

DRUG SENTENCES

Thursday, 21 June 2007

The Hon. D.G.E. HOOD: Today Judge Muecke dealt with a defendant named Nicholas Matters, who had pleaded guilty to manufacturing methamphetamines in a lab in his unit at Glenelg East. I will quote from the sentencing remarks, which illustrate how serious this case was:

Police attended at your unit on 29 July 2006 when you were there at the time. All the chemicals, vessels, flasks and other apparatus required to produce methylamphetamine were found in your unit. There was an extremely pungent smell in your kitchen making it difficult to breathe. Police wore protective clothing and masks to render the area safe.

This morning Judge Muecke ordered that the defendant only serve a five month non-parole period of imprisonment, and that sentence was suspended.

Earlier this week on Tuesday Judge Muecke also granted a suspended sentence to another drug dealer who was found with 39 ecstasy tablets in his possession and he admitted that he was planning to sell some of them. In two other cases recently, on 24 and 29 May, Judge Peter Herriman allowed ice drug dealers to walk free with suspended sentences.

In the case of Metcalfe the defendant pleaded guilty to the possession of methamphetamine for sale. At her premises police found 14 plastic jiffy bags containing the drug, as well as lists of names and electronic scales. However, Judge Herriman suspended a 12-month non-parole period sentence. In the case of Rapadas, another case before the same Judge Herriman, a police search of the defendant's car found a set of digital scales, four small plastic resealable bags containing a powdery substance, a glass pipe and a Taser gun. Judge Herriman again in that case suspended a nine-month non-parole period. Drug dealers in our community are responsible for incredible misery, and increased drug use is directly proportional to increased crime rates. My questions to the minister are:

1. Does the government believe it is appropriate to allow convicted ice drug dealers and similar types to be granted suspended sentences of imprisonment?
2. Are the decisions to suspend these drug dealers' sentences out of step with community expectations?
3. What will the government's response be to these appalling non-sentences—if I can call them that?

The Hon. P. HOLLOWAY (Minister for Police): I think it is clear what are the parliament's views on what should be appropriate penalties. This parliament passes laws, and I think we have expressed our wish in relation to a number of issues recently where the parliament, through the legislation we passed, expressed our view on that, but of course the courts have an independent role. One always has to be careful before passing judgment on particular decisions of a court, because we are not fully aware of all the facts. That is why it is important that, if any action is to be taken by the Attorney or Director of Public Prosecutions in challenging any decisions of the courts, it should be made in full knowledge of all the facts. I will refer the question to my colleague the Attorney-General and make sure the matters raised by the honourable member are considered.