

## **Supply Gammabutyrolactone (GBL)**

### **All Quantities**

#### **s.25 (NSW) Drug Misuse and Trafficking Act**

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

**Commercial Quantity:** 1kg

**Maximum Penalty:** 15 years – s.32(1)

s.25(2) Supply or knowingly take part in supply of commercial quantity of prohibited drug

**Commercial Quantity:** 1kg

**Maximum Penalty:** 20 years – s.33(2)

**Standard Non-Parole Period** 10 years (offence committed on or after 1.2.2003)

**Large commercial quantity:** 4kg

**Maximum Penalty:** Life – s.33(3)

**Standard Non-Parole Period** 15 years (offence committed on or after 1.2.2003)

CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
<b>Bassos</b> <a href="#">[2011] NSWCCA 218</a>	Supply comm quantity GBL  Sched: drug offences	2.118kg	PG (25%)	4y NPP 2y 3m	AD	Minor record	<b>SNPP 10 years</b> Found in possession of drug and drug paraphernalia – appreciably below mid-range Long history of drug abuse – HIV – prospects of rehabilitation

This table has been prepared by the Public Defenders as a guide. Individual cases should be read if they are to be relied upon.

CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS			
<b>Doumit</b> (48) <a href="#">[2011] NSWCCA 134</a>	s.25A (cocaine and meth)	5g	PG (37% plea and assist))	3y 10m NPP 2y	AA To change degree of accumulation  <u>Total:</u> 4y 6m NPP 2y 9m	minor	Supplied less than one gram of cocaine and meth to undercover officer on five occasions – ecstasy and GBL found in possession Drug abuse commenced later in life – prospects of rehabilitation			
	Supply (Ecstasy)	72.34g		FT 12m						
	Supply GBL	298.4g		FT 12m						
	Sched: 3 offences			<u>Total:</u> 5y 4m NPP 3y 6m						
<b>Kokla</b> (43) <a href="#">[2013] NSWDC 209</a> Cogswell SC DCJ	Supply commercial qty bromo / nexus	42.54g	PG (25%)	4y NPP 2y		Recent drug convictions – breached bail	Found in possession of number of drugs – trading in drugs – towards lower end of commercial supply cases – user / dealer Life spiralling out of control with drug abuse			
	Possess MDA	9 tablets	PG (5%)	FT 18m (concurrent)						
	Supply GBL	42g								
	Sched: Drug offences									
<b>Cullen</b> (30) <a href="#">[2014] NSWCCA 162</a>	Supply lge comm qty GBL	11.4kg	PG (25%)	<u>Indicated:</u> 9y NPP 6y	AD	Nil	<b>SNPP 15 years</b> Large scale drug dealer – end supplier – drugs found in apartment			
	Supply lge comm qty ecstasy	991.35g		9y NPP 6y						
	Supply meth	30.52g		2y						
	Supply cocaine	9.29g		2y						
	Supply ketamine	181.84g		2y 6m						
				<u>Agg:</u> 12y NPP 8y						

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
<b>Cahill</b> (33) <a href="#">[2015] NSWCCA 53</a>	Supply comm qty GBL	1.144kg	PG (25%)	<u>Indicative:</u> 2y	Crown AD (exercise of discretion)	Nil	<b>SNPP 10 years</b> Male involved in supplying drugs to undercover police officers over several months – supplied to fund own drug use – controlled operation – relatively low level seriousness – willing to facilitate supply of larger amounts but no further involvement Drug use masked PTSD resulting from violent rape as young adult – 4m 17d pre-sentence custody – assaulted in custody – 9m residential rehabilitation centre – remarkable rehabilitation On appeal: errors made and sentence inadequate but appeal dismissed in view of progress in rehabilitation and effect return to custody would have
	Supply comm qty GBL	1.327kg		2y 6m			
	Knowingly take part in supply comm qty GBL	1.132kg		2y			
	4 x supply GBL	4.5g 4.7g 115.9g 6.69g		6m (each)			
	8 x supply Meth	0.17g 0.19g 0.38g 0.2g 0.98g 3.5g 3.31g 3.5g		6m (each)			
	Supply Butanediol	9.56g		6m			
	Sched: 4 offences			<u>Agg:</u> 2y ICO			

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
<b>Parente</b> (33) <a href="#">[2017] NSWCCA 284</a>	Supply comm qty GBL  Supply MDA  Supply 1,4 Butanediol  Sched: GIC Supply MDMA Supply Meth	1.3728kg  16.8g  338.8g	PG (25%)	<u>Indicative:</u> 3y 6m  2y  1y 6m  <u>Agg</u> 4y NPP 2y	AD	nil	<b>SNPP 10 years</b> Search of car and house found variety of drugs – operating as user / dealer to small circle of drug users – at lower end of scale Criminal lawyer – became drug user to deal with depression – excellent character – remorse – rehabilitation – loss of career On appeal: reconsidered <i>Clark</i> and principle of exceptional circumstances for supply offences
<b>Wilson</b> (53) <a href="#">[2018] NSWDC 162</a> Berman SC DCJ	Supply comm qty GBL	just over 1kg	VG	5y NPP 2y 6m			<b>SNPP 10 years</b> Found in possession of two wine bottles containing GBL – role of offender in supply unclear – below mid-range – not part of ongoing enterprise Difficult personal background – mental health issues – co-operated in conduct of trial
<b>Petkos</b> (49) <a href="#">[2020] NSWCCA 55</a>	Supply lge comm qty GBL  Att supply GBL  Sched: Possess proh weapon Possess precursor	5.624kg  584.3g	PG (25%)	6y 4m NPP 4y 1m  4y 6m  <u>Aggregate:</u> 8y NPP 5y	AD	nil relevant	<b>SNPP 15 years</b> Imported drug from China in two consignments – purity of both consignments above 98% - principal but not part of organised supply syndicate – slightly below mid-range and upper end of low range of seriousness – anticipated modest financial reward Reasonable prospects of rehabilitation – suffering long-term depression affecting custodial conditions On appeal considered relevance of modest financial reward for GBL compared to other drugs

**Last updated – March 2020**

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