

Import Heroin
Trafficable Quantity
s.233B(1) (Cth) Customs Act

- s 233B(1) (b) import
(c) possess prohibited import
(ca) possess reasonably suspected prohibited import
(cb) conspire to import (*repealed 15.12.2001*)
(d) knowingly concerned in import (*repealed 15.12.2001*)

Subsection substituted 28.9.2004

- s 233B(1) (a)(iii) import
(a)(iv) possess prohibited import
(a)(vi) possess reasonably suspected prohibited import

Trafficable Quantity: 2g

Commercial Quantity: 1.5kg

Maximum Penalty: 25 years / Life if prior specified drug offence

s.235(2)(d) / s.235(2)(c)(ii)

s.16G (CTH) Crimes Act was repealed 16.1.2003 (applies to all sentences imposed after that date)

Section s 233B repealed 6.12.2005

	Case (age if known)	Offence	Amount: pure	Plea	Result	Appeal	Record	Facts
1.	Ghomari NSWCCA 12.4.1991	Possess	345g	PG	MT 8y AT 2y 8m	AD		Courier
2.	Lankreijer NSWCCA 14.6.1991	Import	232.7g	PG	3y 6m NPP 2y 6m	AD		Addict – heroin for own use and for friends and associates. Suffered spasticity in arm.

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3.	Chebat NSWCCA 25.7.1991	Import	606g	VG	10y NPP 8y 6m	AA 10y NPP 6y	Nil known	Concealed in suitcase – courier
4.	Lam (1991) 53 A Crim R 118 NSWCCA	Possess	1.433kg	PG	MT 7y AT 2y 4m	AD		No role in importation - minding it for someone else - culpability well down the line - to receive reward of \$10,000.
5.	Mai Tran (1992) 60 A Crim R 49 NSWCCA	Possess Attempt possess Possess	50g of 6.9kg importation	VG VG	MT 10y AT 3y FT 5y (concurrent) MT 10y AT 3y	AD		Suitcase arrived in Australia as unaccompanied luggage - intercepted and controlled delivery established - picked up by T - M later apprehended with substituted block - major operators.
6.	Ndubuisi NSWCCA 27.3.1992	Import Possess proh import	378g	PG	FT 5y 6m	AA 6y NPP 4y		Nigerian involved as courier - heroin concealed in his body - towards bottom end of scale.
7.	Gurung NSWCCA 22.5.1992 Co-offender: LAWLESS	Import	151g (70% pure)	PG	6y 6m NPP 4y 6m	AD	nil	Swallowed condoms filled with heroin – courier Nepalese - background of poverty
8.	Dowe (59) NSWCCA 26.3.1993	Import	80g	VG	6y NPP 4y	AD	nil	Arrested at airport with 17 packets in shoes. No contrition - some co-operation with authorities.
9.	Ei-Cheikh NSWCCA 26.3.1993	Import	44.5g	PG	6y 6m NPP 4y 4m	AD	gaol for supply heroin in Aust.	Heroin in body – part for own use, part for sale.
10.	Kelly NSWCCA 20.4.1993	Import	41.1g	PG	3y 6m NPP 2y	AA 3y NPP 18m (assistance)		Purchased in Thailand for \$960 - primarily for own use. Heroin addict - unemployed.

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11.	Clarke NSWCCA 23.4.1993	Import Possess proh imports	94.2g (77.4% pure)	PG	6y 6m NPP 4y 4m	AD	prison in Sweden for importation	Imported heroin in body - heroin imported for sale.
12.	Gedid (50) NSWCCA 23.4.1993	Import	961g	VG	7y NPP 5y	AD "Well within the discretion."	Nil	Lebanese woman, sick - one dependent child and elderly husband in Lebanon.
13.	Zielinski NSWCCA 21.5.1993	Import	667.3g	VG	6y NPP 3y 6m	Crown AA 7y 6m NPP 4y		Female - recruitment of 15y daughter an aggravating factor – drugs carried internally and in daughter's shoes.
14.	Turner NSWCCA 21.5.1993	Import	685.5g	PG	7y 6m NPP 4y 6m	AD	nil	Apprehended at airport with drugs strapped to body - courier Excellent prior character - army service, assistance to police, prospects of rehabilitation.
15.	Sanna (49) NSWCCA 21.5.1993	Import	863g	VG	9y NPP 5y	AD		Drugs in suit-case - did not speak English.
16.	Rachid (63) NSWCCA 13.8.1993	Import	105g	PG	5y 6m NPP 4y	AD	nil	Travelled from Lebanon, to be paid \$5000 – courier - wanted to finance eye surgery. Conditions of detention for non-English speaking foreigner - late plea at arraignment.
17.	Drazkiewicz (43) NSWCCA 23.11.1993	Knowingly concerned in importation	165g	PG	8y NPP 6y	AA 7y NPP 4y 6m	nil	Importation from Thailand with 4 co-offenders - courier. Late plea - good character - discount for absence of remissions
18.	Ayoub (60) NSWCCA 10.3.1994	Possess	295.8g	PG	18mth to be released to recog after 9m	Crown AA 3y to be released to recog after 18m	nil	Female offender from Lebanon - sent heroin in package from Lebanon - intercepted and controlled delivery arranged - accepted delivery and signed - advised male that 'present' had arrived Agreed to co-operate with police against co-accused.

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19.	Lawless NSWCCA 24.6.1994 Co-offender: GURUNG	Possess	345g	VG	5y NPP 3y	AD	nil	2 Nepalese couriers made controlled delivery to offender - took possession of only 16g but regarded as part of wider intention - played significant part in intended distribution.
20.	Sukjai-Crawshaw NSWCCA 3.6.1994	Import	130.1g		6y NPP 4y	AA 4y NPP 2y 6m SJ did not have information about mental illness.		Swallowed heroin - courier. Gave some information to police but was of little assistance – suffering serious and chronic paranoid schizophrenia
21.	El-Khoury NSWCCA 30.9.1994	Import	99.9g	PG	6y NPP 3y 6m	AD		Female with drugs concealed by insertion into vagina- failed to discharge onus that it was for her own use. Middle aged woman from Lebanon entering on a 3 month visa - dependent children in Lebanon.
22.	Nguyen NSWCCA 6.10.1994	Import	250g	VG	8y NPP 5y	AD	prior for attempt import	Sentenced as “more than a mere courier” - drug hidden in shoe sole. Heroin addict
23.	Chaaroui NSWCCA 4.11.1994	Import	92.8g	PG	6y NPP 4y	AD		Paid \$20,000 to import drugs.
24.	Kiely NSWCCA 10.11.1994	Knowingly concerned in importation	409.1g	PG	9y NPP 4y	Crown AA Failure to give assistance 9y NPP 5y		Took delivery of drugs in Hong Kong – delivered to couriers
25.	Lama NSWCCA 4.8.1995	Attempt possess	Just under 1.5kg	PG (SI)	8y NPP 5y 2m (assistance)	AD		Collected drugs from courier to hold for principal. Without assistance sentence would have been 10y NPP 6y
26.	Schrei NSWCCA 24.11.1995	Import	18g	PG	FT 5y	AA 5y NPP 3y 6m		Refused to “pass” packages in his anal tract - courier.

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27.	Elchami (59) NSWCCA 15.12.1995	Import	548g	PG	7y NPP 5y	AD	nil	Lebanese man approached drug dealer to obtain ticket to visit son in Australia.
28.	Shlakht (1995) 82 A Crim R 92 VCA	Possess Possess trafficable cannabis resin	263.8g 4165.4kg	PG	7y NPP 5y 2y (concurrent)	AD		Police intercepted Russian sailor carrying heroin and resin – controlled delivery of small portion of heroin and resin to offender who subsequently met up with K - involvement greater than short period of possession Co-offender KRASNOV dealt with for import commercial qty heroin and trafficable qty resin.
29.	Rostom (32) (1995) 83 A Crim R 58 VCA	Import	128g	VG	6y NPP 4y	AA 4y NPP 2y 6m	nil	Appellant imported heroin secreted in towel Fresh evidence as to assistance
30.	Doan NSWCCA 27.9.1996	Import	170.8g	VG	6y NPP 3y 6m	AD		Female - no higher than courier - wore shoes with heroin concealed - possibly to receive a share of \$10,000.
31.	Zayat NSWCCA 22.11.1996	Import	165g	PG	FT 5y	AD		To be paid \$10,000 to go to Lebanon and bring back drugs.
32.	Le NSWCCA 22.11.1996	Import	570.3g	PG	7y NPP 4y 6m	AD		Female committed offence because of financial difficulties Some assistance to authorities.
33.	Lee (23)	Import	488g	PG	8y NPP 6y	AA 8y NPP 5y 3m	nil	Couriers arrested at airport - drugs concealed in chocolate bars and shoes. No connections to Australia - assistance to authorities.
	Ng (23) NSWCCA 20.12.1996	Import	301g	PG	8y NPP 6y	8y NPP 5y 3m	nil	
34.	Duffy (1996) 85 A Crim R 456 WACCA	Import	328g (78% pure)	PG	12y NPP 5y 3m	AD		Carried drugs in from Thailand secreted in leather folder – travelled with co-offender who was more senior Drug addiction – some assistance

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	Case (age if known)	Offence	Amount: pure	Plea	Result	Appeal	Record	Facts
35.	Bradley (1997) 137 FLR 314 NSWCCA	Import	140g		9y NPP 6y	AD	Significant record for drug convictions overseas	Imported heroin from Thailand using false passport – discussed possibility of taking heroin to New Zealand
36.	Maman (31) NSWCCA 27.3.1997	Import	461.8g	PG	9y	AA 8y NPP 5y	nil	Apprehended at airport - courier motivated by greed. Israeli with strong family ties in Australia.
37.	Lawson (18)	Import	320g	PG	3y 6m NPP 2y	Crown AA 6y NPP 3y 6m	nil	L and T recruited by W to be couriers – carried drugs internally - W to collect drugs when possible L - US national T - Burmese and British nationality Little that could be said in favour of W
	Wu (38)	Knowingly involved in import	666g	PG	9y NPP 6y	Crown AD	serious drug offences	
	Thapa (18) (1997) 98 A Crim R 463 NSWCCA	Import	346g	PG	3y 6m NPP 2y	Crown AA 6y NPP 3y 6m	nil	
38.	Mohyuddin (31) VSCA 13.10.1997	Att possess	74.8g	PG	3y 9m NPP 2y 6m	AD		Drug brought into Australia by courier internally – offender took delivery of drugs from courier at hotel - after arrest involved in controlled delivery to co-offender to receive \$10,000 for involvement Assistance – citizen of Hong Kong – wife and child in Hong Kong
39.	Lommahadthai NSWCCA 11.12.1997	3 x Knowingly concerned import	Not stated	PG	13y NPP 9y 6m	AD		Organiser of three importations – “organisational and entrepreneurial basis” - organised drugs, travel and payment and oversight of couriers
40.	Cohen (23) VSCA 11.5.1998	Import	293.27g	PG	4y 6m NPP 2y 6m	AD	nil	Israeli national – brought drugs in from Thailand concealed internally Cultural and religious isolation in custody – remorse – prospects of rehabilitation

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41.	Chai	Import	337.909g	PG	15y NPP 7y	AD	Nil	Malaysian married couple – drugs concealed internally or in clothes Second offence for Chai related to wife's offence
	Lim 28.5.1998 QCA	Knowingly concerned in import Import	131.038g 131.038g	VG	12y NPP 6y	AA 10y NPP 5y	Nil	
42.	Carmody (30) (1998) 100 A Crim R 41 VSCA	Knowingly import	61.2g	PG	2y	AA 2y	nil	Female – involved in importation with husband – trafficking offence related to heroin imported earlier by husband Hardship on young son – some assistance
		Trafficking	350g		<u>Total:</u> 3y NPP 2y	<u>Total:</u> 3y NPP 18m		
43.	Dodd (40)	Conspiracy to import	Small trafficable amount	PG	12y NPP 9y	AA 10y NPP 6y 6m	minor drugs, on parole	D and K went to Thailand to purchase heroin - D returned and K organised couriers - K apprehended at Bangkok - arrested in Sydney – D organiser – K intermediary.
	Kavinmethavee NSWCCA 30.6.1998	Conspiracy to import		PG	6y NPP 4y	4y NPP 2y 6m	nil	
44.	Chu NSWCCA 16.10.1998	Import	851.9g	VG	7y NPP 4y 6m	AA 6y NPP 3y 9m (assistance)		Courier - brought in two bottles of scotch with heroin inside - told police he was aware he was bringing in illegal substance - agreed to a controlled delivery which resulted in arrest of co-accused.
45.	Yu [1999] NSWCCA 6	Attempt possess	A little more than 1kg	PG (after 2 weeks of trial)	5y 4m NPP 3y 6m	Crown AD	conviction for possession drugs in Hong Kong	Heroin imported in carbon paper packed in glass pictures - arrived with co-offender to transport goods to Melbourne - courier.
46.	Huynh (20) [1999] VSCA 47	Possess Attempt possess	431g (63% purity)	VG	3y 5y NPP 4y (concurrent)	AD	Lengthy record – breached periodic detention for drug offence	Drugs brought into Australia by courier internally – appellant and three others collected drugs from courier from hotel room in controlled delivery

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47.	Gagliardi (33) (1999) 108 A Crim R 344 [1999] WASCA 126	Possess 3 x proceeds of crime offences	98g	PG	8y 15m Total: 8y NPP 4y 6m	AD	Nil in Australia	Italian – found in possession of heroin for purpose of sale – also found in possession of foreign currency - either imported drug or close to person who imported drug Addiction – HIV positive
48.	Campos [1999] NSWCCA 339	Possess Proceeds of crime	139.9g	VG	6y 8m NPP 4y 8m FT 18m (concurrent)	AA 5y NPP 3y FT 15m (concurrent)	nil	Female - found in possession of \$6,000 in handbag – heroin found in bedroom – over four months transmitted \$347,316.57 overseas in 31 transactions Assistance to authorities – good prospects of rehabilitation
49.	Tu [1999] NSWCCA 357	Possess	670g		9y NPP 6y	AA 6y NPP 4y	prior for deemed possession	2 parcels of heroin found in unit - minder Refugee with unfortunate employment history.
50.	Tamotsu (1999) 109 A Crim R 193 [1999] NSWCCA 400	Consp import Import	1,481.5g		7y 11y NPP 7y 6m (concurrent)	AA 7y 10y 3m NPP 6y 3m (concurrent)		Drugs found on offender as he came through customs - admitted he had done the same three months earlier. Co-offenders: SUGAHARA / WATANABE - import commercial
51.	Ha (28) [1999] NSWCCA 385	Knowingly involved in import Possess	317.9g 226.72g	PG	12y NPP 8y FT 4y (concurrent)	AA 10y NPP 6y 6m FT 4y (concurrent)	nil	Frequent traveller between Vietnam and Australia - sent heroin by post to Vietnam - more heroin found at house - sole operator or one of principals.
52.	Ngui (24) Tiong (48) (2000) 111 A Crim R 593 [2000] VSCA 78	Import Import	1.25kg	PG PG	5y NPP 4y 3m 5y NPP 4y 3m	AA 5y NPP 3y 4m AA 5y NPP 3y 4m		Drugs carried into country by offenders in tour group – drugs concealed in bottles containing 'cleaning' products and cavities in heels of shoes – participated in controlled delivery - couriers Both received discount for assistance

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53.	K (24) [2000] NSWCCA 200	Import	720.6g	PG	7y NPP 4y (40% discount for assistance)	AA 5y NPP 3y	nil - although previously acted as courier between Thailand and Indonesia	Arrested at airport with heroin in suitcase - participated in controlled delivery to principal - courier.
54.	Huang (2000) 113 A Crim R 386 [2000] NSWCCA 238	Attempt possess	809.5g	PG	8y NPP 5y	AD	nil	Took delivery of heroin imported by co- offender at Hotel - courier. Family hardship - difficulty in gaol because foreigner.
55.	Olbrich (58) (2000) 117 A Crim R 326 [2000] NSWCCA 389	Import	1184g	PG	8y 6m NPP 6y	AA 8y 6m NPP 5y		Imported heroin in luggage - no evidence of position in drug organisation - paid \$15,000 to import drugs. Cooperation with police. Appeal allowed to take into account effect of long appeal process on conditions of incarceration
56.	Goder (48) [2000] WASCA 315	Consp import Consp import Knowingly concerned import	25g (purity unknown) 55g (purity unknown) 70g	PG VG	6y 7y 9y <u>Total:</u> 16y	AD	extensive	Drugs brought in by three couriers on separate occasions from Indonesia concealed in vagina – arranged and paid for by offender
57.	X (44) [2000] WASCA 355	Import	224.2g	PG	7y 4m NPP 5y	AA 7y 4m NPP 4y 9m	nil	Imported drugs internally – courier Some assistance
58.	Le (44) [2000] QCA 129	Att possess	800g	PG	12y NPP 4y	AD	nil	Co-offender imported drugs in frozen fish – controlled delivery of portion of drugs imported to offender Good work history

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59.	Karacic (2001) 121 A Crim R 7 [2001] NSWCCA 12	Attempt possess	453.8g	PG (11% on appeal)	10y NPP 7y	AA 8y NPP 5y	no gaol	Attempted to take delivery of drugs sent from Hong Kong to computer company - used letterheads and postal address of uninvolved company to take delivery of drugs - greater than mere courier.
60.	Nguyen (35) (2001) 118 A Crim R 519 [2001] WASCA 72 (2001) 160 FLR 284 [2001] WASCA 119	Attempt possess Possess	136.4g	VG	8y NPP 3y 7m	AA 5y GBB		Drugs sent from China in jewellery box - female offender aware drug had been sent and signed to receive package – importation organised by husband who was a drug addict – offender would receive no profit from importation Effect of imprisonment on children (Case adjourned to second date to finalise sentence after successful appeal)
61.	Bugeja [2001] NSWCCA 196	Possess Supply methylamphet	139.8g 21.6g	PG	9y NPP 6y 6m FT 3y (concurrent)	AA 8y NPP 5y 3m FT (concurrent)	Drug offence	Drugs found in appellant's house – actively involved in drug supply in community
62.	Radebe (2001) 122 A Crim R 559 [2001] WASCA 254	Import	229.7g	PG (25% on appeal)	10y NPP 5y 6m	AA 9y NPP 4y 9m		Female – courier – imported drugs from South Africa in package hidden in pants
63.	Thom (49) (2001) 126 A Crim R 196 [2001] WASCA 322	Import Possess false passport	225g	PG (35% plea and assist)	8y 6m NPP 5y 6m FT 1y (concurrent)	AA 8y 6m NPP 4y 3m FT 1y (concurrent)	Drug offence	Brought drugs into Australia secreted in suitcase - attempt made at controlled delivery

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64.	Ma (34) (2001) 125 A Crim R 349 [2001] WASCA 325	Att possess Att possess Att possess	Total of 88.5g (70% purity)	PG (38% plea and assist on appeal)	5y NPP 2y 6m 5y NPP 2y 6m 5y NPP 2y 6m (concurrent)	AA 4y NPP 2y 4y NPP 2y 4y NPP 2y (concurrent)		Cards mailed from Hong Kong contained drugs – mailed to different addresses – offender successfully retrieved envelopes from three addresses
65.	Festus (30) [2002] WASCA 25	Possess Currency offence	273.1g	PG (25% plea and assist)	9y 1y <u>Total:</u> 10y	AD	nil	Heroin found in tool box after return from overseas trip – failed to declare \$US69,000 found in luggage upon leaving overseas Childhood of great hardship in Liberia – involved in heroin trade because of debt incurred in leaving Liberia and threats to family – agreed to sell heroin to repay debt – remorse and co-operation – good prospects of rehabilitation
66.	Gooch Pierce [2002] NTCCA 3	Import Knowingly concerned import	254.1g	PG PG	6y NPP 4y 6y NPP 4y	AD	Nil Prior for drug trafficking	De facto couple – P (female) brought in heroin in false bottom in suitcase – both had travelled to Thailand and purchased heroin Heroin users
67.	Nguyen (2002) 131 A Crim R 341 [2002] WASCA 181	Knowingly concerned import Attempt poss	134.8g	VG	12y NPP 7y 12y NPP 7y (concurrent)	AD	nil	Drugs sent by package secreted in bottles of hair conditioner – offender had arranged posting of drugs in Hong Kong and then took delivery of package in Australia – controlled delivery after drugs imported
68.	Auv (23) [2002] NSWCCA 375	Import	242.2g	PG	8y 6m NPP 6y	AA 7y 6m NPP 5y	nil relevant	Male – principal - facts not stated. Assistance to police about importation of heroin into Australia from Cambodia.
69.	Tanudjaja [2002] NSWCCA 467	Import	344g	PG	6y NPP 3y	AD		Female - financially difficult circumstances - remorse - model prisoner - suffering severe depression

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70.	Besodi (over 50) [2002] NSWCCA 452	Attempt possess	14.6g	VG	8y NPP 5y	AA 6y NPP 3y 9m	nil	Took delivery of package containing heroin - organiser Afghan - well established business - prominent community work
71.	Bousehjin (38) (2003) 140 A Crim R 310 [2003] NSWCCA 86	Possess	720g	PG	8y NPP 5y 4m	AD	nil	Picked up drugs from courier at hotel in controlled delivery- higher than courier Iranian - suffering substantial back injury
72.	Ntsele (2003) 141 A Crim R 33 [2003] NSWCCA 111	Attempt possess heroin Possess cocaine	311.9g 1,307g	PG (20% assist and other on appeal)	6y NPP 3y 2m 6y NPP 3y 2m (concurrent)	Crown AA 6y NPP 4y 8y NPP 4y (concurrent)		Took possession of heroin from co-offender - cocaine found in police search of premises - higher level of involvement than co-offender Delay in instituting appeal - discount for assistance too high
73.	P (31) [2003] WASCA 180	Import	214.9g	PG (40% plea and assist)	7y 6m NPP 5y	AD	nil	Romanian national – agreed to carry drugs to repay debt – threats against family – drugs secreted in underpants and heels of shoes No addiction – some assistance
74.	Parry (38) [2003] WASCA 222	Knowingly concerned import	224.4g	VG	10y NPP 5y 6m	AD		English national - drugs imported from Thailand by courier – supervised courier in Thailand and made arrangements to meet in Australia Suffering Hept C. – isolation in custody
75.	T H N [2004] VSCA 7	Import	Just under 500g	PG	5y 6m NPP 3y	AA 4y NPP 2y		Female Fresh evidence as to assistance – no further details
76.	Chew [2004] NSWCCA 26	Import	71.8g	PG	6y NPP 4y	AD		Ingested heroin – more than courier
77.	Chew (22) [2004] NSWCCA 132	Import	303.5g	PG (35% plea and assist)	6y 6m NPP 4y 6m	AA 5y 3m NPP 3y 3m	Nil	Courier carrying drugs internally Malaysian – prior good character – assistance - parity

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78.	Le (43) [2004] VSCA 111	Import Trafficking	See facts	PG	5y NPP 3y 3y 6m NPP 2y 6m Total: 7y NPP 5y	AD	trafficking	Arranged for and received shipment of heroin on four occasions concealed in electronic speakers – total weight of mixture was 336g – 52g pure intercepted in fourth delivery – drugs sold to co-offenders for supply to their customers - facilitator
79.	Dang (25) [2004] NSWCCA 265	Attempt possess	92g	PG (25%)	7y 6m NPP 5y	AD	Failure to report excess currency	POST 16G REPEAL Package forwarded to offender from Vietnam intercepted by customs officers - contained four packages of heroin concealed in two hardcover books – street value \$176,400-\$223,440. Offender on expired student visa.
80.	Dang (40) [2004] NSWCCA 269	Import	218.6g	PG (25%)	6y 6m NPP 4y 4m	AD	Nil relevant	Returned to Sydney after a trip to Vietnam - heroin concealed in shoes – courier Vietnamese background
81.	Mas Rivadavia (21) El Akkaoui (22) Aksu (24) (2004) 149 A Crim R 1 [2004] NSWCCA 284 Co-offender: KARDOULIAS	Consp import Consp import Att possess	708.5g	PG (15%) PG (15%) PG (15%)	6y 9m NPP 4y 3m 6y 9m NPP 4y 3m 4y 3m NPP 2y 6m	Crown AA 8y 3m NPP 5y 3m 8y 3m NPP 5y 3m Crown AD	Nil Nil minor	POST 16G REPEAL Importation from Hong Kong – controlled delivery – co-offender sentenced for attempt possess RMR – employee of FedEx – responsible for passing messages and advising re progress of packages – after arrest suffered depression with psychotic features – favourable prospects of rehabilitation RA – passed messages and supervised collection of package - favourable prospects of rehabilitation

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82.	Mirzaee (59) [2004] NSWCCA 315	Import	578g	PG (25%)	9y NPP 6y	AA 9y NPP 4y 6m	Nil	POST 16G REPEAL Imported drugs from Iran – courier Financial hardship – heart problems – isolation from family - erroneously took into account probable importation
83.	Bezan (44) (2004) 147 A Crim R 430 [2004] NSWCCA 342	Import	260g	VG	5y 6m NPP 3y 3m	Crown AA 8y NPP 5y	Nil	POST 16G REPEAL Drugs secreted in chessboard - principal
84.	Ogochukwu [2004] NSWCCA 473	Knowingly concerned in import	217.9g	VG	7y 4m NPP 5y	AD	Nil	POST 16G REPEAL Took delivery of heroin mailed from Thailand – facilitated delivery Prior good character
85.	Kaldor (57) (2004) 150 A Crim R 271 [2004] NSWCCA 425	Import	479.3g	VG	3y 4m NPP 2y	Crown AA 7y NPP 4y	Minor - no prison	POST 16G REPEAL Heroin imported from Vietnam in a guitar
86.	A (42) [2004] NSWCCA 292	Import	316.9g	PG	7y NPP 4y 6m	AD	Irrelevant	POST 16G REPEAL Vietnamese born female imported heroin in shoes for \$20,000 – courier at lowest end of importation Substantial and beneficial assistance – sad and different life – isolation in custody – back condition

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87.	Zaydan (40)	Knowingly concerned import	208.9g	VG	7y	AD	Drug offences	Heroin imported from China hidden in two packages in books – controlled delivery – merchants or principals who arranged for heroin to be sent and awaited arrival of packages intending to be involved in distribution – equal roles When heroin did not arrive involved in trafficking of ephedrine for purpose of making amphetamines – Z involved in arranging for drugs to be sent in 4 packages – one package intercepted and contained 1.596kg pure ephedrine – another package probably contained the 404g (pure) found in possession of Z – B had lesser role in trafficking trying to find buyers Z – Lebanese – mental problems resulting from torture as a 16y in Lebanon – suffering PTSD – drug abuse
		Knowingly concerned import	449.2g		8y			
	Traff ephedrine		PG	3y				
					<u>Total:</u> 11y NPP 9y			
87.	Bava (40) [2004] VSCA 245	Knowingly concerned import	208.9g	VG	7y	AA 7y	Armed robbery	
		Knowingly concerned import	449.2g		8y	8y		
	Traff ephedrine		PG	1y		1y		
					<u>Total:</u> 10y 6m NPP 8y 6m	<u>Total:</u> 10y NPP 8y		
88.	Kardoulias (35) (2005) 159 A Crim R 252 [2005] NSWCCA 150 Co-offenders: MAS RIVADAVIA EL AKKAQUI	Consp to import	708.5g	VG	13y 6m NPP 8y 6m	AD Crown AD	Drug offences	POST 16G REPEAL Involved in conspiracy where heroin sent in packages from Hong Kong - principal

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	Case (age if known)	Offence	Amount: pure	Plea	Result	Appeal	Record	Facts
89.	Do (49) [2005] NSWCCA 258	Import	478.4g	VG	8y NPP 5y	AD	Nil	POST 16G REPEAL Vietnamese female brought drugs secreted in shoes – paying off gambling debt Tragic childhood - Retrial
90.	Pham (27) [2005] NSWCCA 314	Import	244.6g	PG (25%)	9y NPP 5y 6m	AA 8y NPP 4y 6m	Record	POST 16G REPEAL Brought in heroin from Bangkok – low level importer Suffering psychological condition resulting from car accident – reasonable prospects of rehabilitation
91.	Thi Thai	Att possess	221.7g	VG	3y 1d NPP 1y	AA 2y 6m NPP 271d (immediate release)	Nil	P.Thai mailed drugs in parcel to wife (T.Thai) – drug secreted into photo albums – controlled delivery P.Thai – organiser and principal – commercial motive – Cambodian national although Australian citizen T.Thai – Courier – under domination of husband - Cambodian national – good prospects of rehabilitation – nil drug use – impact on children
	Phenny Thai (29) [2005] VSCA 283	Import		PG	5y 6m NPP 4y	AA 5y 3m NPP 3y 6m	Nil	
92.	De Campos (44) [2006] NSWCCA 51	Import	280.2g	PG (25% plea and assist on appeal)	8y NPP 5y	AA 7y 6m NPP 4y 6m		POST 16G REPEAL South African woman imported drugs internally – seeking money to support mother Discount should be given for offer to assist
93.	Sandford (65) [2006] VSCA 110	Import	396.7g	VG	6y NPP 3y 6m	AD		Counselled and procured – recruited courier on behalf of others – drugs imported from Vietnam Health problems
94.	Vo	Consp import	678.4g	PG	9y NPP 6y	Crown AA 10y NPP 6y 6m		POST 16G REPEAL Vo was principal in organisation involved in importing heroin from Vietnam – employed persons to recruit drug couriers. Tran was Vo's partner – acted as assistant Appeal: failure to provide promised assistance
	Tran [2006] NSWCCA 165	Consp import			6y NPP 2y 6m	6y 8m NPP 2y 10m		
95.	Le (40) [2006] NSWCCA 136	Import	117.6g	PG (25%)	7y 6m NPP 5y	AD	Nil	POST 16G REPEAL Female imported drugs internally from Singapore Deprived background – hardship to children

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	Case (age if known)	Offence	Amount: pure	Plea	Result	Appeal	Record	Facts
96.	Mohlasedi (33) [2006] WASCA 267	Import	1.4618kg	VG	18y NPP 10y	AD		Flight attendant from South Africa imported drugs on body and sewn into clothing in luggage – commercial gain Effect of imprisonment on family
97.	Okafor [2007] NSWCCA 147	Attempt possess	108g	VG	6y NPP 4y	AD	Good character	POST 16G REPEAL Attempted to collect package containing drugs from post box
98.	Mirza (35) [2007] NSWCCA 257	Import	313.7g	PG (25%)	9y NPP 5y	AD	Nil	POST 16G REPEAL Heroin found in packaged taped to feet – left Australia for purpose of importing drugs Financial difficulty
99.	Perrier	Consp import	208.4g	VG	(Life)	(AD - died)	Significant prior conviction	Imported by courier from Nepal – importation organised by Perrier – Perrier died from cancer before appeal completed
	Pop	Consp import		VG	7y 6m NPP 5y 6m	AD		
	Tilley [2008] VSCA 97	Consp import		VG	7y NPP 5y	AD		

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