

COMMENTS ON PASSING SENTENCE

22 JUNE 2018

Ms Patton you have pleaded guilty to trafficking in a controlled substance, namely methylamphetamine and cannabis.

You have also pleaded guilty to a number of summary offences that I will deal with under s 385A of the *Criminal Code*. They arise from the same circumstances as the indictable matter.

Between 1 January 2017 and 1 March 2017 you were involved in trafficking in cannabis and methylamphetamine by transporting the substances in the belief that another person, Mr Dyett, intended to sell the substances, and by aiding that person by transporting him to various locations where he sold both substances.

The State accepts that this is not a serious example of the offence.

You are 39 years old. You are the mother to two children who you financially support. You have had steady employment since leaving school at 16 years of age. You do not have a lengthy criminal history, with only a few minor traffic offences recorded. There is no evidence that you made any money out of driving Mr Dyett around and the total benefit to you was some reimbursement for petrol.

You have been a user of cannabis since your late teenage years. In 2015 a friend stayed as a guest in your home and introduced you to Ice, and subsequently to Mr Dyett. You began driving Mr Dyett around, picking him up and dropping him off at numerous places. At some point it became apparent to you that he was selling drugs on these visits. However you continued to drive Mr Dyett around and only stopped once you were caught.

Trafficking represents one of the most serious categories of offences under the *Misuse of Drugs Act* and your actions have contributed to the spread of illicit drugs throughout your community. For this reason the principles of general deterrence are of particular relevance.

I have regard to the fact you co-operated with police and that you pleaded guilty at an early opportunity. I am satisfied on the basis of your lack of prior convictions and submissions made by your counsel that this incident has had a salutary effect on you. As such the need for personal deterrence in this case is reduced.

On 29 May 2018 at my direction, you were assessed by Community Corrections and deemed suitable to participate in a Community Service Order. You indicated your willingness to comply with the conditions of such an order. I have determined that a community service order is the appropriate way to deal with you. In fixing the time you will be required to complete, I have regard to the need for general deterrence, but also your personal circumstances as a mother.

On the indictment and on charges 1, 2, 4 and 5 on complaint 51978/17, convictions are recorded.

I will impose a global sentence in respect of all matters. You are convicted and sentenced to 84 hours of community service.