

Supply Amphetamines / Methylamphetamines

Less Than Commercial Quantity

s.25(1) (NSW) Drug Misuse and Trafficking Act

s.25(1) Supply or knowingly take part in supply of prohibited drug

Commercial Quantity: 250gm

Maximum Penalty: 15 years – s.32(1)

CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
McGrath (34) NSWCCA 20.4.1993	Supply	26-7g	PG	MT 18m AT 6m	AD	recog, stealing, supply (gaol)	Deemed supply - drugs found on offender
Sabbah (18) NSWCCA 17.12.1993	Supply	10.91g	PG	MT 1y 6m AT 6m	AA MT 1y AT 1y	on recog, supply, possess, GIC, (no gaol)	Drugs found on offender and in car by police - admitted selling capsules for someone else, and had sold 20-25 tablets. Good prospects of rehab.
Decandia (28) NSWCCA 8.7.1994	Supply Sched: 2 x possess	56g	PG	MT 12m AT 12m	AD	includes drugs	Admitted involvement from the start - supplied drugs four times over several weeks - did not make a profit Long history of drug abuse.
Morrissey NSWCCA 15.7.1994	Supply Sched: 5 x minor drug offences	9.7g	PG	MT 2y 3m AT 9m	AD		Deemed supply - equipment found in home relating to supply - "in a commercial sense, involved as a supplier". Not a drug user.
Sneddon NSWCCA 12.10.1994	Supply Sched: possess cannabis	21.75g	PG	MT 18m AT 6m	AD	extensive	no details

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Woodger (39) NSWCCA 21.9.1995	supply	6.95g	VG	MT 2y AT 1y	AA MT 12m AT 6m	BES, stealing, possess	Drug found with \$350 - claimed for own use. Invalid pensioner - drug user On appeal - no evidence of pattern of supply.
Smythe NSWCCA 6.9.1996	Supply	7.28g	VG	MT 6m AT 9m	AD	nil	Found in house with equipment for supply. Young woman. Good subjectives.
CFR (45) NSW CCA 30.10.1996	2 x supply Sched: Supply amphet	18g 11g	PG	MT 12m AT 4m	AD	drugs, AR, robbery, dishonesty	Police arranged to purchase 2g amphetamine from offender - amphetamine later found on offender and in house with equipment associated with supply. – schedule offence occurred two months later Discount for assistance
Brown (38) [1999] NSWCCA 349	Supply methyldamphet	25.11g	VG	MT 6m AT 12m	AD	no supply convictions	Female found in possession of drug - equipment associated with supply found at house. Dependent daughter with minimal family support - suffering hepatitis.
Mason [2000] NSWCCA 82	Supply methyldamphet	3.1g	PG	MT 3y AT 1y (cumulative to earlier assault sentence)	AA MT 12m AT 6m		Actual supply to undercover agent - not isolated transaction but part of on-going business - small cog in sophisticated dealing operation. Drug addiction.
Davidson [2000] NSWCCA 393	2 x Supply amphet Sched: Possess cannabis Firearm offence	6.6g	PG	MT 9m AT 18m	AA 3y GBB	no relevant record	Supplied to police operative and discussed further supply. Suffering medical condition On appeal - irrelevant and prejudicial material before SJ
Atkin [2001] NSWCCA 54	4 x supply methyldamphet Sched: 3 cannabis off	12.8g	PG	2y 6m NPP 12m	Crown AD (manifestly inadequate but about to be released)		Found by police in possession of methyldamphetamine and equipment used for sale - while on bail sold small amounts of methyldamphetamine to police officer on 3 consecutive days. Concurrency to existing sentence means will only serve 40 days
Donnelly [2001] NSWCCA 203	Supply methyldamphet	10.9g	VG	MT 26m AT 9m	AD	prior drug offences – appeal bail at time of offence	Found in possession of drug and equipment for supply.

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Brown (42) [2001] NSWCCA 367	2 x Supply methyldamphet Sched: 2 x possession	27.5g 22.8g	PG	5y NPP 3y 4y NPP 2y	AA 4y NPP 2y 4y NPP 2y (concurrent)	drugs, property.	On two occasions police found drugs in vehicle Addict - strong subjective features – rehabilitation - not previously imprisoned.
Groat (39) [2001] NSWCCA 452	3 x supply methyldamphet	2.83g 3.2g 30.52g	PG (25%)	3y NPP 2y (each offence – concurrent)	AA 2y 6m NPP 18m	cultivation small number of plants	Supplied to undercover police officer – found in possession of larger amount of drugs On appeal - erred in treating criminal record as aggravating factor.
Shaw [2001] NSWCCA 498	Supply amphet	0.41g	VG	2y 6m NPP 1y 10.5m	AA 2y NPP 12m		Small time dealer - only dealt with in District Court because part of larger indictment at trial – not isolated incident of dealing but erroneously dealt with as if representative of continuous dealing Medical condition
Maarbani [2001] NSWCCA 509	Supply methyldamphet Sched: 7 offences	9.5g at 2.5% purity	PG	2y 6m NPP 18m (cumulative to 6m for breach CSO)	AA 2y 6m NPP 14m	consistent pattern of offending	Found in possession of drugs – offences taken into account include cultivation and drive manner dangerous Manifestation of epilepsy subsequent to sentencing justifies reduction in sentence.
Holden (23) [2002] NSWCCA 397	Supply methyldamphet Sched: 2 x possess cannabis GIC	42.9g 23.5g 6.8g resin	PG	4y NPP 2y	AA 3y NPP 18m	minor	Found in possession of drugs at premises- small time supplier maintaining drug habit Judge erred in finding supplier to significant degree – failure to reflect guilty plea
Nastoski [2002] NSWCCA 528	Supply methyldamphet	14.9g	PG	18m NPP 10m	AD	drugs	Assisted another person in drug supply business – supplied 100 tablets.
Dineen (38) [2003] NSWCCA 193	6 x Supply methyldamphet Sched: 9 x supply	Various small amounts	PG (20%)	6y 6m NPP 4y	AA 5y NPP 3y	Minor convictions for possession	Female – Involved in sale of drugs in busy and thriving business from house

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Roby (54) [2003] NSWCCA 242	Supply methylamphet Supply methylamphet Sched: 3 offences	21.32g 19.68g	PG	6y NPP 4y 6m 4y NPP 3y <u>Total</u> 8y NPP 6y 6m	AA 6y NPP 4y 4y NPP 3y <u>Total</u> 8y NPP 6y	Second offence committed on bail – Similar offences	Female – drugs found in house on two occasions three months apart – active drug dealer Mitigating subjective features
Maessen [2004] NSWCCA 160	3 x Supply methylamphet Sched: 3 minor offences	0.74g 1.11g 0.48g	PG (greater than 18.5% on appeal)	2y 9m NPP 1y 9m (each offence – concurrent)	AA 18m NPP 1y 1m 4d (immediate release)	Minor – breached bond	Isolated incidents – Could have been dealt with summarily – Objective seriousness of offending very low
Bradley [2004] NSWCCA 88	Supply amphet Sched: Supply drug 3 x possess drug	1g per day over two month period	PG (25%)	2y NPP 1y	AD	Not stated	Female – drugs found in home – admitted supplying amphetamine on regular basis over two month period, selling 1g per day on behalf of another person to finance purchase of cannabis for her own use – earned \$2000 to \$5000 per week for person supplying drug
Moss (31) [2004] NSWCCA 422	Supply methylamphet	5.7g	VG	16m NPP 1y	AD	Minor - some drugs	Found by police in possession of drugs Female – fresh evidence of pregnancy – baby will live with mother for term of custodial sentence – mother to three other children
Payne (34) [2005] NSWCCA 84	Supply methylamphet	34.7g (only 17g for supply)	PG (15% on appeal)	12m NPP 9m (PD) concurrent to existing sentence	Crown AA 20m NPP 12m (PD) cumulative	Assault and drug offence – breached bond	Obtained drug to share with partner – drug addicts – no commercial element
Schumacher (32) [2005] NSWCCA 335	Supply methylamphet Sched: Drive disq	Not stated	VG	2y NPP 13m	AD	Nil	Addicted to amphetamines and began supplying to fund personal use and drug debts – not commercial enterprise Female – Two children with co-offender (currently in jail) – positive urine tests while on Griffiths remand - delay –offer to plead guilty not expressly taken into account

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Radisich (36) [2006] NSWCCA 52	Knowingly take part in supply methylamphet Sched: 4 offences	1.3g	PG (25%)	2y 6m NPP 12m	AA 2y NPP 11m 7d (immed release)	Minor	Assisted principal offender in series of transactions Evidence of rehabilitation from drug abuse
Ghossein [2006] NSWCCA 108	Supply methylamphet	13.3g	VG	2y NPP 18m	AD	BES	Searched at police station and released when no drugs found – subsequently found condom behind station containing drugs – DNA tests revealed condom had been in offender's possession. Drug addiction - supportive family.
Young [2007] NSWCCA 114	Supply methylamphet Breach GBB Sched: Possess meth	12.75 (approx)	PG	3y NPP 18m 18m NPP 9m <u>Total:</u> 3y 5m 29d NPP 1y 11m 29d	AA To backdate sentence for supply: <u>Total:</u> 3y 4m 9d NPP 1y 10m 9d	Breached bail and bond for deemed supply offence	Supplied small amounts to prostitutes over 2 months
Pearman [2007] NSWCCA 342	Supply methylamphet	90.5g (250 tablets)	PG (15%)	2y NPP 14m	AA 1y 2m NPP 10m		Found transporting drugs to girlfriend's brother with girlfriend - incidental role – not involved for commercial gain – participation emerged from coincidental presence.
Cummings [2007] NSWCCA 347	Supply methylamphet	19.28g	VG	6y NPP 4y	AA 5y 5m NPP 4y	Drug offences	Female - supplied to others from home Appeal allowed to correct statutory ratio only
Vera [2008] NSWCCA 33	Supply methylamphet	19.5g	VG	2y NPP 6m	Crown AD		Deemed supply – heavy drug user – jury not satisfied drug found at house for personal use only Significant evidence of rehabilitation
Huynh (29) [2008] NSWCCA 216	Supply methylamphet 9 x Proceeds of Crime offences	29.42g	PG (20%)	4y NPP 2y 6m 12m NPP 9m <u>Total:</u> 4y NPP 3y 3m	AD	Significant – including drug offences	Drugs found in house with supply paraphernalia – supplied to friends and own use – below mid-range – proceeds of crime offences related to \$3.5m over 4 months – very favourable factual findings Vietnamese

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Stanton (42) [2008] NSWCCA 326	Supply methylamphet 2 x Knowingly take part in supply methylamphet Knowingly take part in supply ecstasy Sched: 2 x supply	38.58g 2.27g	PG (25%)	3y NPP 1y 6m FT 18m (both counts) 2y NPP 1y 3m <u>Total:</u> 3y 9m NPP 2y 3m	AA 2y 3m NPP 1y 4m FT 12m FT 9m FT 13m <u>Total:</u> 2y 9m NPP 1y 10m	Long record	Part of drug distribution – facilitator – sold to undercover police operatives over one month – well above street dealing Drug addict – aboriginal – care of three children – ill mother - parity
Scheers [2009] NSWCCA 224	Supply methylamphet Sched: 8 offences	113g	PG (25%)	6y 6m NPP 4y 2m	AD	Lengthy. On conditional liberty.	Offences detected during authorised control operation - mid range objective seriousness. Drug use.
Quayle (34-35) [2010] NSWCCA 16	Supply methylamphet Supply methylamphet	51.26g 67g	VG PG (25%)	6y NPP 4y 4y 6m NPP 3y 4m <u>Total:</u> 8y NPP 6y	AA 3y NPP 18m 2y 6m NPP 1y 6m <u>Total:</u> 3y 3m NPP 1y 9m	Traffic offences only	Truck driver found in possession of 51.26g drug with supply paraphernalia – found in possession of 67g in breach of bail 7 weeks late Drug user linked to employment as truck driver – evidence of rehabilitation
Scott (29) [2010] NSWCCA 103	Supply methylamphet s.166 Offences: 3 minor drug offences	27.1g	VG	2y 6m NPP 1y 10m (concurrent sentences)	AA 20m NPP 15m	Nil relevant	Deemed supply 27.1g – found in freezer in home – drug user – low level seriousness – low purity Good prospects of rehabilitation

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Hunter (38) (2010) 208 A Crim R 353 [2010] NSWCCA 330	Supply methylamphet Knowingly take part in supply methylamphet Sched: Use premises for drug supply	0.96g 0.47g 0.92g	PG (25%)	4y 3y <u>Total:</u> 4y 6m NPP 3y	AA 1y 8m 10d (immediate release)	Drug offence	Female – assisted boyfriend in drug supply business run from appellant's home – involved in three supplies to undercover police officer
Fogg (51) [2011] NSWCCA 1	Supply methylamphet	0.03g 1g 0.6g 0.5g 3.5g	PG (25%)	4y 8m NPP 3y 6m	AD	Lengthy record – beached bond	Five separate supplies to undercover police officer over 17 days – part of organised but unsophisticated criminal enterprise involving several members of family – shielded brother from detection – small financial reward – second in charge – above mid-range gravity
Sleiman [2012] NSWCCA 58	Supply methylamphet Sched: 11 offences	21.8g	PG (40% - plea and assist)	4y 6m NPP 3y	AA 3y 9m NPP 2y 6m	Lengthy	Drugs found on offender and at his home. Substance abuse. On appeal - error in finding offender was on conditional liberty at time of offence.
Zaki [2012] NSWCCA 109	Supply methylamphet Supply methylamphet Sched: Offences	8.95g 3.07g	PG	3y NPP 1y 6m FT 12m <u>Total</u> 3y 6m NPP 2y	AD		Deemed supply – found in possession of 8.95g after car accident – sustained head injury – ten months later found in possession 3.07g
Wicks (24) [2012] NSWCCA 208	2 x supply methylamphet Sched: 4 x supply	28g 26.9g	PG (25%)	3y 3m NPP 1y 9m	AD	Nil	Involved in supply operation with others including wife and brother – mid-level role. Previous good character – father of young children - special circumstances – first time in custody.
Ayache [2013] NSWCCA 41	Supply methylamphet Sched: Possess cannabis	249.9g	PG (25%)	5y NPP 2y	AD		Drugs found at residence and on his person.

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Brown [2013] NSWCCA 44	Supply methylamphet	16.4g	PG (25%)	3y 9m NPP 2y 6m	AA Sentence backdated to take into account quasi-custody		Drugs found in offender's hotel room. On appeal - judge erred by failing to allow discount for time served in rehabilitation – significant progress made at drug rehabilitation centres
Taleb [2013] NSWCCA 115	Supply methylamphet	182g	PG (25%)	3y NPP 2y	AD	Record not substantial	Involved in drug syndicate run by prisoner – courier Significant remorse
Tabuan [2013] NSWCCA 143	Supply methylamphet	150g	VG	2y 2m NPP 16m	AD	Nil relevant	Involved in drug supply with co-offenders – lower end of hierarchy - evidence not sufficient to support findings relating to applicant's knowledge of drug transaction – no direct evidence knew transaction was in order of 150g – error established but no lesser sentence warranted. Good character – good rehabilitation prospects.
O'Connor (42) [2013] NSWCCA 226	Supply methylamphet	34.9g	PG	3y 6m NPP 2y	AD	Lengthy record	Found in possession of drugs in country hotel room Difficult childhood – early drug abuse – supporting habit
Tran [2013] NSWCCA 322	Supply methylamphet	22.05g	PG (25%)	19m NPP 14m	AD	Murder	Drugs located in offender's car.- low level operative - courier Partially concurrent with parole for Murder sentence – breached parole on number of occasions.
West [2014] NSWCCA 250	Supply methylamphet Sched: 4 offences	245.22g	PG (25%)	2y Intensive Correction Order	Crown AD appeal dismissed in exercise of residual discretion	Driving - AOABH	Police located drugs and other items at offender's premises - objective seriousness relatively high - trafficking in drugs to a substantial degree - quantity of drug involved significant
EF (36) [2015] NSWCCA 36	Supply methylamphet Deal with proceeds	8.7g	PG (25%)	2y NPP 6m	AA 1y 3m Suspended (served 2m)	Minor – non-custodial	Found in possession of 8.7g – admitted selling on regular basis to support habit and purchase food – commenced using drugs when working long hours on farm – lost job when farm burnt down Difficult family circumstances with two small children – good prospects of rehabilitation – failure of SJ to consider ICO at first instance - assistance

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Pak (58) [2015] NSWCCA 45	Supply amphet Supply N,N dimethylamphet s.166 Cert: 2 x possess drugs DUI drugs	6.48g 6.17g	PG (12.5%)	21m NPP 12m 21m NPP 12m (concurrent)	AD	Driving	Stopped by police when seen driving erratically – driving under influence of drugs – search at home discovered drugs and paraphernalia – trafficking to a substantial degree – relatively low level seriousness Depression, insomnia – unemployed due to back injury – arrived in Australia in 2004 from Iran
Donaghey [2015] NSWCCA 119	Supply methylamphet Sched: GIC Supply heroin	12.46g 4.46g	PG	2y 4m NPP 21m	AA 2y NPP 1y 4m	Record including drugs – breached parole	Found by police in car with drugs and over \$1,300 in cash – low level street dealing by addict
Mitreski (34) [2015] NSWCCA 137	6 x supply methamphet Sched: 3 x supply Proceeds	330g (total)	PG (25%)	<u>Total</u> 4y 4m NPP 3y 3m	AD	Nil	Supplied small amounts over several months – financial profit – trafficking – found in possession of \$14,050 Supporting gambling and drug habit – prior good character
Jadron [2015] NSWCCA 217	Supply methamphet Supply cannabis s.193B(2)	157.9g 90g	PG (25%)	3y 4m NPP 1y 9m 1y 10m NPP 1y 2y 11m NPP 1y 6m <u>Total</u> : 4y 1m NPP 2y 6m	AA 3y 4m NPP 1y 9m 1y 10m NPP 1y 2y 11m NPP 1y 6m <u>Total</u> : 3y 10m NPP 2y 3m	prior convictions	Supplied drugs with co-offender from residential unit in small amounts on almost daily basis over 6 months – cash totalling \$5,580 found in residence on arrest Funding addiction
Knight [2015] NSWCCA 222	4 x supply amphet	51.73g (total)	PG (25%)	<u>Agg</u> 3y 4m NPP 1y 9m	AD	Cannabis offences	Sold drugs in Bourke on behalf of supplier over four months – street dealer – deliberate and pre-planned – used 15y child to transport some drugs – some offences committed in presence of young children Unemployed – aboriginal – high level of remorse

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Lago (41) [2015] NSWCCA 296	Supply methylamphet	55.6g	VG	4y NPP 2y 6m	AD	Supply drugs	Supplied drugs to truck driver who was consuming the drug whilst driving – police surveillance. Highly dysfunctional upbringing - mental disorders – special circumstances - some prospects of rehabilitation
Pannowitz (44) [2016] NSWCCA 13	Supply methylamphet Supply methylamphet Sched: 3 x Proceeds Possess drugs Possess proh weapon	62.62g 40.05g	PG (25%)	FT 4y 6m 4y 9m NPP 3y <u>Total:</u> 6y 8m NPP 4y 11m	AD	Drug matters – property – driving - on bail.	Drugs located during police search of offender's vehicle and residence.
Price (44) [2016] NSWCCA 29	Supply methylamphet Sched: Possess drug Proceeds	15.53g	PG (10%)	3y 3m NPP 2y 8m	AD	Drug offences.	Police located quantities of methylamphetamine and cannabis at offender's home - sum of \$2,450.00 in cash, digital scales and numerous resealable bags also found. Long-term drug user.
Wiseman (37) [2016] NSWCCA 61	Supply methylamphet	14.54g	PG (25%)	2y NPP 18m	AD	Larceny – GIC – drugs – breached bond	Put container containing drugs in mouth when approached by police. Drug addiction.
Kelloway (30) [2016] NSWCCA 95	Supply methylamphet	27g	VG	2y NPP 18m	AA 2y NPP 16m	On bail - first time in custody.	Drug-user – planned to supply to one friend only with 50% cost and share agreed - commercial venture designed to save both money and to get better quality product for lower price - above usual drug user/drug dealer - position more akin to drug courier/wholesaler, even if not distributing to wide range of people Drug and alcohol abuse – dysfunctional upbringing On appeal - special circumstances - first time in custody - ongoing need for rehabilitation.
Abdul-Hamid (33) [2016] NSWCCA 118	Knowingly take part in supply methylamphet	27.9g 139.9g	VG	5y NPP 3y	AD	driving, drugs, dishonesty	With co-offender involved in drug operation – police located package containing drugs left by co-offender - cash, digital scales, resealable plastic bags later located at offender's home – greater role than co-offender.

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Taysavang (44)	Supply methyldamphet	82.5g	PG (25%)	4y 6m NPP 3y 4m	AA 3y 6m NPP 2y 7m	Lengthy record – drugs, dishonesty, violence, burglary	Ad hoc members involved in small organised group – assisted in supplying drugs to undercover officer – T greater involvement – not regular dealers T – born in Laos – difficult childhood L – born in South Korea – drug addiction and deterioration of mental health
Lee (36) [2017] NSWCCA 146	Supply methyldamphet	82.5g	PG (25%)	4y 6m NPP 2y 6m	3y NPP 2y	Less serious record	
Stavropoulos (late 40s) [2018] NSWCCA 12	Supply methamphet 2 x Possess firearm Possess prohib weapon Sched: 4 offences s.166 Certificate 3 offences	42.97g	PG (25%)	Indicative 2y 18m NPP 9m (each) 18m NPP 9m <u>Agg</u> 3y NPP 18m No additional penalty	AD	nil	
Kelly (28) [2018] NSWCCA 44	Supply methyldamphet s.166 cert: 4 x offences	115g (71.5% purity)	PG (25%)	3y NPP 20m	AA in part. Sentence backdated 21 days to take into account residential rehabilitation as quasi- custody.	nil	Police located drugs in offender's vehicle - wholesale level worth \$8,000-\$12,000 - street value \$57,000-\$92,000 - mid-range objective seriousness – not isolated incident but part of ongoing supply. Supportive family - general good character – rehabilitation. On appeal - applied <i>Parente</i> [2017] NSWCCA 284 – no lesser sentence warranted.

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Remington (24) [2018] NSWCCA 98	Supply methamphet	12.94g	PG (25%)	2y NPP 14m	AA Effective sentence: 6m 24d Sentence set for immediate release to parole	minor drugs	Female – found outside correctional centre in possession of drugs – admitted smaller amounts were for supply to partner in custody – larger amount for personal use and possible sharing with friends – cheaper to buy drugs in bulk Long term drug user – mother to two children – evidence of good prospects of rehabilitation On appeal applied <i>Parente</i> [2017] NSWCCA 284 – error to find substantial trafficking and no alternative to custody
	Supply methamphet	1.62g		2y NPP 14m			
	Supply Buprenorphine	1.86g		2y NPP 14m (concurrent)			
	s.166 certificate: 4 offences			FT 12m – 3m (concurrent)			
Matthews (22) New (43) [2018] NSWCCA 186	Supply methamphet	176.75 g	Not stated	3y NPP 1y 6m	AD	Not stated	Mother and son – involved in multiple purchases of drug over three and a half months – involved in movement and resale – one step up the chain of supply
	Sched: 1 offence Supply methamphet Sched: 3 offences	141.4 g.		3y NPP 2y			
Burgess (49) [2019] NSWCCA 13	Supply	163.25g	VG	5y 6m NPP 3y 6m	AD	supply drug offences	Found driving car with 163.25g methamphetamine and 18.5g 4-methoxymethylamphetamine – supplier at low to mid-range – offences slightly below mid-range Offences committed two weeks after expiration of previous sentence for drug offences Mental health issues caused by number of traumatic life experiences – poor physical health – some evidence of prospects of rehabilitation
	Supply	18.5g		3y NPP 2y <u>Aggregate:</u> 6y 6m NPP 4y			

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Hooker [2019] NSWCCA 283	Supply Supply Sched: 4 x possess GIC Deal with proceeds	8.61g 6.77g	PG (15%) PG (25%)	2y 6m 18d 6.77g <u>Aggregate:</u> 3y 4m NPP 2y	AD	similar offences	Female offender seen parked in area known for drug dealing and far from home – search of car found drugs – 8 months later while on bail search of car found additional drugs – had made some effort to conceal drugs Increased drug use since death of son - remorse
Azzopardi [2019] NSWCCA 306	3 x supply Sched: supply	138.94g 82g 79.9g + 4.07g + 8.32g	PG (15%)	<u>Aggregate:</u> 5y NPP 3y	AD	nil	Supplied drugs to M who supplied to police undercover operative – drugs also found at residence. Strong subjective case – married with three young children – business owner with strong work ethic.
Noufi (24) [2020] NSWCCA 10	Supply Supply Ecstasy Sched: Supply ice	27.8g 27.5g 6.8g	PG (25%)	22m 15d NPP 11m 9d 22m 14d NPP 11m 9d <u>Total:</u> 2y 1m 14d NPP 1y 2m 9d	AA 1y 8m 1y 6m <u>Total:</u> 2y ICO	Nil	Assisted housemate in supply of drugs – supplied drugs in one transaction to undercover operative outside offender's house – not satisfied of financial gain – low level seriousness Good employment record and community involvement – used drugs at time of offending – depression On appeal: parity
Osman (22) [2020] NSWCCA 78	Supply Supply cocaine Sched: Possess heroin	21.88g 4.07g 0.35g	PG (25%)	2y 6m 18m <u>Agg:</u> 2y 8m NPP 1y 8m	AD	record including violence	Found in car in possession of drugs – above street dealer – low-mid-range Sudanese refugee with difficult childhood – PTSD – drug user – fair prospects of rehabilitation

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Sahyoun 31 [2020] NSWCCA 87 [2020] NSWCCA 95	Supply	3.4g	PG (10%)	9m	AA 9m	drug possession	Supplied drugs to dealer who supplied to undercover officer on three occasions over five weeks – wholesaler – high purity – mid-range
	Supply	27.5g	PG (10%)	12m	12m		Delay of six years since offence – good rehabilitation – unlikely to re-offend – married with one child and established business – remorse
	Supply	55.4g	VG (at trial for more serious offence – 10% for offer to plead)	43.2m	18m		On appeal – error in application of <i>Pearce</i> principles to multiple offences
				<u>Total:</u> 3y 7m NPP 2y 5m	<u>Total:</u> 2y 6m NPP 15m ICO (see facts)		Second appeal hearing required to adjust length of ICO to 2y 2m 7d to comply with s.71(1) <i>Crimes (Sentencing Procedure) Act</i> – effective length, taking into account periods of custody prior to appeal, unchanged

Last updated: Apr 2020