work computer.

13
14 30. On examination the phone contained the contact number of the co-defendant Ebanks under the
15 username “*Star boy Eddie*”.

16
17 31. The downloads of the phone which were recovered and examined indicate that the two
18 defendants were in regular contact with each other online and by phone. In addition to
19 electronic contact, both were former co-workers. They had previously worked at Miracle
20 Brokers, which is a business involved in providing importation services for the Cayman
21 Islands.

22
23 32. The defendant Myles Jr. started working at Miracle Brokers on the 25th April 2013 and
24 continued working there until the 30th June 2018. The defendant Ebanks began employment
25 there on the 11th January 2017 and worked there until December 2021. Thereafter, on the 6th
26 January 2022 he went to work for National Logistics, another shipping company.

27
28 33. The prosecution’s case is that both defendants had significant knowledge of the shipping
29 industry which assisted them in this Conspiracy. Both businesses, Miracle Brokers and National
30 Logistics were used to import component parts and ammunition.



1 34. John Comiskey (JC) is a resident of the United States. He is a long-standing friend of Mr. Myles
2 Jr. JC was the United States contact who dealt with the requests of Mr. Myles Jr. to export
3 firearm parts and ammunition from the United States to the Cayman Islands.

4
5 35. Material extracted from the phone of Mr. Myles Jr. shows messages exchanged between Myles
6 Jr. and others relating to the importation of component parts of firearms and to ammunition.
7 When the work computer of Mr. Myles Jr. was examined, it was found to contain multiple
8 orders and shipping invoices. These referred to the names of individuals linked to multiple
9 importations by shipping notes.

10
11 36. Two of the names were those of individuals who had left the Island, Edgar Garcia Dio who had
12 left in 2013 and Enrique Argallon who had left in 2018. Another name used was Kason Stuart
13 O/C Marley. The first two were not known to have been on Island at the material time. Thus,
14 these appear to be false identities used and created to facilitate the Conspiracy.

15
16 37. Messages exchanged by Mr. Myles Jr. with JC included reference to tracking numbers and the
17 shipment of items. A sample of these messages is provided by the prosecution as follows: -
18

- 19 a. “(57) JC – CMJ 03/08/20 ‘Barrel and upper receiver may have to be machined to fit bolt
20 carrier. Different upper receiver may be needed to finish build. Otherwise different barrel
21 and receiver in 7.62x39’.
- 22 b. (106) CMJ - JC 25/09/20 ‘send 3 vacuum bags full with draco/9mm/40 shots
- 23 c. (110) CMJ - JC 04/10/20 ‘load the two 40 mags with ammo and send that with ammo and
24 send that with the working AR with the attachment and more for the draco/glock &
25 springfield’.
- 26 d. (113) CMJ – JC 10/10/20 ‘Don’t forget to get gloves to load up the drum and 30mag with
27 the ammo’.
- 28 e. (146) CMJ – JC 04/03/21 ‘Glock 32 - \$650 Palm Harbor 863 271 3579 . . . HK VP9 \$675
29 Tampa 727 385 7052’.
- 30 f. (147) CMJ – JC 05/03/21 ‘Taurus 345/.38sp \$550 St Pete (727) 310 5254 . . . AK \$1000
31 Clearwater 727 333 5554 . . . AK \$1000 New Port Richey (727) 207 1197 said call only’.



- 1 g. (148) CMJ – JC 05/03/21 ‘‘\$8500 waited till you cleared them for me to send me the
2 remainder and im still waiting on the .45 shots’.
- 3 h. (189) CMJ – JC 03/04/21 ‘Kk so Edgar is ammo/moonrocks/Wonka’.
- 4 i. (201) JC – CMJ 11/04/21 ‘sell u my smith 40’.
- 5 j. (210) CMJ – JC 16/04/21 ‘So Monday, everything has to be shipped out all guns/gun parts
6 and weed oils’.
- 7 k. (213) CMJ – JC ‘And the zip can package with the guns’.
- 8 l. (242) CMJ – JC 30/04/21 ‘Remember to look about the 380 shots and the glock 17 lower
9 needs to be drilled’.
- 10 m. (244) CMJ – JC 03/05/21 ‘Yeah gun, safe, ammo, a zip of what you’ve got’.
- 11 n. (245) CMJ – JC 03/05/21 ‘Cool. . oh and the lasers and Mags for Edgar’.
- 12 o. (246) CMJ – JC 03/05/21 ‘Remember to check on the 380 shots’.
- 13 p. (972) CMJ – CC 23/10/21 ‘When you get the chance can you put all the ammo in one bag
14 and I’ll come collect it as I need to do an inventory count’’”
- 15

16 38. Money transfers were made by Mr. Myles Jr. and others connected to him to JC in payment for
17 items ordered. The monies were transferred from the defendant’s personal and business
18 accounts and from a joint account which he had with one NM, a business partner. Transfers
19 were also made using money remittance services. Between March 2020 and June 2022, the
20 total amount transferred was CI \$104,993.16.

21

22 39. The phone also had messages discussing the acquisition of a gun safe and images which showed
23 a safe being installed at the home of Mr. Myles Jr. After recovering the messages, the police
24 went back to his home and conducted a further search. The safe measuring 4 feet by 2 feet was
25 found in the floor of the kitchen.

26

27 40. From the invoices recovered the items imported amount to 3,410 rounds of ammunition and
28 component parts capable of producing 14 completed firearms. The defence for Mr. Myles do
29 not agree that this was the level of ammunition imported.

30



1 41. The defendant Ebanks was also in contact with firearm outlets in Florida by email and phone.
2 He gave the mobile phone number of JC as his contact details. Both Ebanks and Myles Jr. used
3 the h/a “New Port Richie” which is also associated with JC.
4

5 42. On the 1st July 2022, the home of Mr. Ebanks was searched and a polymer 80 pistol firearm
6 was recovered. This matched the description on invoices and purchases made by Mr. Myles Jr.
7 as part of the Conspiracy. An examination of Mr. Ebanks’ phone indicated that he was interested
8 in 3D printing and that he had access to digital downloads for firearm component parts. He had
9 downloaded and book-marked files which could facilitate 3D printing of components for
10 firearms.

11
12 43. Mr. Ebanks wrote in a conversation to a person MH: -
13

14 *“Test one - The guides are metal so it should (stay together) - Also going to*
15 *have the full auto chip ready - If works going to buy a new printer than can*
16 *make it out of the same material as the other ones - The printers are 1500 not*
17 *a bad price can make that back in 1 sale”*
18

19 44. The two defendants were in contact about the 3D printing of firearms. Messages sent by Mr.
20 Ebanks to Mr. Myles Jr. indicate that he (Mr. Ebanks) was involved in the manufacture and
21 supply of firearms from component parts. One is as follows: -
22

23 *‘The shinning is aluminum - The holding pin will be aluminum also -*
24 *The case has to be in the plastic which will not be a problem’*
25

26 45. In January 2021, Mr. Ebanks shared with Mr. Myles Jr. a contact with a firearm wholesaler in
27 the United States with respect to a FNH firearm and 1000 rounds of ammunition. In May 2021,
28 Mr. Ebanks contacted Mr. Myles Jr. about a defective bullet which was received and Mr. Myles
29 Jr then complained to Midway USA about the bullet.
30

31 46. Lisa Mullings is a forensic firearm examiner and ballistics expert. She has provided a report in
32 which she concludes that from an examination of all the invoices there were 136 firearm related

purchases made in the course of the Conspiracy and there were 14 total firearms which could be assembled from the component parts as follows: -

Five (5) 223 Rem / 5.56x45mm calibre AR-15 style firearm

One (1) 300 AAC Blackout calibre AR-15 style firearm

One (1) 7.62x39mm calibre AR-15 style firearm

Total Assault Rifles: seven (7)

9mm luger calibre 'Polymer 80 inc' pistol (handguns)

Total Pistols (handguns): seven (7)



47. The home and work computers of Mr. Myles Jr. also revealed his purchase of bullet proof clothing. These were three jackets, two hoodies and one sports jacket with a set or armour of level IIIA protection.

48. The 3,410 rounds of ammunition which were imported is made up of the following: -

380 calibre – 60

9mm luger – 760

9 x 39mm- 60

40 S&W - 190

45 - Auto - 60

5.56 x 45mm - 1060

300 AAC Blackout – 160

7.62 x 39mm - 1060

COUNT 10 - MISCONDUCT IN PUBLIC OFFICE

49. Count 10, Misconduct in Public Office relates to Mr. Myles Jr's unauthorised searches of police information systems. His username and password were used to access the police computer system, and his mobile device was used to send information about offenders unconnected to these matters to his partner CC. The offenders lived in the same area as the defendant.



1
2 50. There were also in excess of one hundred and thirty unauthorised searches made by Mr. Myles
3 Jr. These included some twenty times for his own name and other times for his business
4 Cayphone Electronics, a business which was used to send monies to JC. There were also
5 searches for the defendant's business partner NM and for police operations. The operations
6 included two firearm operations which were pre-cursors to this investigation. There were also
7 searches into police vehicles and the firearms in the possession of the police.

8
9 51. The prosecution asserts that the reasonable inference is that some of these searches were in
10 furtherance of the Conspiracy.

11
12 **INTERVIEWS**

13
14 52. There were five attempts by the Police and Anti- Corruption investigators to interview the
15 defendant Myles Jr. These were on the 2nd June 2022, 10th November 2022 and another on that
16 same day, 31st May 2023 and 29th June 2023. The defendant on legal advice either declined to
17 be interviewed or exercised his right to provide no comment answers. On the last occasion he
18 provided a prepared statement which was unsigned.

19
20 53. Mr. Ebanks was interviewed on the 2nd July 2022 and denied the offences.

21
22 **ANTECEDENT HISTORIES**

23
24 54. The defendant Myles Jr. has no previous convictions recorded against him.

25
26 55. Mr. Ebanks has an antecedent history consisting of spent convictions in 2005, 2006, 2007 and
27 2008 for Taking a Conveyance Without Authority, Drugs, Common Assault and Theft. On the
28 30th September 2022, he pleaded guilty to the offence of Possession of Firearm in relation to
29 the Polymer firearm which was recovered from his home on the 1st July 2022. He was
30 sentenced by Carter J. on the 25th October 2023 to the mandatory minimum term of 7 years
31 imprisonment. His earliest date of release is the 11th September 2026. A transcript of the
32 sentencing remarks has been provided for the purpose of this hearing.



SOCIAL INQUIRY REPORT

56. Defence Counsel on behalf of the defendant Ebanks indicated that a Social Inquiry Report, (“SIR”) was not necessary in this case.
57. The Department of Community Rehabilitation, (“DCR”) has provided a SIR dated 24th February 2026 in respect of the defendant Myles Jr. The Court has read this report in its entirety and takes into account everything said therein in his favour.
58. The defendant is in a committed relationship with a partner who has one child. He is a father to this child. The defendant describes his childhood as a happy one where his needs were met and the environment was supportive. He graduated secondary school without incident and with passes in multiple subjects. After school he entered the work force. He worked at Miracle Brokers for some five years from 2013 to 2018, progressing from doing deliveries on starting through various other positions until he was appointed Operations Manager. He was able to purchase his own home by 2017. In 2018 he joined the Police Service as a civilian employee. He remained in this position until November 2024 when he was released as a result of the instant matters. Since then, he has worked in his father’s heavy equipment business. He has had no prior involvement in the criminal justice system.
59. The defendant’s parents remain supportive of him although they express disappointment about this offending and describe it as being out of character for the defendant. They express the view that his associations may have significantly influenced his behaviour.
60. The defendant’s former line manager at the Police Service describes the defendant as having a strong work ethic and being pleasant and respectful. There were no concerns about his work performance.



1 61. Under the heading Attitude Towards Offence, the Probation Officer in part records the
2 following: -
3

4 “ In relation to the importation of firearms, Mr. Myles stated that he was working in
5 collaboration with his former friend, Mr. Eddie Ebanks, who was also charged in this
6 matter. He explained that Mr. Ebanks was employed at Miracle Brokers and had been
7 facilitating the importation of drugs for him (client). Mr. Myles stated that he was also
8 purchasing firearms that required assembly, along with a friend named “John” in the United
9 States, and that they would trade these firearms for motorcycles, which he stated was legal
10 in the United States.
11

12 Mr. Myles reported that Mr. Ebanks subsequently asked to arrange for the firearms to be
13 imported into the Cayman Islands. He stated that he was hesitant to become involved;
14 however, he alleged that Mr. Ebanks threatened him. He explained that, given Mr. Ebanks’
15 involvement in clearing drugs for him, he felt he had no alternative but to agree.
16

17 Mr. Myles stated that he would purchase the firearms and ship them to “John” in the United
18 States, who would then send them to the Cayman Islands, where Mr. Ebanks would clear
19 them. He indicated that this arrangement continued for approximately one year before his
20 arrest.
21

22 Mr. Myles acknowledged that he engaged in drug importation for financial gain and stated
23 that he began doing so in 2020 during the COVID-19 pandemic when the country was on
24 lockdown. He reported that at that time he did not consider the importation of ganja to be
25 significantly detrimental to the community.
26

27 With respect to the firearms importation, Mr. Myles stated that when the threats were made,
28 he could have alerted the authorities, including his father, who was a police officer for most
29 of his career. However, he explained that his father had been experiencing several health
30 issues and he did not wish to burden him. He further stated that he did not believe anyone
31 else in authority would have listened to him.



1
2 Mr. Myles expressed embarrassment regarding his actions, particularly the shame he feels
3 he has brought upon his parents. He stated that he regrets his behaviour and is extremely
4 disappointed in himself. He acknowledged that while he was engaged in the illegal
5 activities, he did not consider the consequences of his actions. He reported that he now
6 understands the seriousness and gravity of his behaviour and indicated that he is prepared
7 to face the consequences.”
8

9 62. The defendant is assessed as being at medium risk of re-offending with only one of the eight
10 criminogenic factors in the high category.
11

12 63. With respect to the factor of Pro-criminal Attitude /Orientation, the Officer states: -
13

14 “Although he has accepted responsibility by way of his guilty pleas, he has demonstrated
15 some minimisation of his role in the offending behaviour. Additionally, his sustained
16 involvement in criminal activities suggests the presence of pro-criminal thinking patterns.”
17

18 64. The Officer states that there is no indication of early diverse antisocial behaviour nor is there
19 any pattern of generalised trouble.
20

21 65. Under the heading Sentencing Options, the Officer’s concluding remarks are as follows: -
22

23 “ Mr. Myles appears before the Court to be sentenced on the above mentioned offences.
24 He presents with several positive factors, including no reported previous criminal
25 convictions, an upbringing described as stable and supportive, and the continued emotional
26 support of his parents, though they have expressed their disappointment. Prior to the
27 current matters, he maintained a steady employment history and was regarded by his
28 former supervisor as hardworking, respectful, and reliable. He has entered guilty pleas,
29 shared his embarrassment, regrets his decision, and expressed some remorse.
30 Notwithstanding, the offences for which Mr. Myles appear are serious in nature and were
31 neither isolated nor impulsive. Of particular concern is the breach of trust element, given



1 that Mr. Myles was employed within the Criminal Records Office and was entrusted with
2 access to sensitive information. His offending reflects deliberate decision-making over a
3 sustained period, even though he stated that he was threatened. By his own account, his
4 actions were also motivated in part by financial gain. His continued engagement in the
5 illegal activity over time raises concerns regarding his judgment and consequential
6 thinking, as well as susceptibility to negative peer influence.

7
8 While Mr. Myles has accepted responsibility through his guilty pleas, some minimisation
9 of his role was noted, indicating that further rehabilitative work would be beneficial to
10 strengthen pro-social decision-making, and full accountability. Given the nature and
11 circumstances of the offences, sentencing should reflect the gravity and seriousness of his
12 actions.”

13
14 **THE SUBMISSIONS OF THE PROSECUTION**
15

16 66. Mr. Treadwell for the prosecution submits that the defendant Myles Jr. played a leading role in
17 the Conspiracy. It is said that this submission is supported by the evidence of his
18 communications with JC, shipping invoices recovered from his computer, email
19 communications, money transfers, internet searches, the use of false identities to facilitate the
20 Conspiracy and his engagement with others (CC) regarding the storage and inventory of the
21 firearms.

22
23 67. The submission of the prosecution is that Mr. Ebanks also played a leading role supporting Mr.
24 Myles Jr. Mr. Ebanks engaged in communication and research and reported back on the
25 firearms received.

26
27 68. Counsel references the **2002 Statement on Tariffs and Guidelines** issued by the former Chief
28 Justice and the case of **R v Avis**². Counsel submits that there are a number of aggravating factors
29 in respect of the firearm offences. These include the fact of the absence of serial numbers and
30 thus the inability to trace the firearms imported. Counsel said that this factor also evidences a

² [1998] 1 Cr. App. R. 420



1 high level of sophistication. Other aggravating factors are said to be the involvement of others
2 in the storage of firearms, the importation of ammunition to match the firearms that required
3 assembly, the acquisition of a gun safe to avoid detection and the purchase of bullet proof
4 clothing.

5
6 69. Counsel submits that the amount of money transferred compared to the recovery of only two
7 firearms from the two defendants suggests that this was a business for financial gain. In
8 summary as set out in written submissions: -
9

10 “94. Aggravating Factors:

- 11 a. Importation of 136 individual components capable of producing 14 firearms;
12 b. Nature of firearms semi automatic pistols and AR15 assault rifles;
13 c. Ammunition imported various calibers including high caliber ammunition;
14 d. Firearm ammunition retained;
15 e. Firearms were ghost guns and therefore untraceable;
16 f. False identities employed for importation; and
17 g. Employment/ knowledge of customs procedures.”
18

19 70. In relation to the offence of Misconduct in Public Office which sentence is at large, Counsel
20 for the prosecution submits that the aggravating factors are: -
21

- 22 a. Number of searches undertaken;
23 b. Tracing of other offenders and disseminating that information to another person;
24 c. Tracking police operations in furtherance of own criminal enterprise;
25 d. Wider searches that impact others and potential for police operations to be disclosed;
26 and
27 e. Loss of public confidence in Police Service.
28

29 71. Mr. Treadwell refers the Court to two local cases dealing with the offence of Misconduct in
30 Public Office. In the case of *R v Daniel Ezra Meeks*³ the Cayman Islands Court of Appeal

³ CICA 9/2020, Unreported Judgment dated 25th June 2021



1 upheld a sentence of 3 years imprisonment on a not guilty plea for the offence of Misconduct
2 in Public Office. The appellant had used his position as a police officer to convince the victim
3 to execute a transfer of land into his own name. The sentencing judge noted that the offence of
4 Misconduct involves a breach of trust which is serious in itself as to be prima facie deserving
5 of a custodial sentence. It was an aggravating feature that the offence was for personal gain
6 and that the offence was committed against a vulnerable victim who was seventy-three years
7 old.

8
9 72. In the case of *R v Patricia Webster*⁴ following guilty pleas, Quin J. imposed a sentence of 9
10 months imprisonment suspended for 12 months for two counts of Misconduct in Public Office.
11 The defendant was employed to the Police Service as a civilian receptionist. The first count
12 involved an unauthorised search on the confidential police database to ascertain whether a
13 named person was the subject of a criminal investigation. The second was to obtain a private
14 telephone number of an individual which number the defendant provided to a third party.

15
16 73. In respect of both counts the defendant said that she was assisting friends. There was no
17 evidence of benefit to her.

18
19 74. The Court reviewed a number of authorities noting that the essence of the offence is an abuse
20 of trust and adopting the statement made by Judge L.J. in the case of *Att.-Gen.'s Ref. (No. 140*
21 *of 2004) (3)*: -

22
23 “ 31 The Northern Ireland Crown Court relied on the judgment of Judge, L.J. (as he then
24 was) in *Att.-Gen.'s Ref. (No. 140 of 2004) (3)* and in particular the following dicta from
25 that judgment ([2004] EWCA Crim 3525, at para. 9):

26
27 “The offender was in a position of trust. His activity has damaged confidence in the way
28 in which DVLA records are kept and maintained. The information at the DVLA is
29 confidential. The unauthorised disclosure of information held in any records kept and
30 maintained only for public purposes should also always be regarded as a serious offence.

⁴ [2013] (2) CILR 72

1 The amount of private information about each and every single citizen in this country,
2 available to public servants, has increased and with modern technology continuing increase
3 is virtually inevitable. Citizens are entitled to assume that the information so kept will only
4 be made available to those who are entitled to see it, and only for the express purpose
5 permitted by law. Wrongful disclosure sometimes works to the benefit of someone who is
6 not entitled to the advantage so provided. Sometimes wrongful disclosure causes damage.
7 Even if an offender has not fully anticipated the consequences of disclosure, it will be very
8 unusual for him to be entirely ignorant of the possible consequences, and, even if those
9 consequences are unforeseen, the impact of disclosure on any individual whose privacy
10 has been betrayed is a critical ingredient of the sentencing decision. It seems to us these
11 are essential principles which should be noted by any judge facing a sentencing decision
12 in this class of case.”

13 McCloskey, J. in Griffiths went to add ([2009] NICC 23, at para. 12):

14 “... [W]here there is evidence of detrimental impact on some individual or individuals, this
15 will undoubtedly be a material factor and is likely to rank as an aggravating feature in a
16 great majority of cases.”

17 32 This court respectfully adopts Judge, L.J.’s clear statement of the principles to be applied
18 in cases of misconduct in public office.”
19

20 75. Counsel for the prosecution in the instant case also references the principles on concurrent and
21 consecutive sentences and submits that the offence of Misconduct in Public Office is a distinct
22 offence that sits outside the scope of the Conspiracy and that consideration can be given to a
23 consecutive sentence.
24

25 76. As to the assistance provided by the defendant Ebanks, Counsel for the prosecution submits
26 that the witness statement provided by him was considered valuable evidence against the co-
27 defendant and that it was anticipated that Mr. Ebanks would be called at trial.
28
29
30
31





1 **THE SUBMISSIONS OF THE DEFENCE – COURTNEY MYLES JR.**
2

3 77. Counsel for the defendant Myles Jr., Ms. Fosuhene submits that while the Court must impose
4 a sentence that reflects the gravity of the offences, the harm occasioned or risk to the
5 community and the need for deterrence, the Court retains a broad discretion to reflect the
6 individual circumstances of the offender.

7
8 78. Counsel submits that in this case the defendant was subject to coercive circumstances which
9 constitute a weighty mitigating factor which goes to both culpability and the appropriate
10 sentence. Counsel makes reference to the case of *R v Boakye*⁵ and submits that having regard
11 to the totality of the circumstances and mitigation there are exceptional circumstances which
12 exist in this case.

13
14 79. Counsel submits that the evidence indicates a young man who was had significant pressure
15 placed on him and who has acted out of character because of these pressures. Counsel said that
16 while the defendant had time to make reports to the authorities and cannot avail himself of the
17 defence of duress, this does not remove the fact that he acted largely because of external
18 pressures placed on him.

19
20 80. The submission is that the defendant occupied a significant role in the conspiracy, but this was
21 not a leading or organising one. This is said to be the case because the defendant was not the
22 one who initiated the importation. Counsel said that it was a scheme which was conceived and
23 directed by others. The defendant had limited benefit from the offending, and he had no prior
24 criminal record at the time of the offence.

25
26 81. Counsel also says that the defendant was not the mastermind and that proper scrutiny of the
27 facts may paint a different picture from that put forward by the prosecution. Counsel says that
28 while component parts were imported, those who normally do so and who are the leaders tend
29 not to do this in their own names or from their own bank accounts. Counsel said that while the
30 paper trail would have led the police directly to the defendant Myles Jr., he was acting upon

⁵ [2012] EWCA CRIM 838



1 instructions and to this day is terrified at the fact that his life and the lives of those he loves will
2 be at risk from those above him in the chain.

3
4 82. Counsel submits that the defendant was not the intended recipient of any of the component
5 parts and that he was not storing them. While he may have had knowledge of the fact that 14
6 completed firearms could have been made and that this is an aggravating feature of the offence,
7 the firearm the subject of Count 4 which was recovered from his home was not his. It was not
8 placed there by him. However, because of the defendant's involvement in Counts 1 and 2 and
9 his failure to distance himself from those involved, he became involved in the offence. Counsel
10 says that the fact that there was a gun safe at his house does not take the case any further. No
11 guns were found in the gun safe, and the defendant had applied to the Cayman Islands Gun
12 Club and was in the process of being accepted as a member.

13
14 83. In relation to the offence of Misconduct in Public Office, Counsel says that the defendant
15 accepts that he entered the police system. His explanation is that he did so because he was
16 terrified about the threats to him and to others. Counsel submits that there are messages which
17 indicate that they were talking about firearms prior to the defendant becoming involved in the
18 offending and asks that the Court consider all of his offending in light of the threats contained
19 in the defence papers.

20
21 84. It is submitted that the defendant faced harm, threats and external pressure which amounted to
22 coercion. Counsel submits that it is well established that coercive circumstances falling short
23 of the strict legal defence of duress are nonetheless a significant mitigating factor at the
24 sentencing stage. The Court may consider that culpability is reduced where an offender acted
25 on compulsion.

26
27 85. Counsel notes that in the cited case, the English Court of Appeal confirmed that where an
28 offender is coerced into drug importation the coercive circumstances must be weighed carefully
29 in mitigation and submits that this principle is just as important in respect of a firearm situation.

30
31 86. The nature of the coercion in the instant case is said to be that the defendant was threatened
32 with serious harm to his person, which threats the defendant believed or had reasonable and
33 genuine grounds to believe that they would be carried out. It is submitted that the defendant



1 was subjected to serious intimidation and violence by others and that his actions in checking
2 and accessing the police database and his involvement in the importation arose because of
3 violence and pressure.

4
5 87. Counsel said that in December 2021 the defendant was assaulted and pushed off a skateboard
6 when he was trying to say no to individuals who had involved him in these matters. He suffered
7 a fractured collarbone.

8
9 88. In 2022 he was threatened and his motorcycle was hit which caused him to sustain a broken
10 wrist. There were also threats to the defendant's girlfriend and child which placed the defendant
11 under acute and deep personal pressure. Counsel said that the threats were ongoing but the
12 defendant accepts that he could and should have gone to the police.

13
14 89. The defendant also says that while he was working at the police records office he received a
15 direct threat from someone who came to that office and shortly thereafter the office was burnt
16 down. The defendant took this as a demonstration that he was not to say anything and this
17 caused him to fear for his life and his family.

18
19 90. In support of the defendant's assertion of coercion, photographs are produced of injuries
20 received by the defendant to his left radius and messages that say: -

21
22 " if a dirt a dirt.

23 new insta can't save you from da big head getting bus

24 we know EVERYTHING does Appleby?

25 I'm sure you'll know very very soon

26 You're about to be rubbing 10 plus years sooner than you think especially with all the info
27 old and NEW they have."

28
29 91. Counsel's submission is that these are messages from a person who claims to know everything
30 and must inferentially be from a person who is part of the Conspiracy and threats because how
31 else would that person know everything.



1 92. While these messages appear to the Court to be inconsistent with someone seeking to maintain
2 the defendant's full cooperation to continue the enterprise, no Newton Hearing has been
3 conducted on this issue, and the defendant is therefore given the benefit of the doubt.

4
5 93. The defence also produced medical records which indicate that the defendant's father had a CT
6 brain scan in October 2020 which showed hypertensive bleed in his head and that he suffers
7 from other medical issues.

8
9 94. The defendant Myles Jr. has provided a letter to the Court dated 25th December 2025. This has
10 been read in its entirety. In summary, he expresses regret for the choices which he made and
11 says that he was overwhelmed, frightened and unsure how to protect himself. Instead of seeking
12 help he tried to carry everything alone. He was reluctant to burden his father who had a stroke
13 in 2020 and was in a slow recovery process. He asks the Court for leniency and says that he is
14 trying to rebuild his life and stay connected to support systems.

15
16 **CREDIT FOR GUILTY PLEA**

17
18 95. Defence Counsel submits that it is accepted that the guilty plea of Mr. Myles Jr. in this case
19 was late thus reducing the maximum credit available but that it nonetheless represents a clear
20 acceptance of responsibility.

21
22 96. The submission is that it is deserving of a discount in the region of 10% to 20%. Some Court
23 time and resources were nevertheless saved. Counsel submits that the plea also evidences
24 genuine remorse and a willingness on the part of the defendant to face the consequences of his
25 actions.

26
27 **PERSONAL MITIGATION**

28
29 97. In mitigation Counsel on behalf of the defendant Mr. Myles Jr. asks the Court to consider that
30 he was of previous good character. This is said to be significant.

1 98. Secondly, Counsel asks the Court to note the defendant's family circumstances. The defendant
2 has a child to whom he is a loving and caring parent. The defendant's father had a stroke from
3 which he is still recovering and a custodial sentence will have a devastating impact on his
4 family and will severely affect those around him who are innocent of any wrongdoing. Counsel
5 refers to the case of *R v Petherick*⁶.

6
7 99. Counsel says that prior to his arrest, the defendant was employed to the Police Service and he
8 made a positive contribution to those around him. He is genuinely remorseful and he has
9 cooperated with the authorities to the extent that he was able, having regard to the legitimate
10 concerns about his personal safety. Counsel submits that the defendant is a person of otherwise
11 good character who was placed in a difficult position and made the wrong choice because of
12 threats and fear.

13
14 **THE SUBMISSIONS OF THE DEFENCE – EDDIE EBANKS**

15
16 100. Mr. Ebanks has provided a letter to the Court dated 14th April 2026 in which he expresses deep
17 remorse and sincere regret for his actions. He takes full responsibility and says that there is no
18 excuse for his behaviour. He speaks about the impact on his wife and son since he has been on
19 remand and the time which he has had to reflect while separated from his family. He expresses
20 his determination to rebuild his life and to make amends for the harm that he has caused. He
21 states that: -

22
23 “Over the past four years, I have had a great deal of time to reflect on my actions and the
24 harm they have caused – not only to society, but most painfully, to my family. The cost of
25 my mistake has been far greater than I could have ever imagined. I have missed
26 irreplaceable moments in my son's life: his first day of school, his first graduation, and
27 every birthday over the past four years. These are memories I will never be able to recover,
28 and that reality weighs heavily on me every single day.



⁶ [2012] EWCA Crim 2214

1 My absence has placed an enormous burden on my wife, who has had to raise our child on
2 her own without the support she deserved from me. She has shown incredible strength and
3 resilience through these difficult times, and I deeply regret putting her in such a position.
4 I also regret the emotional impact this has had on my son, who has spent years asking when
5 I will come home. Knowing that my actions caused him confusion, pain, and a sense of
6 absence is something I carry with deep sorrow.

7
8 This has been the greatest mistake of my life. The separation from my family and the loss
9 we have all endured have changed me profoundly. I have learned the true value of
10 responsibility, family, and making lawful, positive choices. I can assure the Court that I
11 am committed to living a different life, one that reflects accountability, integrity, and
12 respect for the law.”

13
14 101. There is also a letter from the defendant’s wife dated 1st June 2026 which records the impact
15 on their young son of his father’s incarceration and her struggle as a single mother financially
16 and to provide consistent stable childcare while maintaining her employment.

17
18 102. Defence Counsel Mrs. Bodden on behalf of the defendant submits that it is accepted from the
19 messages that his role was a substantial one but that a distinction should be made that he was
20 not the ring leader.

21
22 103. Counsel submits that it is a significant factor in this case that all of the evidence existed in 2022
23 and in 2023 at the time that the defendant was sentenced for Possession of Firearm. Some
24 messages relating to the defendant ordering firearm parts are referenced in the previous
25 sentencing judgment. He was not prosecuted for the wider conspiracy at that time. Counsel
26 said that the delay is no fault of his. Counsel’s submission is that the delay alone should mitigate
27 such that any sentence which the Court passes is not consecutive and does not extend beyond
28 his current sentence. In addition, the defendant provided assistance to the prosecution and was
29 prepared to testify at trial.



1 104. Counsel said that while it is accepted that this is a significant case and there is a need for
2 deterrence and rehabilitation the defendant is already serving a lengthy sentence.

3
4 105. Counsel submits that: -
5

6 “11. The Crown further assert ‘the likelihood is that this firearm was acquired by EE during
7 the course of the conspiracy, accordingly it is a matter that the court could take into
8 consideration as part of the conspiracy sentence’. We would of course expect an uplift if
9 the matter had been properly prosecuted at the time of the 2022 offence, however the delay
10 alone should mitigate that any sentence this Court passes is not consecutive and does not
11 extend beyond his current sentence.”
12

13 106. Counsel details the assistance of the defendant and acceptance of the relevant guidelines and
14 states: -
15

16 “ 15. Whilst we accept that a custodial sentence is the only option in this case, we would
17 submit that the assistance, coupled with the matters submitted regarding delay and totality
18 on this very fact specific case further bolters the submission that any sentence this Court
19 passes should not result in Mr Ebanks spending longer in custody than he will for the 2022
20 matter.”
21

22 107. By way of personal mitigation, it is submitted that the defendant had no similar convictions at
23 the material time. He is a father. He accepts that he has made a significant mistake and is
24 genuinely remorseful. Counsel says that he demonstrates this by his guilty plea and assisting
25 in the investigation. Since being on remand, he has completed available courses and hopes to
26 re-enter society as a reformed man. He has suffered the anguish of delay over this matter.
27 Counsel submits that notwithstanding the serious nature of the conspiracy, the balance should
28 tilt in his favour such that he should receive no additional sentence.
29
30





108. The additional submission is that the defendant should receive full credit for his guilty plea because an early indication was given that there would be a plea to the firearm matters. The other Counts on the Indictment were disputed, and they have since fallen away.

GUIDELINE ON SENTENCE

THE 2002 STATEMENT ON TARIFFS AND GUIDELINES FOR SENTENCING FOR CERTAIN OFFENCES

109. There are no offence specific Guidelines for firearm offences in the Cayman Islands. In the *2002 Statement on Tariffs and Guidelines for Sentencing for Certain Offences*, the then Chief Justice stated:

“As regards to firearm offences contrary to the Firearms Law, the Legislation is quite clear that the possession or use of any unlicensed lethal barreled firearm is an extremely serious offence. Under the Firearms Law, the maximum penalty for possession of an unlicensed firearm is 20 years and a fine of \$100,000. 00. The tariff for that offence unless there are very mitigating circumstances will be 10 years. If on the other hand aggravating circumstances exist, for instance, the use of the firearm for the commission of a serious offence, the tariff will be in keeping with decided cases and will be significantly higher.”

110. These *Guidelines* pre-dated the Amendment to the *Firearms Act* which imposed minimum terms.

THE RELEVANT QUESTIONS

111. In the case of *R v. Avis*⁷, the English Court of Appeal stated that the appropriate level of sentence for a firearm offence will depend on all the facts and circumstances relevant to the offence and the offender. It will usually be appropriate for the sentencing court to ask itself a series of questions:

⁷ 1998 1 Cr. App. R. 420



1 i)What sort of weapon is involved?

2 “Genuine firearms are more dangerous than imitation firearms. Loaded
3 firearms are more dangerous than unloaded firearms. Unloaded firearms
4 for which ammunition is available are more dangerous than firearms for
5 which no ammunition is available. Possession of a firearm which has no
6 lawful use such as a sawn off shot gun will be viewed even more seriously
7 than possession of a firearm which is capable of lawful use.”

8 ii) What if any use has been made of the firearm?

9 iii) With what intention, if any, did the defendant possess or use the firearm?

10 iv)What is the defendant’s record?

11 The seriousness of any firearms offence is inevitably increased if the
12 offender has an established record of committing firearm offences or
13 crimes of violence.
14

15 112. In this case the weapon is a genuine firearm in working order. It was loaded with eight rounds
16 of ammunition. There is no evidence that any use was made of the firearm. The defendant
17 Myles Jr. has no previous convictions for any such offence.
18

19 **THE SENTENCE**
20

21 113. The offending in this case in respect of all Counts is serious and clearly passes the custody
22 threshold.
23

24 114. There are no definitive Guidelines in the Cayman Islands for the offence of Conspiracy to
25 Import Firearms. Some assistance can be obtained from the United Kingdom Guidelines for
26 the offence of Importation of Firearms by reference to culpability and harm factors albeit that
27 some modification is required.
28

29 115. In arriving at a starting point for the offence of Conspiracy to Import firearms in this case, note
30 is taken of the wide scale and serious nature of the Conspiracy which continued over a period
31 of years. It involved accessing 136 firearm parts sufficient to make 14 firearms of the nature
32 described by the Expert witness. With respect to the defendant Myles Jr. there are high levels



1 of culpability and harm. In the Court's view it is plain from the messages detailed by the
2 prosecution that he played a leading role. He was an integral part of the importation business.
3 While on his account there may have been others who led, this can only have been in addition
4 to and not in substitution for him. The inference from the messages is that he gave directions
5 to others and had an overall view of the enterprise. The messages show that Ebanks referred
6 matters to Myles Jr. for him to deal with providers in the United States. It was the defendant
7 Myles Jr's friend JC who was the United States contact.

8
9 116. The Conspiracy involved significant planning including steps to avoid detection such as the
10 use of false identities, the use of his business Cayphone Electronics and other persons to send
11 money in payment for the firearm components. It was clearly a sophisticated operation. The
12 strong inference is that this was done in expectation of some financial gain. There was the abuse
13 of trust to access the police systems to avoid detection. The multiplicity of factors means that
14 notwithstanding what he says was coercion from others, the culpability must be regarded as
15 being at a high level.

16
17 117. The harm is also at a high level noting the large number of firearms and the types of weapons
18 which could have been completed by the plan and the time over which it continued.

19
20 118. Thus, with respect to the defendant Myles Jr. the Court adopts a starting point of 8 years.

21
22 119. The aggravating factors are that the Conspiracy involved the importation of compatible
23 ammunition, that this was a plan for "ghost guns" which would have been untraceable and
24 bullet proof clothing was also purchased.

25
26 120. The aggravating factors serve to increase the sentence from the starting point to 9 years or 108
27 months imprisonment.

28
29 121. In mitigation, account is taken of everything said and written in the defendant's favour. These
30 include the fact that:

31 He has no previous convictions - 12 months.



1 Remorse, all his personal circumstances and family circumstances, the illness of his father,
2 the effect upon his child and partner, his good work record – 9 months.

3 Coercion and threats – 18 months.
4

5 122. All the mitigating factors taken together serve to reduce the sentence by 42 months to one of
6 66 months.

7
8 123. The plea came after multiple trial dates and almost at the door of the Court. While the defendant
9 has by his plea saved some court time and witnesses having to attend for trial, the credit must
10 be limited. He is afforded 15% credit or 9 months for a final sentence of 56 months.

11
12 124. In respect of Count 2, applying a lower starting point of one half, this being ammunition and
13 following the same process for a final sentence of 28 months imprisonment.

14
15 125. For Count 4 – Possession of Firearm, applying a starting point of 10 years and the reductions
16 for mitigating circumstances, the proposed sentence would be the mandatory minimum of 7
17 years.

18
19 126. I have considered the defence submissions as to coercion or intimidation. In my judgment,
20 applying the test which is set out in the case of the *R v Zakir Rehman and Gary Wood*⁸, there
21 are no circumstances in this case which rise to the level of being exceptional, either as to one
22 particular circumstance or looking at the matter as a whole such that the mandatory minimum
23 would be arbitrary and disproportionate.

24
25 127. In respect of Count 5, Possession of Ammunition, the sentence imposed is one of 2 years
26 imprisonment.

27
28 128. In respect of Count 10, Misconduct in Public Office, this is an egregious breach of trust which
29 continued over a period of time. Noting the number of searches undertaken, wider searches into
30 police operations, the potential to undermine trust and confidence in the Police Service, the

⁸ [2006] 1 Cr. App. R. (S) 77

1 Court adopts a starting point of 48 months. This is aggravated by the fact that it was clearly
2 done in part for self-serving reasons in support of the Conspiracy. The sentence is therefore
3 increased to 60 months.

- 4
5 129. In mitigation, everything said and written in the defendant's favour is taken into account, no
6 previous convictions, remorse, family and personal circumstances and coercion. A reduction of
7 24 months is afforded for a final sentence of 36 months. With 15 % credit for guilty plea the
8 final sentence is one of 31 months.

9
10 **THE SENTENCE – EDDIE EBANKS**
11

- 12 130. With respect to the defendant Eddie Ebanks, on the offence of Conspiracy I accept the
13 submissions of both Counsel that his role was at the level of substantial rather than leading. I
14 adopt a starting point of 7 years or 84 months in his case.

- 15
16 131. The aggravating factors are the same, but for the accessing of police systems. They are the
17 importation of compatible ammunition and the fact that these were "ghost guns" which would
18 have been untraceable. These aggravate the offending by 12 months for a sentence of 8 years
19 or 96 months.

- 20
21 132. In mitigation consideration is given to everything written and said in the defendant's favour. At
22 the material time he was of effective good character. He is remorseful and has accepted full
23 responsibility. All of his personal circumstances to include his separation from his family, and
24 his child and his work towards rehabilitation. His family is also being adversely impacted by
25 his absence. There is also the significant factor of the delay in his prosecution with the use of
26 material which was present in 2023 at the time when he was sentenced for the firearm offence.

- 27
28 133. His sentence is accordingly reduced by reason of all the mitigating factors by 18 months to one
29 of 78 months.
30





1 134. Turning to consider credit for the assistance given by the defendant Ebanks, there is guidance
2 from the *Cayman Islands Sentencing Guidelines* which have been referenced by Counsel. The
3 *Guidelines* refer to the case of *R v P ; R v Blackburn*⁹.

4
5 135. The English Court of Appeal noted therein that each case is fact specific. The sentencing
6 decision should consider the quality and quantity of the material provided by the defendant in
7 the investigation and prosecution. The Court noted the particular value to be attached to
8 evidence provided in the form of a witness statement: -
9

10 “Addressing this issue, particular value should be attached to those cases where the
11 defendant provides evidence in the form of a witness statement or is prepared to give
12 evidence at any subsequent trial, and does so, with added force where the information either
13 produces convictions for the most serious offences, including terrorism and murder, or
14 prevents them, or which leads to disruption to or indeed the breakup of major criminal
15 gangs. Considerations like these then have to be put in the context of the nature and extent
16 of the personal risks to and potential consequences faced by the defendant and the members
17 of his family. In most cases the greater the nature of the criminality revealed by the
18 defendant, the greater the consequent risks.”
19

20 136. The Court expressed doubt as to there being an exceptional case where a defendant who has
21 committed and admitted serious crimes would not serve any sentence at all and stated that it is
22 only in the most exceptional case that the appropriate level of reduction would exceed three
23 quarters. The normal level would be a reduction in sentence of somewhere between one half
24 and two thirds of the sentence.
25

26 137. In the instant case, the prosecution accepts as does this Court that the defendant Ebanks
27 provided significant assistance. It is undoubtedly the case that the provision of his witness
28 statement led to the guilty plea of his co-defendant Myles Jr. less than a week thereafter. The
29 defendant Ebanks agreed to give evidence at the trial of his co-defendant and Mr. Treadwell
30 advises the Court that he was to be called as the first witness for the prosecution. This was

⁹ [2007] EWCA Crim 2290



evidence in relation to a largescale conspiracy and as to the possession of firearm and ammunition by his co-defendant. Mr. Treadwell also advises that the delay in serving the statement was to ensure that risk reduction measures were put in place for Mr. Ebanks. It is accepted that there would be some attendant risks. Consequently, the defendant Ebanks is afforded the recommended discount of two thirds of the sentence, a reduction of 52 months for a sentence of 26 months.

138. Defence Counsel Mr. Bodden has urged that he should be given full credit for his guilty plea, notwithstanding that he did not plead at the first reasonable opportunity and there were by Mr. Treadwells' count some eight appearances before the Court before the plea was entered. Mrs. Bodden prays in aid the fact that there had been discussions between Counsel and that the defendant had raised his intention to plea to the firearm offences very early. Mrs. Bodden says that there was also the initial issue of joinder to be resolved and the question of the other non-firearm counts to be determined. Counsel said that Mr. Ebanks entered the plea as soon as these matters were resolved.

139. Accepting the submissions of the defence, and giving the defendant the benefit of the doubt, he is given the full credit of one third for a reduced sentence of 18 months imprisonment.

140. For the offence of Conspiracy to Import ammunition taking a starting point of one half and the same steps as aforesaid gives rise to a final sentence of 9 months imprisonment.

141. I have considered the ***Cayman Islands Sentencing Guidelines*** with respect to consecutive and concurrent sentences as set out in paragraph 6 as follows:

“6.1 Concurrent Sentences

It is wrong in principle to impose sentences to run consecutively where those offences, though distinct in law, arose out of a single act so that the overall criminality for the offender can be represented by concurrent sentences.

Concurrent sentences will ordinarily be appropriate where:

(a) Offences arise out of a related incident or facts.

1 (b) *There is a series of offences of the same or similar kind especially when*
2 *committed against the same victim.*

3
4 *Where concurrent sentence are passed, the sentence should reflect the overall*
5 *criminality involved. The sentence should be appropriately aggravated by the*
6 *presence of the associated offences and thus the court may increase sentence for*
7 *the principal offence to reflect the gravity of conduct.*

8
9 **6.2 Consecutive Sentences**

10 *Consecutive sentences will ordinarily be appropriate where:*

11 *(a) Offences arise out of unrelated facts or incidents.*

12 *(b) Offences are of the same or similar kind but where the overall criminality will*
13 *not sufficiently be reflected by concurrent sentences for example:*

14 *i. Where offences are committed against different victims.*

15 *ii. Where sexual offences or domestic violence are committed against*
16 *the same individual.*

17 *iii. Where the offender commits the same or similar offence after*
18 *being arrested for the original offence.*

19 *iv. Where the maximum penalty available for the most serious offence*
20 *is too low to enable the court to reflect the overall seriousness of*
21 *the offences taken as a whole.*

22 *... ”*

23
24 142. In the case of the defendant Myles Jr. in my view the sentence for possession of a single firearm,
25 albeit a part of the Conspiracy, cannot be reflective of the overall Conspiracy. It cannot be
26 reflective of a plan or agreement to import parts for some 12 other guns to be dispersed into
27 the streets of the Cayman Islands with the consequent potential for untold harm to the
28 community, the lives of its citizens and the society as a whole.

29
30 143. Not even one of these 12 other firearms has been recovered. Ms. Fosuhene urges that not all
31 the firearms may have been imported as part of the plan because there was discussion as to



1 other things such as bike parts. Mr. Treadwell on my inquiry confirmed that shipping invoices
2 have been matched up to the orders placed.

3
4 144. Photographs have been produced as part of this hearing. Page 45 of the prosecution's bundle
5 shows one of the seven assault rifles capable of being formed by the parts imported. It is chilling
6 to think that the plan was for one such weapon, much less seven to possibly be on the streets
7 of the Cayman Islands. Moreover, the inference is inescapable that this would be for unlawful
8 purposes.

9
10 145. It cannot be ignored that the defendant was an employee of the Police Service at the material
11 time. The very service sworn to protect and serve the citizens of this country. The defendant
12 says he was being threatened but it strains any willingness to extend understanding to him
13 where this continued over an extended period of time and he failed to seek assistance from
14 within the very organisation which he worked. Surely this could not have been difficult or
15 impossible when at least one of his senior reporting officers held him in such high regard.

16
17 146. My view is that the sheer scale of the Conspiracy cannot be reflected in the sentence for
18 possession of a single firearm and that the sentences on Count 1 and Count 4 in his case must
19 be consecutive.

20
21 147. The offence of Misconduct in Public Office in part encompasses accessing material outside of
22 the Conspiracy and in principle fully justifies a consecutive sentence. However, having regard
23 to the principle of totality and proportionality, the sentence for this offence and the sentence for
24 Possession of Ammunition are to run concurrently.

25
26 148. In the case of the defendant Ebanks, Mrs. Bodden has urged that there should be no additional
27 sentence to that being served by the defendant. Counsel details the delay and the anguish
28 suffered by the defendant because of this as well as the impact on his child and family. The fact
29 that he is already serving a significant sentence and the extent of his assistance to the
30 prosecution is also prayed in aid. Careful consideration has been given to all the matters raised.

1 149. This is a balancing exercise. Noting the breadth and depth of the Conspiracy, the role played
2 by the defendant in it, the aims of sentencing which must in a case such as this also include
3 punishment and deterrence in addition to rehabilitation, a scenario in which no additional
4 punishment is imposed upon him is not considered to be a just outcome.

5
6 150. The sentence of 18 months imprisonment on Count 1 is to run consecutively to the total period
7 of imprisonment to which the defendant is already subject. All other sentences imposed are to
8 run concurrently.

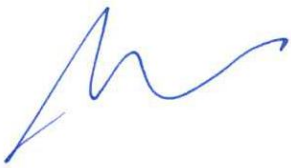
9
10 151. The total sentence for Mr. Myles Jr. is thus 7 years plus 56 months, or 11 years and 8 months.
11 Any time served is to be deducted.

12
13 152. For Mr. Ebanks, it is 18 months in addition to the sentence of 7 years which is already being
14 served.

15
16 **ANCILLARY ORDERS**

17
18 153. The firearms, ammunition, mobile phones and all other items used in commission of the
19 offences are to be destroyed except for the work computer of Mr. Myles Jr., This is to be
20 returned to the Police Service to be sanitised if possible and returned to active use. If it cannot
21 be sanitised appropriately it is to be destroyed.

22
23 **Dated this the 18th June 2026**

24 

25 **The Hon. Justice Cheryll Richards KC**
26 **Judge of the Grand Court**

