

## Possess Precursor for Manufacture Prohibited Drug

**s.24A(1)(a) (NSW) Drug Misuse and Trafficking Act**

**s.24A(1)(a) possess precursor intended by offender for use in manufacture or production by offender or another person, of a prohibited drug**

**Maximum Penalty: 10 years - s.33AB(1)**

	CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	ORIGINAL SENTENCE	APPEAL	RECORD	FACTS
1.	<b>J Cousins</b> (58)  <b>P Cousins</b> (51)  (2002) 132 A Crim R 444 <a href="#">[2002] NSWCCA 340</a>	s.24A(1)(a)	39 packets – 71.28g	PG (20%)  PG (20%)	3y 2m NPP 1y 8m  2y 8m NPP 1y 4m	AD	Nil relevant	Married couple undertook trip south from Queensland to purchase pseudoephedrine on behalf of third person – aware drugs would be used to manufacture methylamphetamines – not isolated incident – criminality not small Poor health – good prospects of rehabilitation
2.	<b>Palin</b> (28) <a href="#">[2007] NSWCCA 326</a>	s.24A(1)(a)	500 cartons cold tablets  15 cartons Sudafed	PG (20%)	4y 6m NPP 3y	AA 3y NPP 2y	Minor drug offences	Offered to supply medication containing pseudoephedrine – no evidence as to amount of methylamphetamine that could have been produced – financial gain Drug and alcohol addiction
3.	<b>Salama</b> <a href="#">[2023] NSWCCA 141</a>	s.24A(1)(a)  s.24A(1)(a)  Sched: 5 offences	See facts	PG (10%)	<u>Indicative:</u> 3y 10m  3y 6m  <u>Aggregate:</u> 4y NPP 2y 4m	AD	Extensive including drugs, violence and robbery offences	Shared home with two co-offenders where drugs manufactured – enough ephedrine and hypophosphorous acid found to make large comm quantity methamphetamine – small amount of iodine also found – each offender had knowledge of manufacturing – co-offender gave offender task of overseeing second co-offender – towards mid-range Drug addiction – little insight On appeal: by pursuing each offender for different offences Crown created problems for sentencing judge – took into account material not tendered against offender – no lesser sentence warranted

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

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