

Supply Heroin

Less Than 50g

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

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

Maximum Penalty: 15 years – s.32(1)

	Case (age if known)	Offence	Amount	Plea	Sentence	Appeal	Priors	Facts
1.	Pham (26) NSWCCA 3.4.1990	Supply	5g	PG	GBB \$500 fine	Crown AD		39 foils of heroin found - had purchased 5g and divided into 55 foils, sold some - in business for 4 months - \$977 cash located. Prior good character – supporting habit Crown appeal: dismissed in exercise of discretion - factors included late filing of appeal
2.	Margaronis NSWCCA 20.12.1990	Supply	0.12g	PG	MT 18m AT 6m	AD	nil	Actively engaged in enterprise of assisting in sale of heroin
3.	Antal NSWCCA 12.2.1991	2 x Supply	0.08g and sales over two months	VG	MT 2y 6m AT 10m	AD		Found in possession of heroin – admitted intended to give drug away to female for sex – admitted selling heroin over preceding 2 months at \$3-400 per day.
4.	Pelosa NSWCCA 12.2.1991	Supply Sched: 3 offences	13g	PG	MT 2y 6m AT 10m	AA MT 1y 9m AT 7m	Light and stale	Found in possession of heroin - sold to long-term users, to fund his habit – used paging device. Impressive evidence of rehabilitation.
5.	Leslie (37) (1991) 55 A Crim R 68	Supply	48.9g	PG	3y PD	Crown AA MT 18m AT 18m	Extensive drug related – breached bail	Found in possession of spoons, syringes and glucodin – intending to sell to junkies Aboriginal male – evidence of rehabilitation
6.	Bianchi NSWCCA 6.3.1991	Supply	1.88g	PG	MT 3y AT 12m	AA MT 2y AT 12m	Breached parole	Found dividing white powder on silver foil - second foil found - \$500 under the bed - female injecting heroin - purchased heroin on behalf of friends. Matter could have been dealt with summarily.

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7.	Thompson (34) NSWCCA 4.4.1991	Supply Sched: 3 offences	See facts	PG	500h CSO 18m GBB	Crown AD Sentence inadequate, but discretion exercised - rehabilitation	Many drug related convictions at Local Court: not serious.	Found in possession of 3.69g – involved in supply over preceding month – also found in possession of \$8,755 and paraphernalia
8.	Coulstock (35) NSWCCA 9.4.1991	Supply Sched: GIC	4.9g	PG	MT 3y AT 1y	AD	Recent drug matters – breached bail	Found in possession of heroin and \$800 cash – deemed supply
9.	Eldaghl (35) NSWCCA 11.4.1991	Supply Sched: Supply heroin GIC	9.1g	PG	18 PD \$5,000 fine	Crown AA MT 9m AT 3m	No priors	Supply for profit - 2.7g found in possession with \$300 cash - admitted selling that day - search of premises found 6.4g - systematic dealer in small amounts Assistance
10.	Cioamca (18) Taifalo (26) Vieru (23) NSWCCA 30.5.1991	Supply 3 x Supply 2 x Supply	see facts	PG	FT 1y 2y PD 5y recog \$2,500 fine 500h CSO	Crown AA MT 3y AT 1y MT 2y AT 6m MT 15m AT 4m	on bail for supply minor drugs nil	T arranged to sell \$2,500 worth of Heroin - aborted. T and V - supply of .66g of 35.5% pure heroin T, V & C - supply of 8.7g of glucose. In furtherance of substantial commercial enterprise T - drug addict C - principal, with previous drug convictions.
11.	Hawkins (33) NSWCCA 12.9.1991	Supply	2.6g	PG	MT 12m AT 4m	AD	Prior conviction for drug possession	Admitted purchasing 5g and having sold 2 deals for \$250 – dealing at retail end of trade. Female drug addict with unfortunate background.
12.	Ross NSWCCA 18.10.1991	Supply	27.9g	PG	MT 4y AT 6m	AD		Found in car with heroin – drug dealer. Sentence heavy but not excessive.
13.	Bengescu (36) NSWCCA 3.12.1991	Supply Sched: GIC	0.53g		MT 2y 6m AT 10m	AA MT 2y AT 8m	Dishonesty offences – breached parole	Sold one foil on the street for \$150 to undercover police officer – in possession of second foil

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14.	Ianculescu NSWCCA 5.12.1991	2 x Supply	20g	PG	MT 12m AT 3m	Crown AD	nil	Found in possession of 36 foils - small time commercial dealer over several months
15.	Taylor (36) NSWCCA 21.4.1992	Supply	6 x \$50 deals per day over 65 days	PG	FT 6m (+1m PSC)	Crown AA FT 15m	lengthy but minor drug offence	Sold approx. 6 x \$50 deals per day over 65 days - police purchased eight deals, 0.04-0.09g. Supporting own habit.
16.	Muller NSWCCA 21.5.1992	Supply	17.4g 2.4g	PG	4y Recog	Crown AD.		Admitting purchasing heroin and proposing to sell. Heroin addict – told by police he would be given immunity from prosecution if he assisted - after giving some information offer withdrawn, putting him in serious jeopardy
17.	Bardo NSWCCA 14.7.1992	Supply	4.9g	VG	400h CSO \$980 forfeit	Crown AD	no drugs - gaol for stealing	Sold for \$980 - supply of relatively small amount on one occasion - isolated incident
18.	Canli (34) NSWCCA 3.8.1992	3 x Supply	2.7g found	VG	MT 2y 3m AT 9m	AD	On bail and bond - prior drugs	26 foils found in water bed and 6 foils found in wallet - admission to selling minor amounts
19.	Greer (50) (1992) 62 A Crim R 442	Supply	9.5g	VG	MT 3y AT 1y	AD	nil	Supply to undercover police officer - sold for \$2,400.
20.	Fabian (1993) 64 A Crim R 365	Supply Sched: 1 offence	33.7g	PG	3y GBB	Crown AD (inadequate but discretion applied)	prior convictions for supply heroin - on recog at time of offence	Heroin found in flat - admitted it would be passed on for \$500 – in business of trafficking - user and supplier. Heroin addiction - evidence of rehabilitation - lengthy delay
21.	Jordan (22) NSWCCA 16.2.1993	Knowingly take part in supply	9.88g	VG	MT 3y AT 12m	AD	Minor driving offences	Co-accused carried drug internally offender was financier - \$1,900 - prospect of resale.
22.	Rofe NSWCCA 18.2.1993	Supply	39-40g	PG	MT 5y AT 1y	AA MT 4y 3m AT 1y 9m	long history	Found by police in caravan, with heroin packaged in bags - found other items consistent with dealing Medical problems.

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23.	Baias NSWCCA 4.3.1993	8 x Supply	not stated	PG	6y 2m NPP 2y 6m	AA to include backdate MT 6y 2m AT 2y 6m	minor	Active supplier in small quantities.
24.	Lupu NSWCCA 22.3.1993	Supply	14.84g	VG	MT 1y 6m AT 6m	Conviction AD		Observed by police removing heroin from laneway.
25.	Cotterill NSWCCA 7.6.1993	Supply	5.57g	VG	MT 3y AT 1y	AD	Substantial	Possession of drugs in foils – selling for financial gain
26.	Tulloh NSWCCA 16.9.1993	2 x Supply	0.5g 2.11g	PG	MT 1y AT 1y	AD	bad record, included use and possession	Sold 5.0g and further 2.11g found at house - supplied to support habit
27.	Banovic NSWCCA 25.10.1993	2 x Supply	13.4g 4.5g	VG	MT 4y AT 16m	AD	supply H	Sold to undercover police officer on separate occasions Sentenced six months earlier for supply heroin
28.	Sande (45) NSWCCA 25.11.1993	Supply	40.9g	VG	MT 3y AT 1y	AD	minor	Deemed supply – supplied for financial gain Married with 5 children – good character evidence.
29.	Ford (26) NSW CCA 15.12.1993	Knowingly take part in supply	27.54g	PG	MT 10m AT 12m	AD	extensive	Acted as middleman for supply. Strong prospects of rehabilitation.
30.	Sandford (48) (1994) 72 A Crim R 160	Supply	2g	VG	MT 5y AT 1y 8m	AA MT 2y 1m 27d AT 10m 3d [time served]	nil	Drugs found in shirt pocket on arrest – intended to hand to female - isolated incident Senior Detective an aggravating feature.
31.	Rus (27) NSWCCA 24.6.1994	Supply	5g	VG	MT 12m AT 4m	AA 10m PD	nil	Heroin found in car when pulled up – deemed supply. Lengthy delay – married with 2 children

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32.	Leung NSWCCA 21.7.1994	Knowingly concerned in supply 2 x Supply Sched: Possess Hemp	27g 27.3g 27.5g	PG	MT 4y AT 3y	AD	nil	Transaction with undercover police over five month period - isolated incidents - runner in two transactions - principal in third
33.	Threadgate NSWCCA 4.8.1994	2 x Supply	2.7g 2.5g	VG	MT 3y AT 1y	AD	long and serious, cannabis	
34.	Weiley NSWCCA 11.8.1994	2 x Supply	approx 1g 25g	PG	MT 18m AT 6m	AA Special circumstances MT 13m AT 11m	nil	Actual supply of 1 gram – found in possession of 25g - admitted dealing over previous six months: 50-100 supplies - motivated by need for money. Mother of heroin addict - distressing medical history - remorse and unlikely to reoffend.
35.	Christiensen (38) Christienson (female) (38) NSWCCA 23.11.1994	Supply Sched: 2 x supply cannabis Knowingly take part in supply Sched: Supply cannabis	26.21g	PG PG	MT 2y 6m AT 18m MT 2y AT 18m	AD	Possess cannabis Minor	Listening device in house captured many sales over one month - total heroin mentioned was 26.21g Addicts, supplying to established users to feed own habit.
36.	Herring (34) NSWCCA 2.12.1994	Supply	6.4g	VG	MT 2y 6m AT 10m	AA MT 1y 9m AT 7m	No goal – possess & dishonesty	Found in car when pulled over Judge incorrectly sentenced on basis money found was related to drug supplying.
37.	Neda NSWCCA 9.12.1994	Supply	32.1g	VG	MT 3y AT 1y	AD	on bond for supply heroin	Drug found on offender
38.	Szczeklik (41) NSWCCA 6.3.1995	Supply	10.79g	PG	MT 5y AT 1y 8m	AA MT 3y AT 2y	Gaol for import drug	Small street dealer supplying to feed own addiction

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39.	McIntyre NSWCCA 18.4.1995	Supply Sched: Related drug offences	1/2g a day	PG	MT 18m AT 6m	AD	on recog	Supply over two months to support own habit.
40.	David NSWCCA 20.4.1995	Supply	4-5g	VG	MT 18m AT 1y	AD	Nil but on bail for drug offence	Supply to woman in answer to pager - observed by police - canister with 20 packets of heroin found on person
41.	Yavuz (50s) NSWCCA 20.4.1995	2 x Supply Sched: Use heroin	15g 3.6g	PG	MT 6y AT 2y	AA MT 4y 6m AT 1y 6m	On parole for conspire to import	Undercover operative involved - supplied 15g - negotiations for 100g commenced but not continued - 3.6g found on person upon arrest - not isolated incident
42.	Tapai (43) NSWCCA 26.6.1995	2 x Supply	36.6g		MT 15m AT 15m	AD	nil	Found in possession of heroin – agreed to supply Female - adult son and two school aged girls.
43.	Griffiths NSWCCA 3.8.1995	Supply	30.42g	VG	MT 4y AT 16m	AD	poor	Observed by nearby occupant retrieving drugs from park.
44.	Cecil NSWCCA 8.11.1995	2 x Supply Sched: 6 offences	0.77g 0.26g	PG	MT 2y 3m AT 9m	AD		Took place in context of small time business
45.	Richards (33) NSWCCA 27.11.1995	4 x Supply	2 oz 5g 4.9g 13.9g	VG PG	MT 7y 10.5m AT 2y	AD	previous drug	First offence involved supply to undercover officer - three later offences committed on bail – supply to undercover police officer – principal in detailed organisation.
46.	McVittie (22) NSWCCA 24.5.1996	2 x Supply	28g	PG	MT 1y 10w AT 2y	AD	mostly juvenile self-admin	Police undercover operation - actual supply of small amount (not stated) and later transaction relating to over 28g - knowledge of drug scene Substantial discount for assistance.
47.	Bekhore NSWCCA 18.11.1996	Supply	4.55g	PG	MT 18m AT 6m	AD		Detected by police telephone surveillance - 64 transactions – supplied to friends to support habit. Wife also convicted but received CSO to care for very sick child.
48.	Packovski NSWCCA 27.3.1997	Supply	3.02g	PG	MT 12m AT 4m	AD	bond for assault	0.42g found in car; 2.6g found in restaurant - orders via mobile phone during police search - obviously heroin dealer. Not a drug user.

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49.	Armstrong NSWCCA 9.5.1997	Supply	19g	VG	MT 18m AT 6m	AA MT 12m AT 12m	includes drugs	Heroin found at flat, with other items consistent with dealing - running profitable drug business of some size for some time.
50.	Zanze Kingbeer NSWCCA 11.6.1997	Supply	6.41g found	PG	MT 3y 9m AT 1y 3m	AA MT 2y AT 1y	Unenviable records	Small time dealing, supporting own habits. SJ sentenced incorrectly on basis of commercial quantity.
51.	Serianni NSWCCA 4.8.1997	Supply	8.62g	PG	MT 12m AT 2y	AD	significant - bribery and drugs	Observed by police supplying to user - heroin found on person wrapped in 26 foils - active dealer in Kings Cross area. Good rehabilitation.
52.	Irving (66) NSWCCA 5.11.1997	Supply	3.3g	VG	MT 3y AT 1y	AA MT 2y 6m AT 18m	long - mostly dishonesty and driving on licence for murder	Heroin found at premises, with items consistent with dealing - supplied to person - engaged in supply on commercial basis Severely disadvantaged background
53.	Emery (46) NSWCCA 7.11.1997	Supply	2.5g	VG	MT 12m AT 12m	AD	minor drug matters	Observed by police at home dividing up heroin - admitted packaged heroin intending to sell – drug trafficker
54.	Khamsao NSWCCA 1.4.1998	2 x Supply	Street value: \$6,600 \$3,000	PG	MT 3y AT 1y	AD	SJ told no priors - in fact on bond at time of offence.	Police search of car found heroin with street value of \$6,600 - admitted he had bought heroin in Cabramatta with intention of selling it in Canberra - previously done this with \$3,000 worth of heroin.
55.	Orrock NSWCCA 22.7.1998	Supply Sched: 2 offences	6g	PG	MT 2y AT 1y	AA (assistance raised 30%) MT 16m AT 8m		Under surveillance over two weeks - cut up heroin with wife to make 36 deals - most heroin used by offender and wife - some supplied to friends.
56.	Kiely NSWCCA 14.10.1998	Supply Sched: 2 offences	11.61g	PG	MT 2y AT 2y	AD	on bond for drug matters	Observed supplying by police - when apprehended seen to throw heroin under car, and more found on person - scales, money and 2.55g (possess charge) found in house - sole trader selling at retail end of market.

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57.	Ma (35) (1999) 107 A Crim R 252 [1999] NSWCCA 257	Supply	29.8g 0.03g	PG	MT 3y 6m AT 1y	AA MT 2y 6m AT 1y 6m	supply heroin - custody, on parole	Police found 0.03g heroin on offender as he was entering club - remaining heroin found in car. Co-operated with authorities, contrition, drug counselling.
58.	Crombie (39) [1999] NSWCCA 297	Supply Sched: 2 x supply	\$40-50 deals	PG	MT 2y AT 1y 6m	AA MT 1y 6m AT 1y	Dishonesty and drug offences – breached recog	Supplied to undercover operative small quantities on three occasions for \$40-50 a deal - street dealer in Nimbin - supplied addicts On appeal found insufficient allowance made for fact that matter could have been prosecuted in Local Court
59.	Davis (41) [2000] NSWCCA 244	Supply Supply Supply Sched: 8 offences	1.6g 3g 0.2g 3g	PG	MT 2y AT 2y MT 18m AT 18m MT 3y AT 3y MT 3y AT 3y <u>Total</u> MT 3y AT 3y	AA FT 2y 4y NPP 2y FT 6m FT 2y <u>Total</u> 4y NPP 2y	extensive - on recognisance and bail at time of offences	Found in possession of 5.36g heroin and admitted to selling small amounts (\$400) to support habit - 6 months later found again in possession of 5.43g heroin and admitted to selling (\$50) - part of on-going supply Error in not finding only portion of heroin in possession for purpose of supply
60.	Pavlov (50) [2001] NSWCCA 13	Supply	7.05g	PG (25%)	6y NPP 4y	AA 3y 6m NPP 2y 6m	no prior prison - complied with previous recognisance	Supplied heroin to undercover police officer over five occasions - approached by undercover police officer - small amount of heroin involved - drug would not have reached general community Supporting long term addiction - suffering from mental disorder.
61.	Moussa (30) [2001] NSWCCA 28	Supply Sched: Supply heroin	27g (71% pure)	PG	MT 12m AT 12m	AD	Dishonesty and driving offences	Purchased drug for use by self and wife – similar offence committed several weeks earlier – not a dealer.

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62.	Nguyen (27) [2001] NSWCCA 132	Supply Sched: 7 unrelated offences	8.26g	PG	3y NPP 18m	AD	prior convictions	Found in possession of heroin when car stopped for driving offences. Rehabilitation from drug addiction.
63.	Giurgis (24) [2001] NSWCCA 129	Supply	5.5g	PG	16m NPP 12m	AA 16m NPP 8m	minor record - no drug offences	Found in possession of drugs in car after being observed selling – not isolated. Sold drugs to support drug addiction - rehabilitation contrition - good prospects of employment.
64.	Huynh [2001] NSWCCA 269	Supply	6.6g	VG	2y NPP 16m	AA 2y NPP 12m		Female - under police surveillance of offender's son was seen throwing heroin in balloons from her vehicle - assisting son Deprived background - poor physical and mental health CCA found special circumstances.
65.	Mousallem (32) [2001] NSWCCA 536	Supply	14.5g	VG	9y NPP 5y	AD	lengthy record including drug offences - on licence at time offence committed	Found in possession of heroin and selling paraphernalia. Traumatic and disruptive childhood in war ravaged Lebanon - need for extended supervision
66.	Le (19) (2002) 130 A Crim R 44 [2002] NSWCCA 186	Supply	0.5g 0.61g	VG	3y 6m NPP 2y	AD	none for drugs	Drugs found in house

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67.	Kostadinovic (21) [2003] NSWCCA 38	Knowingly take part in supply Knowingly take part in supply Knowingly take part in supply Knowingly take part in supply Sched: 7 offences	6.8g (8%) 6.7g (10%) 6.8g (12%) 13.9g (9.5%)	PG (25%)	3y NPP 1y 10m 2y 6m (concurrent) 2y 6m (concurrent) 2y 6m (concurrent)	AD	traffic offences	Involved with co-offender (dealt with for s.25A) in multiple supplies of heroin - police intercepted thousands of drug related phone calls in one month - co-offender principal offender – 13.4g found in house Disturbed background - Serbian - sent money to mother suffering breast cancer - remorse - depression
68.	Vo (25) [2003] NSWCCA 124	Knowingly take part Supply Supply	0.03g 0.01g 0.05g	PG (15%)	3y NPP 20m FT 18m FT 18m <u>Total</u> 3y 6m NPP 2y 2m	AD	Breached bond for similar offence	Sold drugs to undercover operative Vietnamese – drug addiction resulting from breakdown in marriage
69.	Nguyen (26) [2004] NSWCCA 438	Supply Supply Supply Sched: 5 offences	\$50 deal 8.3g 14.56g	PG (10% / 25%)	2y 2y 4y NPP 2y 6m <u>Total</u> 5y NPP 3y 6m	AD	Minor – third offences committed on bail	Observed selling \$50 deal – on arrest found in possession of foils and rock – while on bail found in possession of heroin

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70.	Ly (47) Nguyen (45) [2005] NSWCCA 57	Supply	28.21g	VG	5y NPP 3y 6m	AD	Nil	Husband (L) and wife (N) involved in commercial dealings selling heroin – not isolated sale
		Supply			5y NPP 3y 6m			
		Receiving GIC			(concurrent sentences)			
71.	Orban (56) [2005] NSWCCA 312	Supply	Not stated – less than 16g	PG (20%)	4y NPP 2y 6m	AA 4y NPP 2y	Drug related but nothing since 1991	Hairdresser and supplied heroin from business to 3 co-offenders, who on-sold – co-offenders pleaded to s 25A – controlled operation Unlikely to re-offend – good prospects – drug addiction – remorse – health problems and carer for elderly mother Parity
		Supply			FT 2y (concurrent)			
		Sched: GIC						
72.	Kdouh (28) [2006] NSWCCA 140	Supply	0.1g	VG (see facts)	3y NPP 2y	AD	Breached parole – significant record for supply	On trial for s.25A offence – jury convicted in relation to only two transactions admitted by offender – runner and user
		Supply	0.3g		3y NPP 2y (concurrent)			
73.	Hourigan (37) [2006] NSWCCA 183	Supply	1.91g	PG (25%)	3y NPP 1y 9m	AD	Record for possession and violence	Low level dealer – part of larger organisation – supplied to undercover police officer Significant drug addiction
		Supply	1.93g		3y NPP 1y 9m			
		Supply	6.2g		3y NPP 1y 9m			
		Supply	6.21g		3y NPP 1y 9m (concurrent)			

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74.	Lu (32) [2007] NSWCCA 74	Supply Sched: GIC	24.07g	PG (20%)	4y 8m NPP 3y 7m	AD	Lengthy – typical drug addict – breached conditional liberty	Deemed supply – found at house – dealing in drugs
75.	Kentwell (36) [2007] NSWCCA 93	Supply	10-15g	PG	2y 6m NPP 16m	AD	Minor	Runner for highly organised Kings Cross business – 10-15g over 21 days Difficult childhood – addiction - rehabilitation
76.	Jaskierski [2007] NSWCCA 168	Supply	25.6g	VG	5y 6m NPP 3y 6m	AD		Involved in supplying drugs to female offender who sold them from house
77.	Meager [2009] NSWCCA 215	Supply	3g	PG (10%)	4y NPP 2y 6m	AD	Possess drugs – DUI – breached bond.	Police surveillance revealed offender purchased drugs from co-offender then supplied to other persons – 14 separate supplies in one month. Drug addiction.
78.	Llavallo (40) [2012] NSWCCA 29	Supply	3.21g	PG (25% on appeal)	2y NPP 1y 3m	AA 18m NPP 13m	Driving offences	Found in possession of drugs packaged for sale – street dealer Offence could have been dealt with in Local Court – rehabilitation – history of addiction – genuine remorse
79.	Lam (43) [2014] NSWCCA 50	Supply Supply	3.39g 3.41g	VG	2y NPP 18m 2y NPP 18m (concurrent)	AD	Nil relevant	Female – transported drugs from third person to co- offender for supply to undercover officer – not isolated incidents - trafficking in substantial degree Vietnamese
80.	Pleasance (31) [2016] NSWCCA 113 Co-offender: VOSSOS	Supply Sched: 2 offences	28.8g	PG (25%)	3y 9m NPP 2y 9m	AD	Lengthy – including drugs	Female – part of a group supplying – personally involved in 75 transactions over 5 weeks – below mid- range – financing heroin addiction – more than a runner Difficult childhood – early drug use

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81.	Vossos (47) [2016] NSWCCA 262 Co-offender: PLEASANCE	Supply Supply Sched: 2 offences	12.60g	PG (25%)	<u>Aggregate</u> 5y NPP 3y 9m	AD	Supply drugs – other lesser offences – breached bail	Part of group supplying heroin to large client base – delivered drugs as well as negotiating orders – on one occasion supplied to a female inmate of a correctional centre – supplied on 50 separate occasions – below mid-range Drug user – also financial gain
82.	Parker (No.3) (52) [2018] NSWSC 1132 Adamson J	Supply	approx. 0.3g	PG	s.10A (15m bail refused for related manslaughter offence)		lengthy drug related record – breached parole	Supplied heroin to victim who died from overdose – acquitted of manslaughter at trial – spent 15m bail refused – supply offence would have been dealt with in Local Court Some evidence of rehabilitation

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