

Each of Garry Maxwell Billinghamurst, Adam Arnold Jones and Jamie Barrett pleaded guilty to trafficking in a controlled substance, methylamphetamine, between 14 July 2004 and 19 October 2004.

Billinghurst and Jones were major suppliers and Barrett was a street dealer. Billinghamurst and Jones acquired the drug from sources in South Australia and Victoria and brought it into the State hidden in vehicles they had purchased. They then cut it and packed it into street deals and supplied them to Barrett and others. In Tasmanian terms, it was a major commercial operation. Mobile telephones were supplied for the use of the street dealers. When they ran out of stock, it was replenished by Billinghamurst and Jones.

The nature of the operation was explained in the Crown's statement of facts and I see no point in repeating much of the detail. An understanding of the nature of the overall trafficking operation can be gained from just a few examples. None of the men had any lawful source of income other than welfare. During or around the 14 week period of the charge, 15 motor vehicles were registered in Billinghamurst's name and 20 vehicles were registered in Jones' name. At least \$6,100 was paid to the TT Line and airlines for fares for the travel of Billinghamurst and/or Jones from and to Tasmania over the period of 14 weeks. A vast number of calls were made to telephones used by some of those involved. Surveillance of Billinghamurst and Jones on the Spirit of Tasmania revealed them counting out \$12,000 in cash. Billinghamurst was heard to say to Jones that they could buy a pound, cut it twice and make \$60,000. Billinghamurst was heard to tell Jones that he could get \$48,000 for him to buy a car. One Sunday, Billinghamurst was heard to say to Jones that they normally made about \$1,000, for either a Sunday or a weekend, it is not clear, but they had made \$1,600. On 19 October 2004, police brought the operation to an end when they raided premises used by Billinghamurst and Jones and found them in possession of 400 individual street deals of methylamphetamine worth about \$20,000. The Crown asserts that it was representative of what they trafficked on a weekly basis over the period of the charge. That was not challenged. On that day, Billinghamurst had \$1,700 in cash and Jones had \$380 in cash.

Barrett arrived at their premises that day in possession of \$2,640 in cash. He sold street deals and was supplied by Billinghamurst and Jones. At least two others were doing the same. During one seven day period alone, 435 calls or attempted calls, were made to the mobile telephone supplied to Barrett for the purpose of making sales. He was observed to be making what was described as a huge number of sales in various locations in Hobart and its suburbs. He was also observed to be engaged in that activity at the Hobart Regatta Ground on 30 July 2004 and he was searched and interviewed by the police. That did not deter him from continuing to offend.

It was a well organised syndicate. Thousands of dollars worth of the drug were brought into the State and distributed to a large number of users.

Pursuant to the *Misuse of Drugs Act* 2001, s38, it is ordered that the property of the accused used in the commission of the offence, the subject of the indictment, be forfeited to the Crown, namely, plastic containers, scales, sachets and a coffee grinder seized by the police from 2/127 Albert Road, Moonah on 9 October 2004 and other items of property, namely plastic containers, scales, a knife and spoon, sachets and a coffee grinder seized by the police from 32 Charles Street, Moonah on 19 October 2004.

It is also ordered pursuant to s11(1)(a) of the *Crime (Confiscation of Profits) Act* 1993, that

the following property be forfeited to the State of Tasmania, namely, \$1,700.60 in cash seized from Garry Maxwell Billinghamurst on 19 October 2004, \$380 in cash seized from Adam Arnold Jones on 19 October 2004, \$2,640.20 in cash seized from Jamie Barrett on 19 October 2004 and \$2,045.90 in cash seized from Jamie Barrett on 30 July 2004.

Billinghurst was aged 45. He has an extensive criminal record in this State and also in Victoria and Queensland. He has committed close to 80 offences of dishonesty and damage to the property of others, along with many other offences, including many for violence. He has also committed offences relating to the possession and use of cannabis. He has been sentenced to imprisonment a great many times since 1975. His counsel presented many reports and references about him. For sentencing purposes, the information has little influence on the length of the sentence of imprisonment that should be imposed. It discloses that he had a deprived and dysfunctional upbringing and his criminal behaviour is a product of it. But for a man of his age and his record, he must be made accountable for his actions. Poor health entitles him to no leniency.

Jones was aged 27. He has committed a few offences of dishonesty in the past and many traffic offences. Twice he committed the offence of possessing methylamphetamine and twice the offence of manufacturing it. In 1998, 12 months wholly suspended imprisonment was imposed for stealing and early in the period of this offence, on 27 July 2004, he was sentenced to three months wholly suspended imprisonment for manufacturing methylamphetamine. He breached a condition of the suspension when he continued to commit this offence.

Barrett was aged 46. He has committed a few offences of dishonesty and violence and a few other offences. His record includes convictions for possession of methylamphetamine and cannabis and two for selling cannabis. Since 1999 he has had three sentences of imprisonment, two of which were wholly suspended. The last, imposed on 17 February 2004, less than six months before he was trafficking on this occasion, was one of six months' imprisonment with three months of it suspended for possessing and selling methylamphetamine and cannabis.

Account is taken of all of the submissions made by their respective counsel.

They are all convicted. It is ordered that they each pay the \$50 victims of crime compensation levy within one month of their release from prison.

That Billinghamurst's record is worse than Jones in a general sense will be reflected in the respective parole periods.

Garry Maxwell Billinghamurst, you are sentenced to imprisonment for four years from 23 August 2007 and it is ordered that you are not to be eligible for parole until you have served three years of the sentence.

Adam Arnold Jones, you are sentenced to imprisonment for four years from 9 August 2007 and it is ordered that you not be eligible for parole until you have served two years, three months of the imprisonment.

Jamie Barrett, you are sentenced to imprisonment for two years six months from 9 August 2007, and it is ordered that you not be eligible for parole until you have served one year six months of the imprisonment.