

STATE OF TASMANIA v JORDYN JACK WEBB
COMMENTS ON PASSING SENTENCE

19 OCTOBER 2023
BLOW CJ

Jordyn Jack Webb, you have pleaded guilty to a charge of trafficking in a controlled substance. On 22 December 2018 you committed this crime in relation to a quantity of cocaine. Police officers had some drug dealers from Sydney under surveillance. They were at a place in Hobart. You went to those dealers and purchased a quantity of cocaine. Some was for your personal use but you had an arrangement that it would be shared five ways between you and some friends. You acted as an intermediary for your friends who gave you money to buy the drug in bulk. The prosecutor told me that you bought about 10 ounces of the drug. Your counsel told me that the proceeds of that transaction that were going back to Sydney amounted to \$50,000, and that was not was not disputed by the Crown. That information gives me an idea of the scale of the trafficking.

Trafficking is a crime that can be committed by having possession of a drug for the purpose of supply to a purchaser. It can be committed by getting the drug from a supplier and taking it to a consumer. What you did in relation to most of the cocaine in your possession was to commit the crime of trafficking. In relation to the quantity it was intended to be kept for personal use, I do not think I should regard that as trafficking, although it was against the law.

The police officers had the dealers under surveillance and that is how you got caught. The police executed a search warrant at your home in April of the following year. You attended the Hobart police station voluntarily. You cooperated with the police and made significant admissions. Although it has taken some time, you have subsequently pleaded guilty. It is not a case where I can say that the delay was anybody's fault. Matters needed to be resolved as to the nature and quantity of the drug in question.

The Sydney dealers have all been sentenced. I was told about two of their other customers. One of them who was sentenced to a significant term of imprisonment dealt with a drug of similar quantity and value to the cocaine that you trafficked in. However his case was very different. He trafficked in methamphetamine. He was not acting as an intermediary to help consumers known to him. He was selling the drug to dealers to make some money to pay off a drug debt. He cannot have known where the methamphetamine was going to end up or whether the dealers were going to introduce other people to the drug, and he had some prior convictions. What he did was in breach of a suspended sentence. Although he had reformed and although the quantity and value of the drug that he dealt in were similar to the quantity and value of the cocaine that you bought, this is a very different situation. There are various reasons why you should get a more lenient penalty.

This was nearly five years ago. You were 23 at the time. You are now 28. You are single. You have a child. You are separated from that child's mother. You have a 50/50 custody arrangement so that the child spends seven days each fortnight with each parent in groups of two and three days at a time. That is an arrangement that has been in force for quite some time. You have no significant prior convictions. You have an excellent work record. You were educated to the end of Year 10, immediately found work on finishing school, and have never been unemployed. You have a house and a mortgage and are contributing your half share of the school fees and day care fees for your child. You became a user of cocaine in your late teens or early 20s. That has not led you to commit a string of offences of dishonesty like it does for some people. You remained a recreational user of the drug. You very much regret that you

got yourself into this situation and that you have placed your employment, and your liberty and your relationship with your child, at risk.

Given that you have stayed out of trouble apparently for nearly five years since the transaction in question, I think the most appropriate course is to impose a wholly suspended prison sentence. That means I will impose a prison sentence that indicates the seriousness of what you did. You will not have to serve it if you do not commit another offence punishable by imprisonment. There are a lot of offences that are punishable by imprisonment, like driving with an illicit drug in your body, or possessing any illicit drug or using it. It is over to you. You need to be very careful to keep out of trouble or you might find yourself back here with an application for the suspended sentence to be activated.

I convict you and sentence you to ten months' imprisonment, wholly suspended on condition that you commit no offence punishable by imprisonment for a period of two years.

I adjourn sine die the application for the forfeiture of items and the application in relation to the costs of analysis.