

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
1.	Ayoub [2001] NSWCCA 241	Knowingly take part in manufacture methylamphet Supply methylamphet Supply cocaine Shed: Unlawful possession of ammunition	189g 14g	PG	4y NPP 3y 4y 4y (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
2.	Karabatsos (32) [2002] NSWCCA 526	Knowingly take part in manufacture methylamphet		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
3.	Tolley (36) [2004] NSWCCA 165	Knowingly take part in manufacture methylamphet 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

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

	CASE	OFFENCE	AMOUNT	PLEA	ORIGINAL SENTENCE	APPEAL	RECORD	FACTS
4.	Williams (39) (2005) 156 A Crim R 225 [2005] NSWCCA 355	Manufacture methylamphet Possess precursor Supply methylamphet 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
5.	Langham (48) [2006] NSWCCA 306	Manufacture methylamphet 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
6.	Salafia (39) [2015] NSWCCA 141	Manufacture methylamphet	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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	CASE	OFFENCE	AMOUNT	PLEA	ORIGINAL SENTENCE	APPEAL	RECORD	FACTS
7.	Meis (43) [2022] NSWCCA 118	Supply methylamphet Manufacture methylamphet s.166 2 x s.24A(1)(a) possess precursor	24.58g 1g	PG (25%) PG (5%)	<u>Indicative</u> 2y 7m 2y 11m <u>Aggregate:</u> 3y 3m NPP 1y 8m	AA <u>Indicative</u> 2y 6m 21m 9m <u>Aggregate:</u> 3y NPP 1y 6m	Drug supply offence in 2008 – bond	With co-offenders conducted manufacturing in garage of offender's home over 12 months – found in possession of drug after agreement to supply to UCO – below range offences - 4kg iodine and 10kg hypophosphorus acid found in search of offender's home – mid range offences Born in Argentina – strong subjective case – became involved in drugs after series of family tragedies – ongoing back pain from accident – genuine remorse – reasonable prospects of rehabilitation On appeal: error in treating record as aggravating factor

Last updated: June 2022