

**Supply Cannabis**  
**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:** 25kg

**Maximum Penalty:** 10 years – s.32(1)

	Case (age if known)	Offence	Amount	Plea	Original	Appeal	Priors	Facts
1.	<b>Vermuelen</b> NSWCCA 30.3.1994	Supply leaf	2.4kg (\$16,000)	VG	MT 15m AT 5m	AD	minor matters: no trafficking	Drug found in car when breath tested - also had bags used for distribution. Cannabis user - reasonable prospects of rehabilitation
2.	<b>Gillett</b> (21) NSWCCA 8.7.1994	Supply leaf	330.5g	PG	MT 6m AT 18m	AA MT 5m AT 12m	Poor - fined for possess 3 weeks prior	Often purchased drug and supplied to friends for no payment. Neurological problems due to car accident and assault - problem with drugs and alcohol.
3.	<b>McWilliams</b> (49) NSWCCA 1.8.1994	Supply leaf  Sched: 3 x supply cannabis	Varied - on one occasion 1kg	VG	MT 18 AT 6m	AD	possess cannabis committed on recog	Taped telephone conversation agreeing to supply on various occasions.
4.	<b>Edmondson</b> NSW CCA 2.8.1994	Supply leaf	1660g	VG	500hrs CSO	Crown AD Unduly lenient but exercised discretion	cannabis offences on bond for cannabis cultivate	Drug found in house. Extremely heavy user - evidence of rehabilitation, including abstaining from cannabis and purchasing and operating a bakery.
5.	<b>Nestoroski</b> (34) NSWCCA 4.10.1994	2 x supply leaf  Sched: 4 offences	433g  2.2 kg	PG	18m PD 3y GBB	Crown AD Unduly lenient but court exercised discretion	nil	Supplied to u/cover police officer - middleman in supply of cannabis. Good subjectives.
6.	<b>Iskander</b> NSWCCA 26.10.1994	Supply leaf	1516.3g	VG	250h CSO	Conviction AD		Plants and leaf found at house.

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7.	<b>Ortiz</b> NSWCCA 3.11.1994	Supply leaf  Sched: 2 offences	3.6424kg	PG	200h CSO	Crown AD Unduly lenient but court exercised discretion	4 x summary offences	Drugs found in home wrapped in bags, with other equipment. Severely addicted.
8.	<b>Abernethy</b> (47) NSWCCA 6.12.1994	Knowingly take part in supply leaf		VG	MT 3y AT 1y	AD	supply	Cannabis and equipment found at offender's house - engaged in large scale commercial operation.
9.	<b>Deboer</b> NSWCCA 7.12.1994	Supply leaf  Supply cannabis  Sched: Possess unlicensed firearm	not stated	PG	MT 3y AT 1y	AA MT 12m AT 12m		Little facts. Police Officer - psychiatric evidence of personality disorder
10.	<b>Regan</b> NSWCCA 30.3.1995	2 x Supply leaf	421.5g  15kg (offer)	PG	6m PD 3y GBB	Crown AA FT 6m (+2m PSC)	robberies of good behaviour for several years	Cannabis sold to undercover police for \$4,800 - negotiations for 15kg broke down - not a matter of mitigation even if talk of supplying 15kg was huff and puff
11.	<b>Green</b> NSWCCA 4.8.1995	Supply leaf	482.9g	VG	MT 9m AT 3m	AD	drugs	Deemed supply. Long term chronic user of heroin.
12.	<b>Sokvari</b> NSWCCA 22.5.1996	Supply leaf	1018.2g	VG	MT 18m AT 12m	AD		Observed by police supplying – 5 plastic bags found at house Appeal based on assault in gaol after sentence.
13.	<b>Velardi</b> NSWCCA 24.5.1996	Knowingly take part in supply leaf		VG	MT 4y 5m 7d AT 18m	AD		Involved with son in supply to undercover police
14.	<b>Pont</b> NSWCCA 29.5.1996	2 x Supply leaf	3.2kg 2.4kg	PG	MT 2y 6m AT 18m	AD upper end of scale		3.2 kg found in car - attempting to sell it door to door - 2.4kg found at house - absence of normal indicia of long-term trafficking - not person engaged in long term dealing.
15.	<b>Johns</b> NSWCCA 22.8.1996	Supply leaf  Sched: 2 offences	\$48,000- \$100,000	PG	MT 10m AT 10m  (1/3 discount for assist)	AD	drugs, on recog at time of offence	Female - drugs found in house in plastic bags - street level drug trafficker - admitted supplying 8oz per week for last 3-6 months.

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16.	<b>Joseph</b>  <b>Wright</b> (female)  NSWCCA 16.12.1996	Supply leaf  Sched: Supply amphet  Supply leaf  Sched: Supply amphet	a few pounds	PG	MT 18m AT 6m  MT 18m AT 6m	AA MT 15m AT 5m (parity)  AD	Minor and old  Long history, including gaol	Listening devices recorded transactions - difficult to ascertain amounts.
17.	<b>Garvie</b> (40) NSWCCA 24.3.1997	Supply leaf	14.14kg	PG	5y GBB	Crown AA MT 12m AT 5m	priors including minor drugs	Drugs found in car ready for supply - admitted taking drug to Sydney to find buyer. Back injury and family in South Australia. On appeal: appropriate sentence would be total two and a half to three years.
18.	<b>O'Brien</b> NSWCCA 7.4.1997	Supply leaf  Sched: 4 offences	6.6g	VG	MT 1y AT 1y	MT 11m AT 12m (parity)	drugs but no prison	Involved in dealing with co-offender - police found heads and seeds at house.
19.	<b>Heffernan</b> NSWCCA 8.4.1997	Supply leaf	1.8kg		MT 15m AT 15m	AD		Supplied undercover police officer
20.	<b>Dematre</b> (23) NSWCCA 16.5.1997	Supply leaf	946g	VG	FT 6m	AA 12m PD	BES – breached CSO and bond	Found in car after police chase. Good character evidence. On appeal argued parity with co-offender.
21.	<b>Bradshaw</b> (35) NSWCCA 4.8.1997	3 x Supply cannabis	1kg 1oz 1oz	VG	MT 12m AT 4m	AD	nil drug	Drugs and equipment found at house – admitted purchasing 3pd and sold two 1oz amounts - committed for financial gain. Heavy user of cannabis for long time.
22.	<b>Doctor</b> NSWCCA 20.5.1998	Supply leaf  Sched: GIC (\$15,000)	12 lbs	PG	300hrs CSO	Crown AA 18m PD		Involvement on the periphery - transported drugs from SA to NSW On appeal - CSO completed
23.	<b>Warner</b> (53) NSWCCA 2.12.1998	Supply leaf  Sched: 4 offences	3.493kg - \$90 000 street value	PG	FT 12m	AD	nil	Supplied cannabis only to friends - not for profit. Suffers depression and suicidal tendencies - received death threats in gaol - serving sentence on protection.

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24.	<b>Shepherd</b> <a href="#">[1999] NSWCCA 162</a>	Supply		PG	MT 9m AT 1y	AD	nil	Amount not stated but could have been dealt with in Local Court - role of 'go-between'. Prior good character - good subjective features - fully employed.
25.	<b>Hewitt</b> <a href="#">[1999] NSWCCA 264</a>	Supply leaf  Sched: 3 offences	445g	PG	MT 12m AT 12m	AD	nil	Drugs found during search of house - total value of drugs - \$22,620.
26.	<b>AMD</b> (40) (1999) 107 A Crim R 518 <a href="#">[1999] NSWCCA 171</a>	2 x Supply leaf	446g 9061g	PG	3y PD	Crown AD	Drugs, firearms	Supplied leaf receiving \$3600 - supplied more after agreeing to sale for \$60,000. Employed - stable domestic relationship with children - ongoing assistance to authorities involving large number of offenders.
27.	<b>Taylor</b> <a href="#">[1999] NSWCCA 309</a>	Supply leaf	3.15kg	VG	MT 9m AT 18m	Conviction AD		Arrived from Adelaide with cannabis in luggage.
28.	<b>Elomar</b> <a href="#">[2000] NSWCCA 431</a>	Supply cannabis  Sched: 6 offences	359.3g	PG	MT 9m AT 1y 9m	AA MT 9m AT 1y 3m	23 prior convictions - some serious. Offence committed on parole	Cannabis found at appellant's home.
29.	<b>Lennan</b> (28) <a href="#">[2001] NSWCCA 17</a>	2 x Supply cannabis leaf	5,783g 671.5g	PG	3y NPP 12m	AD	nil	Sold cannabis more than 70 times over one month period – police found second amount of cannabis in shed during search.
30.	<b>Hagopian</b> (29) <a href="#">[2001] NSWCCA 149</a>	Supply leaf  Sched: 2 offences	657.9g	PG	2y 8m NPP 2y	AD	prior conviction for similar offence	Observed by police to supply cannabis - found in possession of amphetamines and \$1188 - caller to applicant's mobile phone sought to arrange another supply - not an isolated offence
31.	<b>Teuma</b> (27) <a href="#">[2001] NSWCCA 369</a>	Supply  Sched: 2 offences	10kg	PG (25%)	3y NPP 1y	AD	treated as first offender	Found in possession of 10kg of cannabis heads - admitted involvement in supply.
32.	<b>Saldaneri</b> <a href="#">[2001] NSWCCA 480</a>	Supply cannabis	5017.5gm	PG (16%)	20m NPP 15m	AD	drugs, property	Drugs found during police search of offender's premises.

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33.	<b>Canino</b> (40) <a href="#">[2002] NSWCCA 76</a>	Knowingly take part in supply	17.3kg	PG	2y suspended	Crown AA 2y NPP 9m		Involved in bring drugs from SA to NSW to fill order - significant role
34.	<b>Sparos</b> (18) <a href="#">[2002] NSWCCA 52</a>	Supply cannabis leaf  Sched: 2 offences	13 x 1oz	PG (25%)	12m suspended \$3,500 fine	Crown AA FT 1y \$3,500 fine	recognisance for AOABH	Received drugs from supplier and on-selling them. 39days PSC - rehabilitation
35.	<b>Lyberopoulos</b> <a href="#">[2002] NSWCCA 280</a>	Supply leaf	4.930kg	VG	2y NPP 12m	AD	fraud and dishonesty	Drugs found in car - commercial venture.
36.	<b>Ramaz</b> (22) <a href="#">[2003] NSWCCA 91</a>	13 x supply leaf  Sched: 3 offences	1-12: small amounts  1.723kg	PG (25%)	18m NPP 8m 17d	Crown AA 2y 2m NPP 14m	on bail for similar offence	Over 3 months sold small amounts of cannabis to 80 customers per day - major drug dealing business Previous good character - difficult childhood - prospects of rehabilitation - importance of personal deterrence
37.	<b>A Girard</b>  <b>T Girard</b>  <a href="#">[2004] NSWCCA 170</a>	Supply cannabis	Approx 8kg	PG (25%)	3y NPP 18m	AD	Insignificant  Nil	Husband and wife heavily involved in large scale supply of cannabis leaf to users and suppliers – equal liability Evidence of good character – three young daughters
38.	<b>Livas</b> <a href="#">[2006] NSWCCA 54</a>	Supply cannabis	2.26kg	PG	FT 6m	AA 6m – suspended		Agreed to collect drugs for \$500 payment – one off supply – deemed supply – lower end of scale Carer for parents
39.	<b>Peachey</b> <a href="#">[2011] NSWCCA 30</a>	Knowingly take part in supply cannabis leaf	15-16kg	PG (25%)	5y 3m NPP 3y 11m 7d	AD		Female – involved in cannabis distribution over 13 months – sophisticated and substantial network – at the apex of the network and the organising and controlling mind – greed

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40.	<b>Haule</b> (38) <a href="#">[2015] NSWCCA 253</a>	Supply cannabis  Supply cocaine  s.193B(2) proceeds of crime  Sched: 3 drug offences	25kg  74.6g	PG (25%)	5y 6m NPP 3y 6m  FT 2y  FT 12m	AA 4y 9m NPP 2y 6m  FT 2y  FT 12m  <u>Total:</u> 5y 1m NPP 2y 10m	minor	Found in possession of 8.7kg cannabis, cocaine and two wads of cash \$15,000 and \$6,400 – admitted to drug dealing over previous 8 months Remorse – admissions to dealing
41.	<b>Batty</b> (49) <a href="#">[2016] NSWCCA 121</a>	Supply cannabis	5.47kg	PG (25%)	4y NPP 2y	AD	Supply drugs, steal from dwelling, larceny	Drugs located at offender's residence - covert operation into the distribution of illegal drugs on the Central Coast. History of drug abuse.

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