

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.	Vermuelen 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.	Gillett (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.	McWilliams (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.	Edmondson 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.	Nestoroski (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.	Iskander NSWCCA 26.10.1994	Supply leaf	1516.3g	VG	250h CSO	Conviction AD		Plants and leaf found at house.

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7.	Ortiz 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.	Abernethy (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.	Deboer 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.	Regan 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.	Green NSWCCA 4.8.1995	Supply leaf	482.9g	VG	MT 9m AT 3m	AD	drugs	Deemed supply. Long term chronic user of heroin.
12.	Sokvari 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.	Velardi 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.	Pont 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.	Johns 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.	Joseph Wright (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.	Garvie (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.	O'Brien 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.	Heffernan NSWCCA 8.4.1997	Supply leaf	1.8kg		MT 15m AT 15m	AD		Supplied undercover police officer
20.	Dematre (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.	Bradshaw (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.	Doctor 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.	Warner (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.	Shepherd [1999] NSWCCA 162	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.	Hewitt [1999] NSWCCA 264	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.	AMD (40) (1999) 107 A Crim R 518 [1999] NSWCCA 171	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.	Taylor [1999] NSWCCA 309	Supply leaf	3.15kg	VG	MT 9m AT 18m	Conviction AD		Arrived from Adelaide with cannabis in luggage.
28.	Elomar [2000] NSWCCA 431	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.	Lennan (28) [2001] NSWCCA 17	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.	Hagopian (29) [2001] NSWCCA 149	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.	Teuma (27) [2001] NSWCCA 369	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.	Saldaneri [2001] NSWCCA 480	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.	Canino (40) [2002] NSWCCA 76	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.	Sparos (18) [2002] NSWCCA 52	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.	Lyberopoulos [2002] NSWCCA 280	Supply leaf	4.930kg	VG	2y NPP 12m	AD	fraud and dishonesty	Drugs found in car - commercial venture.
36.	Ramaz (22) [2003] NSWCCA 91	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.	A Girard T Girard [2004] NSWCCA 170	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.	Livas [2006] NSWCCA 54	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.	Peachey [2011] NSWCCA 30	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.	Haule (38) [2015] NSWCCA 253	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.	Batty (49) [2016] NSWCCA 121	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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