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# NIMBIN THE NCGOODTIMES

Judicious and FREE

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## LANEWAY BOYS SENTENCED

Seven men have received jail terms of up to a year for their roles dealing cannabis in Nimbin's Rainbow Lane, with another 13 given suspended sentences.

All faced charges of taking part in the prohibited supply of drugs following a police surveillance operation as part of Strike Force Cuppa which occurred between January and April last year in the town.

Video surveillance had been conducted between 31st January and when the arrests were made on 28th June, 2016.

Locals were outraged in 2005 when five CCTV cameras were installed in Nimbin's Cullen Street which send live footage to the police station.

With two magistrates presiding over two courtrooms in Lismore Local Court, a large crowd of supporters and solicitors gathered in the waiting room outside.

A crowd of protesters maintained a vigil outside the courthouse alongside a giant inflatable joint. While supporters such as Nimbin HEMP Embassy president Michael Balderstone expected the men to be "let off" with lenient suspended sentences, many ended up in custody.

Ryan Hawken, Beau Molloy-Grabousky, Zachery Fuller, Christopher Walsh, Ben Yasserie, Tobi Cox and James Brown were all sentenced to non-parole periods ranging between three and nine months.

In sentencing submissions, several solicitors argued the men had been exposed to cannabis use at a young age and it had become "normalised" for them. However, the court failed to grant leniency on that basis, particularly for prior offenders.

Solicitors acting on behalf of all the men indicated they would appeal to the District Court over the sentences, with bail granted while the appeals process took place.

Fuller's solicitor Tracey Randall argued that Fuller had a "very strong work ethic" and was "very community minded", volunteering at the Nimbin Bowling Club and was a participant in the soccer club. But Magistrate Alexander Mijovich said he could not "put any weight on the fact that Nimbin as a community has been doing that for years."

He said Nimbin was not a "pocket of its own that's not part of Australian law."

Michael Balderstone said, "The sad bit is those boys do more policing of Nimbin than the police themselves.

"They're responsible for Nimbin having way less ice than virtually any other country town.



"At some point there has to be some separation of cannabis away from the other illegal drugs because cannabis is completely different."

Mr Balderstone said he felt sorry for the police involved in the raids.

"At some point police should be given some discretion, some freedom when dealing with cannabis," he said.

"At the moment cannabis is classed as being in the same basket as ice, which is just crazy."

Cox's lawyer Steve Bolt told the court his client had become the sole carer of his eight-year-old daughter since his arrest, and worked in the local construction industry which included installing air conditioners at the Lismore Base Hospital redevelopment.

Magistrate Mijovich said he couldn't place any weight on the claims because he had no paperwork backing up the claims.

Cox received a term of nine months jail, with a non-parole period of six months.

Dion Wales, a 29-year-old father of four, was sentenced to five months jail which was suspended by the magistrate. The court heard Wales had no prior convictions when the offending occurred.

Ruben Mack, Hayden Allan, Evan Ogle, Kalen Petrie Thomas World, Jordan Jackson, Harley Ogle, Arpad Foraita, Jesse Levy and Tamita Peheku all received suspended sentences of between three and ten months.

Daniel Walsh received a good behavior bond. Magistrate David Heilpern said Walsh's matter was "entirely different" from the other 30 accused men, saying his offence did not cross the threshold of "substantial involvement" in the supply of drugs.

Another six matters have been adjourned.

Australian Sex Party leader and Victorian MP Fiona Patten condemned the jail sentences as a "pointless, life shattering waste of resources when other jurisdictions are basking in the success of tax-and-regulate models.

"A 'lock-up for pot' policy is stupidity on steroids. I have recently met with police in Lisbon, London and Vancouver and we should listen to them. A justice system wasting so much time on non-violent drug crime helps no-one.

"Rather than ruining people's lives with a pointless prison sentence, the government should set its sights on the number of schools and hospitals it could build if it took the no-brainer step of taxing and regulating cannabis," Ms Patten said.

♦ See "Hang 'Em High" – page 3



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