

APPLICATIONS GRANTED

Billingsley v R

2 December 2003

The applicant was sentenced in the Darwin Supreme Court to an aggregate sentence of imprisonment of two years and four months and a non-parole period of one year and two months was fixed, following his pleas of guilty to the following offences:

- (i) unlawful possession of a commercial quantity of cannabis plant material, (4.5 kg)
- (ii) unlawfully supplying a commercial quantity of cannabis plant material, (887 gram), and
- (iii) unlawfully supplying cannabis plant material to others.

Leave to appeal against sentence was granted on the grounds that the sentencing judge

1. failed to give adequate weight to the defendant's antecedents
2. failed to give adequate weight to the defendant's cooperation with the authorities and preparedness to assist in the prosecution of a cooffender
3. failed to give adequate weight to the defendant's plea of guilty, remorse and prospects of rehabilitation.
4. erred in imposing a sentence that was manifestly excessive.

The appeal was heard on 20 May 2004 and judgment delivered on 3 June 2004. See under Decisions for a further note of the case.