

Manufacture Amphetamines / Methylamphetamines

Less Than Commercial Quantity

s.24(2) (NSW) Drug Misuse and Trafficking Act

s.24(1) Manufacture or produces, or knowingly take part in manufacture or production of prohibited drug

Commercial Quantity: 250gm

Maximum Penalty: 15 years – s.33(1)

| CASE | OFFENCE | AMOUNT | PLEA | ORIGINAL SENTENCE | APPEAL | RECORD | FACTS |
|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------|-------------------------------------------------------------|--------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ayoub [2001] NSWCCA 241 | Knowingly take part in manufacture methylamphetamines Supply methylamphetamines Supply cocaine Shed: Unlawful possession of ammunition | 189g 14g | PG | 4y NPP 3y 4y 4y (each count concurrent) | AD | | Laboratory found in shed at premises – contained chemicals used in manufacture of drugs including 13,000 Sudafed tablets – methylamphetamine and cocaine and hollow-point revolver ammunition also in shed |
| Karabatsos (32) [2002] NSWCCA 526 | Knowingly take part in manufacture methylamphetamines | | PG (25%) | 5y NPP 3y 9m | AA 3y NPP 2y | minor | Found in possession of material for manufacture of methylamphetamine including pseudoephedrine – pseudoephedrine had capacity to produce 117g pure methylamphetamine – manufacturer and principal – financial profit only |

This table has been prepared by the Public Defenders as a guide. Individual cases should be read if they are to be relied upon.

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| Tolley (36) [2004] NSWCCA 165 | Knowingly take part in manufacture methylamphetamines Sched: Knowingly take part in manufacture Possess unregistered firearms | | PG | 2y (suspended) | Crown AA 2y NPP 1y | Minor matters | Found in laboratory in shed on parent's property – 246 pseudoephedrine tablets – 2 years earlier found in possession of 77g methylamphetamine and two rifles – permitted premises to be used |
| Williams (39) (2005) 156 A Crim R 225 [2005] NSWCCA 355 | Manufacture methylamphetamines Possess precursor Supply methylamphetamines Possess prohibited weapon Sched: Supply methylamphet | | PG (25%) | 8y NPP 4y (global sentence) | AA 6y NPP 3y 3m FT 2y 6y NPP 3y 3m FT 18m (concurrent) | Lengthy record | Manufactured dug from home laboratory – found in possession of 84.9g low purity methylamphetamine, Sudafed tablets and replica pistol – telephone transcripts show agreed to supply 75.3g methylamphetamine Extremely disturbed childhood with psychiatric problems and sexual abuse – continues to suffer psychiatric symptoms – effect of imprisonment on psychiatrically disturbed son |
| Langham (48) [2006] NSWCCA 306 | Manufacture methylamphetamines Supply methylamphetamine Sched: Incite possess precursor | | PG | 3y 4m NPP 2y 6m 2y NPP 18m <u>Total:</u> 4y NPP 3y 6m | AD | Drug related offences | Partially dismantled laboratory with 1541g mixture containing pseudoephedrine and methylamphetamine found at premises – 9mths later involved in supply of methylamphetamine – empty decongestant packets found at premises – expected manufacturing process to produce 75g pure methylamphetamine Drug addicted |
| Salafia (39) [2015] NSWCCA 141 | Manufacture methylamphetamines | 31.6g | PG (10%) | 3y 6m NPP 2y 2m | AD | Affray | Significant role – upper management – police surveillance recorded conversations related to manufacture of drug – police search of site revealed numerous items related to manufacture of drug - manufactured drug found in four items in liquid form – 31.6g purity 100%. Supportive family – employed. |

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