

Supply Amphetamines / Methylamphetamines

Large Commercial Quantity

s.25(2) (NSW) Drug Misuse and Trafficking Act

s.25(2) Supply or knowingly take part in supply of large commercial quantity of prohibited drug

Large commercial quantity:

Amphetamines - 1kg / Methylamphetamines – 500g after 1.9.2015

Maximum Penalty:

Life – s.33(3)

Standard Non-Parole Period

15 years (offence committed on or after 1.2.2003)

CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Bera (2001) 119 A Crim R 552 [2001] NSWCCA 205	Supply lge comm qty methylamphet Knowingly take part in supply comm qty methylamphet	1.885kg	VG PG	7y NPP 4y FT 3y (concurrent)	Conviction AD		Drugs found in car driven by appellant - involved in extensive drug manufacture and supply organisation (Kalache)
Wardini [2003] NSWCCA 249	Aid, abet, counsel, procure, solicit and incite supply lge comm qty methamphet	Not stated	PG	2y NPP 18m (PD)	Crown AD	Nil	Few facts - strong subjective features – pressured into offence to discharge considerable business debts – did not initiate offence Good character evidence – real remorse – inordinate and inexcusable delay
Hejazi (32) [2003] NSWCCA 383	Supply lge comm qty methamphet Supply comm. qty methamphet Sched: 5 x supply Supply comm. qty	1347.6g 274.9g	PG (15%)	9y NPP 6y FT 4y (concurrent)	AD	Lengthy – breached bond and parole	Supplied to undercover police officers – in business of supply Heroin addict – protection – reasonable prospects of rehabilitation – no parity

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Naim [2006] NSWCCA 289	Supply lge comm qty methamphet Supply less comm qty methamphet Sched: Supply ketamine	1244.3g	PG	9y NPP 6y FT 2y (concurrent)	AD	Breached bond for drug offence	SNPP 15 years Two discrete transactions on two separate days
Hamieh (24) [2007] NSWCCA 277	Supply lge comm qty methamphet Sched One offence	2.1kg	PG	11y NPP 7y	AA 7y 9m NPP 5y 2m	Breached bond	SNPP 15 years Supplied to co-offender from South Australia – not supplying on own behalf Depression – parity
Ly [2008] NSWCCA 262	Supply lge comm qty methamphet Sched: 3 offences	1101.22g	PG (25%)	12y NPP 8y	AD	Priors	SNPP 15 years Found in possession of money, many mobile phones, supply paraphernalia and drugs – admitted supplying for money – mid-range seriousness
Vigo [2009] NSWCCA 98	Supply lge comm qty methamphet	Over 40kg	VG	16y NPP 12y	AD		Purchased drugs over many years for on selling Poor prospects of rehabilitation – effect of incarceration on young child
Efstathiadis (27) [2009] NSWCCA 319	Supply lge comm qty methamphet	1.980kg	PG (10%)	14y NPP 10y	AD	Drug offence	SNPP 15 years Observed supplying drugs to third person in car park with co-offender – participant in drug network Good prospects of rehabilitation
Mahmud (26) [2010] NSWCCA 219	Supply lge comm qty methamphet Unauthorised possession 3 or more firearms Sched: Firearms offences	1.78kg	PG (17.5%)	6y 6m NPP 3y 6m <u>Total:</u> 7y 6m NPP 4y 6m	Crown AA 9y NPP 6y 6m <u>Total:</u> 10y NPP 7y 6m	Firearm offences	SNPP 15 years Firearms and ammunition found in car during police search – firearms and drugs subsequently found in house occupied by offender – stored drugs for others – below mid-range Drug addiction

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Briggs (30) [2010] NSWCCA 250	Supply lge comm qty methylamphet Summary offences	4284.5g	PG (35%)	9y 9m NPP 8y	AA 9y 9m NPP 7y 3m	Not significant	SNPP 15 years Found asleep in car suffering effects of drug and in possession of \$295,100 and drug paraphernalia – drug subsequently found in house – involved in trafficking to substantial degree Chronic drug addiction – genuine remorse – prospects of rehabilitation
Achurch [2011] NSWCCA 186 [2013] NSWCCA 117	Supply lge comm qty methylamphet Supply Ecstasy Supply comm qty Ecstasy	2.6kg 108.7g 1,000 pills	VG	13y NPP 5y <u>Total:</u> 14y NPP 6y	Crown AA 16y NPP 11y <u>Total:</u> 18y NPP 13y <i>Muldrock AD</i>	Lengthy record	SNPP 15 years A principal in ongoing commercial operation – provided drugs to co-offenders who sold to undercover police officers – sold 400 pills of ecstasy – offers to supply further 1000 pills – methylamphet found in former premises of offender – mid range offence Suffering serious medical conditions
Ehrlich (35) [2012] NSWCCA 38	Supply lge comm qty methylamphet	1.615kg	PG (35% plea and assist)	6y 6m NPP 4y 10m	Crown AD	Record	SNPP 15 years A principal in drug syndicate operating between NSW and WA – not sophisticated – 9 supplies over 3 months Gambling and drug debts – remorse – reasonable prospects of rehabilitation
Hill (38) [2012] NSWCCA 265	Supply lge comm qty methylamphet		PG (25%)	6y NPP 4y	AA 3y NPP 2y	Nil	SNPP 15 years Acted as “go-between” between supplier and buyer – offences took place at offender’s residence. Strong subjective circumstances – prior good character – employed – strong work ethic – assistance to authorities.

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AMZ (24) [2013] NSWCCA 6 [2017] NSWCCA 184	Supply lge comm qty methylamphet	6kg	PG (55% plea and assist)	9y NPP 6y	Second AA 7y NPP 4y 6m		SNPP 15 years Involved in organised criminal syndicate over 6 months Second appeal heard and allowed after application under Part 7 of the <i>Crimes (Appeal and Review) Act</i> 2001 - parity
	Supply lge comm qty methylamphet	6kg		9y NPP 6y	7y NPP 4y 6m		
	Supply lge comm qty methylamphet	6kg		9y NPP 6y	7y NPP 4y 6m		
	Supply lge comm qty methylamphet	10kg		11y NPP 7y	8y NPP 5y		
	Supply lge comm qty heroin	1.05kg		6y NPP 4y	4y 6m NPP 2y 6m		
	Participate criminal group			FT 2y	FT 1y		
	Sched: 2 offences			<u>Total:</u> 13y NPP 9y	<u>Total:</u> 12y NPP 8y		
Eckersley [2013] NSWCCA 219	Supply lge comm qty methylamphet	See facts	PG	<u>Total:</u> 21y NPP 14y	AD		SNPP 15 years 'Very significant and managerial organisational' role in two distinct manufacturing ventures – one laboratory held records relating to sale of \$617,000 drugs and 2.145kg methamphet – second laboratory held raw product for 250,000 tablets – offences extended over 12 months
	Knowingly take part in manufacture lge comm qty methylamphet						
	Knowingly take part in manufacture lge comm qty ecstasy						
	Sched: 4 drug offences						

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White (37) [2013] NSWCCA 242	Supply lge comm qty methylamphet Sched: 7 offences	3.33kg (low purity – pure form 195g only)	PG (25%)	9y 9m NPP 3y 6m	AD	minor	SNPP 15 years Involved in supply – street value around \$300k- \$400k – just below mid-range objective seriousness. Substance abuse
Cidan [2014] NSWCCA 66	Supply lge comm qty methylamphet Sched: Supply comm qty heroin Dealing with proceeds of crime Sched Proceeds of crime	2.270.8gm 894.8g	PG (12.5%)	7y NPP 3y 4y 4m NPP 2y <u>Total</u> 8y NPP 4y	Crown AA 9y NPP 4y <u>Total</u> : 9y NPP 6y		SNPP 15 years Drugs found in storage unit – deemed supply – opened account using false identity and deposited \$213,687 - \$348,350 found in storage unit – sole trader with fairly large scale operation Suffered poor treatment as a Kurd in Iran Sentences partially accumulated to sentences imposed for opium offences – total sentence: 15y NPP 10y
Baquiran [2014] NSWCCA 221	Supply lge comm qty methylamphet Supply comm qty methylamphet Sched: Participate in criminal gp	1kg 321.3g	PG (25%)	12y NPP 7y 5y 6m NPP 3y 6m <u>Total</u> : 12y NPP 8y	AA 10y NPP 6y 8m 5y 6m NPP 3y 8m <u>Total</u> : 10y NPP 6y 8m		SNPP 15 years Involved in drug syndicate operating from business owned by offender and ex-wife – sales made to undercover officer
Li (32) [2014] NSWCCA 327	Knowingly take part in supply lge comm qty methylamphet Conspiracy to supply lge comm qty methylamphet Sched: Proceeds of crime	24.9782kg 5kg	PG (15%)	9y NPP 4y 6m 6y NPP 3y (concurrent)	Crown AA 10y NPP 7y 6m 7y NPP 4y 4m (concurrent)		SNPP 15 years Recruited from Hong Kong to work for criminal organisation – paid \$11,400 per month – courier equivalent – acted on telephone instructions from controller – sought to withdraw

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Lam Chun Lok (20)	Supply lge comm qty methylamphet	2.2 kg	PG (15%)	6y 9m NPP 4y 6m	AD		SNPP 15 years Brothers - Involved in substantial drug operation with co-offender BJ – drugs found by police at residence leased by CKL CLL not principal but above CKL and BJ – intermediary passing on messages and directing CKL and BJ - drug addiction CKL - took direction from older brother CLL and others and performed menial tasks - lesser culpability - remorseful, at low risk of re-offending, good prospects of rehabilitation - drug addiction
Lam Chun Kit (19) [2015] NSWCCA 87	Supply lge comm qty methylamphet			5y NPP 3y	AD		
J.Toole (27)	Supply lge comm qty methamphet	6.0488kg	PG (25%)	13y NPP 8m	AD		SNPP 15 years Rolled up charges representing number of transactions over several months - significant drug trafficking – JT in position of supervision and higher role – KT involved in more transactions – people working on their behalf – premeditated and sophisticated offences - proceeds offence represented \$200,000 cash found in deposit box at bank – intimidation offence represented entering land with friends and smashing glass door and windows after earlier altercation with victim
	Knowingly take part in supply comm qty cannabis	95.398kg		FT 3y			
	s.193B(1) Proceeds of crime			FT 3y			
	Sched: minor offences			<u>Total:</u> 14y NPP 9y			
K.Toole (20) [2014] NSWCCA 318	Supply lge comm qty methamphet	1.0055kg	PG (25%)	9y 9m NPP 6y		more significant – breached parole	
	Supply cannabis leaf	17.2kg		FT 2y 6m			
	Enter land with intent to intimidate			FT 3y			
	Sched: damage property by fire			<u>Total:</u> 10y 9m NPP 7y			

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Plaisted (34) [2015] NSWCCA 287	Knowingly involved in supply lge comm qty methylamphet Knowingly involved in supply lge comm qty heroin	21.807kg 1kg	PG (25%)	14y NPP 9y 4y NPP 2y (concurrent)	AA 11y NPP 7y	Minor – stealing - drive mid-range PCA	SNPP 15 years As employee of transport company arranged transportation of drugs from Sydney to Perth on behalf of a drug syndicate Previous drug and alcohol abuse - very difficult upbringing On Appeal - limited nature of role – impossible to conclude that offender derived any large profits from participation.
Hatzisavvas (43) Lopez-Rios (36) [2016] NSWCCA 147	2 x supply lge comm qty methylamphet 2 x supply lge comm qty methylamphet	1kg 13.384kg	PG (33% plea and assist) PG (25%)	8y 3m NPP 5y 9y NPP 5y 6m	Crown AA 11y NPP 7y 11y 9m NPP 7y 6m	Minor limited	SNPP 15 years Sold 1kg of drugs for \$190,000 to undercover – below mid-range - two months later 13.384kg drugs found in shared apartment – mid-range - L slightly higher culpability Both drug users
Wang (51) [2016] NSWCCA 161	Supply lge comm qty methylamphet Supply comm qty methylamphet	9968.5g 995.7g	PG (25%)	10y NPP 7y 6y NPP 4y 2m <u>Total:</u> 12y NPP 8y 6m	AA <u>Total</u> 11y 6m NPP 7y 9m	Minor	SNPP 15 years Sold 995.7g drugs to undercover at request of co-offender – subsequently brought 9968.5g for sale to UCO – above mere courier but under directions of co-offender – conducted negotiations, counted money and delivered drugs – financial reward Parity on appeal
Zolfonoon (47) [2016] NSWCCA 250 Co-offender: SALEH DASHTI	Supply lge comm Supply lge comm heroin Sched: 3 x possess	9kg 3.5kg	PG (25%)	 <u>Total</u> 10y 9m NPP 4y	Crown AA 15y NPP 8y 6m 10y NPP 6y <u>Total:</u> 15y NPP 10y		SNPP 15 years Supplied drugs in multiple transactions over nearly 2 years – one of several middlemen – below mid-range – personal financial gain Iranian born – good prospects of rehabilitation

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Medd (early 40s) [2016] NSWCCA 216 [2018] NSWCCA 36	Supply lge comm qty methylamphet Knowing take part in supply lge comm qty methylamphet	1096.91g 2kg	PG (35% total on 2016 appeal) (20% total on 2016 appeal)	<u>Indicative:</u> 3y 6m NPP 2y 7m 4y 2m NPP 3y 1m <u>Total:</u> 4y 8m NPP 3y 6m	Crown AA <u>Total:</u> 9y 4m NPP 7y Crown AA <u>Total:</u> 9y 10m NPP 7y 4m	mal wounding and dishonesty offences	SNPP 15 years Sourced and provided drug for co-offender who made deal with under cover operant – arranged for supply to co-offender of 2 kg from different supplier – intermediary organising supply On 2016 appeal – discounts excessive On 2018 appeal - failure to provide assistance.
Dashti (middle aged) [2016] NSWCCA 251 Co-offender ZOLFONOON	Supply lge comm methylamphet Supply lge comm opium Agree to supply lge comm qty heroin Sched: 3 x supply 2 x proceeds	47.56kg 49.85kg 2kg	PG (15%)	20y 15y 15y <u>Agg</u> 20y NPP 12y	Crown AA 26y 8m NPP 20y 23y 4m NPP 17y 6m 14y NPP 10y 6m <u>Agg</u> 28y 8m NPP 21y 6m	Nil	SNPP 15 years A principal in business of supplying drugs – supplied heroin eventually sold by Zolfonoon – used three storage units to store drugs imported from Iran – search found drugs and \$750,000 Iranian born – first time in custody – isolation and language difficulties in custody

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Baias (58) [2016] NSWCCA 269	Supply lge comm methylamphet	1,094.5g	VG (20% for trial)	5y 11m NPP 4y	AD	Number of supply drugs offences, some relating to heroin.	SNPP 15 years Not at apex of criminal hierarchy but far beyond street dealer, factotum, or other pawn - made arrangements for drug equipment - collected cook from airport - organised premises and lab for drug preparation - assisted in shopping for items and present during preparation – role in sourcing drug albeit believing it to be precursor. Heroin offences - supplied to police undercover for hundreds of thousands of dollars. Committed offences to repay loan.
	Knowingly take part in manufacture comm qty methylamphet		VG (25% for offer)	FT 1y 7m			
	Supply lge comm heroin	1,049.98g	PG (25%)	5y 6m NPP 3y 9m			
	Supply comm qty heroin						
	Sched: Supply drugs	613g	PG (25%) (10% for assist)	5y 10m NPP 4y <u>Aggregate:</u> 11y NPP 7y 6m			
Saleh (26) [2016] NSWCCA 317	Supply lge comm methylamphet	2kg	PG (10%)	4y 11m NPP 3y 8m	AD	Minor drug possession offences.	SNPP 15 years Involved with co-offenders in supply to undercover operative - sought out supplier – participated in meeting at own home with co-offenders - participated in other meetings - expected some personal benefit from transaction - part of motivation was to assist uncle who had asked offender to find supplier. Commendable employment record - evident employability - support of family – reasonable rehabilitation prospects – remorse

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
HL [2017] NSWCCA 66	Knowingly take part in supply lge comm qty methylamphet Conspiracy to traffic lge comm methylamphet – s302.2(1) <i>Criminal Code Cth</i>	3.0021kg (68.9% purity) 50.0954kg (37.75kg pure)	PG (17.5%)	6y NPP 3y 6m 12y NPP 6y <u>Total:</u> 15y NPP 9y	AA 6y NPP 3y 6m 12y NPP 6y <u>Total:</u> 14y NPP 8y	Nil	SNPP 15 years Involved in an international drug trafficking organisation – left drugs with co-offender in car park (state offences) - drugs concealed in shipping container from Hong Kong - container transported to warehouse rented by flatmate at direction and instruction of offender (Cth offence) – arranged for arrival and distribution of the drugs; arranged for leasing of warehouse Motivated by greed caused by gambling and business losses On appeal – parity with co-accused who had more senior role
Kijurina (28) [2017] NSWCCA 117	2 x supply lge comm qty methylamphet	1.5l oil 2kg	PG (25%)	2y 15m (Intensive Correction Order)	Crown AD	Nil	SNPP 15 years Controlled operation – offered to supply oil and drugs to undercover operation – rip off – no intention or capacity to supply drugs – supplied two containers of ‘oil’ that was not prohibited drug – isolated incident – bottom of range of seriousness Long-term drug user – good prospects of rehabilitation Appeal dismissed in exercise of discretion in view of lengthy time taken to sentence offender
Shi [2017] NSWCCA 183 [2020] NSWCCA 42	Knowingly take part in supply lge comm qty methamphet Sched: Participate in criminal group	27.9g 139g 139g 239g 2kg	PG	10y NPP 7y	AD AD	Commercial drug supply – kidnapping – mal wound	SNPP 15 years Middleman – supplied drugs to undercover operatives over several months – sourcing drugs – handled large sums of money – escalating transactions Second appeal after successful inquiry – parity to co-offender
Chong [2017] NSWCCA 185	Supply large comm qty methamphet	923g	PG (25%)	8y 3m NPP 5y 4m	AA 6y NPP 4y	Nil	SNPP 15 years Chinese national visiting Australia – agreed to take drugs by train to Perth – arrested at station – 78.5% purity - part of planned criminal activity – courier – minor although indispensable role – significantly below mid-range Drug user – cultural isolation in custody

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Fato [2017] NSWCCA 190	Supply lge comm qty methamphet Supply lge comm qty methamphet Supply cannabis leaf Cultivate lge comm qty cannabis plant Knowingly direct criminal group Sched 6 related offences	1.4kg (10% purity) 9.5kg (13% purity) 23 pds 2750 plants	PG	11y NPP 7y 15y NPP 9y 2y 8y NPP 5y 7y NPP 4y <u>Total:</u> 18y NPP 12	Application for extension of time to appeal refused		SNPP 15 years Principal in criminal drug group – offences above mid-range – supplied to undercover operatives
Wan (43) [2017] NSWCCA 261 Co-offender: KWOK	Manufacture lge comm qty methy lamphet Supply lge comm qty methamphet	144.6kg 15.9kg	PG (25%)	18y NPP 12y 12y NPP 9y <u>Total:</u> 21y NPP 15y	AD	Priors in Hong King – not as serious	SNPP 15 years Methamphetamine imported in wax blocks – flew out from Hong Kong to assist in extraction of drugs from blocks and arranging supply to buyers – significant and trusted role – sole liaison in Hong Kong – offence upper range of seriousness – not isolated – sophisticated system of drug trafficking Isolation in custody
Murray [2017] NSWCCA 262	Supply lge comm qty methamphet Supply lge comm qty ecstasy	4.96kg (79% purity) 9.66kg (21.5% purity)	PG (25% on appeal)	11y NPP 8y 13y NPP 9y <u>Total:</u> 14y NPP 10y	AA 10y 6m NPP 7y 10y 6m NPP 7y <u>Total:</u> 11y 6m NPP 8y	Nil – but admitted being involved on 4-6 previous occasions	SNPP 15 years Father attempted to send drugs to Perth by courier – offender admitted to being involved in well planned and organised operation – go-between – involved 4-6 times previously – involvement just below mid-range History of alcohol and drug abuse – financial debts - remorse

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Kassoua [2017] NSWCCA 307	Supply lge comm qty methamphet Sched: Supply drug	Nearly 8.8kg	PG (25%)	10y NPP 7y 6m	AD		SNPP 15 years Drugs located in vehicle during undercover police operation - accompanied co-offender who had made arrangements with undercover operative for supply of 1kg (Schedule offence) to be sold for \$200,000. Organised criminal activity – financial gain
Daw (30) [2017] NSWCCA 327	Knowingly take part supply lge comm qty methamphet Supply comm qty methamphet Supply methamphet	6kg 540g 7g	PG (25%)	8y NPP 4y 5y NPP 2y 6m 18m <u>Total:</u> 10y NPP 5y 6m	AD	Obtain financial advantage	SNPP 15 years Female offender - two co-offenders (including husband) brought drugs to premises - significant “hands on” role by offender - active role of offender in dividing up drugs into smaller quantities in readiness for supply – role in permitting premises of which offender was a co-occupant being used for storage and repackaging of drugs.
Wu (27) [2018] NSWCCA 74	Supply lge comm qty methamphet	5.98kg	PG (25%)	9y NPP 5y 9m	AD	Nil	SNPP 15 years Used falsely-subscribed telephone and code words to arrange to courier drugs - unknown male left drugs in offender's vehicle pursuant to arrangement - just below mid-range - courier - significant level of involvement in sophisticated trafficking arrangement - motive financial. Remorse – contrition - prospects of rehabilitation - prior good character

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Yiu (28)	Knowingly involved in supply lge comm qty methamphet	999.1g	PG (25%)	3y NPP 2y	Crown AA 6y NPP 4y	Nil	SNPP 15 years Involved in commercial supply to undercover operant – each higher than courier being more akin to broker – involved in introduction of purchaser to supplier and negotiations – other offenders involved – offence at lower than midrange seriousness Yiu – male – student from Hong Kong – addicted to ice – deportation – prospects of rehabilitation Yau – female – from Hong Kong – violent childhood – addicted to ice since 15y – deportation - depression
Yau (22) [2018] NSWCCA 155	Sched: Supply amphet Participate in crim group	20.62g					
	Knowingly involved in supply lge comm qty methamphet	999.1g	PG (25%)	3y NPP 2y	6y NPP 4y	nil significant	
	Sched: Participate in crim group						
Kwok (56) [2018] NSWCCA 200	Manufacture lge comm qty methylamphet	144.6kg	PG (25%)	22y NPP 14y	AD	Priors in Hong King – theft, fraud, blackmail, administer stupefying drug	SNPP 15 years Involved with co-offenders - Methamphetamine imported in wax blocks – role of offender was sourcing items required for manufacture, overseeing and supervising cooking process, purchasing sundry items and liaising with others to inform when drug ready for supply – found in taxi cab with co-offender and drugs for supply
	Supply lge comm qty methamphet	15.9kg		15y NPP 11y 3m			
Co-offender WAN				<u>Total:</u> 25y NPP 17y			
Nye (39) [2018] NSWCCA 244	Supply lge comm qty methamphet	3.9kg	PG (25%)	7y 6m NPP 5y 2m	AD	not serious – includes a minor drug offence	SNPP 15 years Found in possession of drugs in car driving through the country – further drugs found in house in Sydney – lower range of offending – some duress taken into account Remorse – prospects of rehabilitation
	Supply lge comm qty amphet	1.34kg		6y NPP 4y			
	Supply comm qty methamphet	385g		3y 9m NPP 2y 7m			
	Sched: 2 drug offences			<u>Total:</u> 8y NPP 5y 8m			

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Grogan [2019] NSWCCA 51	Manufacture lge comm qty methylamphet Supply lge comm qty methamphet s.193B	see facts	PG	10y NPP 6y 6m 8y NPP 5y 6m 2y 6m <u>Aggregate:</u> 14y NPP 10y	AD		SNPP 15 years Involved in sophisticated drug syndicate – active member – live in caretaker at laboratory site – involved in manufacture – purchased equipment – collected pseudoephedrine – delivered drugs – 27.241kg oil and 4.059kg blocks found on site – liquid waste indicated at least 2.359kg manufactured – police seized \$1,197,980 cash in connection with offences – just below mid-range
Qi (23) [2019] NSWCCA 73	Supply lge comm qty methylamphet Sched: Possess methylamphet	1.9831kg 1.13g	PG (25%)	2y 6m ICO	Crown AA 3y NPP 18m	driving offences	SNPP 15 years Found in possession of drugs when pulled over for random breath test – threw drugs out window attempting to drive away from police – performed minimal but valuable task of transporting drugs – one occasion only – clearing \$30,000 debt – towards lower end Born in China – drug user and gambler – depression – significant progress in rehabilitation by time of appeal
Roberts (29 / 36) [2019] NSWCCA 102	Supply lge comm qty methylamphet Manufacture lge comm qty methylamphet Supply lge comm qty cocaine Sched: Supply drugs 3 x firearm offences	1087.7g 1000g	PG (25%) (25%) (40%)	7y NPP 5y 4m 3y 3m NPP 2y 2m 6y 9m NPP 4y 6m <u>Aggregate</u> 11y NPP 7y 4m	AA 5y 6m NPP 3y 10m 3y 3m NPP 2y 2m 6y 9m NPP 4y 6m <u>Aggregate</u> 10y NPP 6y 6m	Aggravated BE - malicious wounding - robbery in company - demand with menaces – firearms - proceeds of crime. On bond - on bail when supply cocaine offence committed.	SNPP 15 years Supply methylamphetamine: drugs located at offender's home by police Manufacture: with co-offenders operated laboratory - offender supervised part of process, providing some of precursor drug and participated in manufacturing process Supply cocaine: supplied to undercover operative for \$235k. Difficult background. On appeal – sentencing judge erred on supply methylamphetamine count by mistaking threshold quantity as 500g not 1kg.

CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Huang (30) [2019] NSWCCA 144	Supply lge comm qty methylamphet Possess proh firearm: s.7(1) <i>Firearms Act</i> Sched: Proceeds of crime 4 further offences	5,500g	PG(25 %)	11y 6m NPP 8y 6m 3y NPP 2y 3m <u>Aggregate</u> 12y 6m NPP 9y 6m 25d	AA 8y 3m NPP 6y 2y 3m NPP 18m <u>Aggregate</u> 10y 6m NPP 7y 10m 14d	Nil	SNPP 15 years Search of offender's premises and motor vehicle uncovered range of drugs including methylamphetamine, over \$1,000,000 in cash, loaded revolver, gambling chips and gift cards to value of \$20,500 - near apex of group engaged in supply Foreign national On appeal found SJ erred in approach to Form 1 offences
Piao (27) [2019] NSWCCA 154	Supply lge comm qty methylamphet Sched: s.93T	1kg	PG (25%)	9y NPP 6y	AD	No significant	SNPP 15 years With two co-offenders, involved in attempt to supply 1kg to undercover police officer – key role - counted money (\$110,000) and retrieved drugs from his nearby apartment
Ebrahami (40) [2019] NSWCCA 273	Supply lge comm qty methampet s.193B(2) Proceeds of crimes	858.9g \$44,130	PG (20%)	<u>Indicative:</u> 9y 7m NPP 6y 3m 3y 7m <u>Aggregate:</u> 11y 6m NPP 7y 6m	AA <u>Indicative:</u> 7y NPP 4y 2y 6m <u>Aggregate:</u> 8y NPP 5y	minor	SNPP 15 years Found in backyard of his residential unit in possession of drugs and money – no further explanation – seen earlier leaving units visibly distressed and injured – slightly below mid-range Refugee from Iran – isolated life – suffering depression – drug user – reasonable prospects of rehabilitation On appeal: sentence manifestly excessive

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Chong (34) [2020] NSWCCA 235	Supply lge comm qty methlyamphet Participate in a criminal group by directing – s.93T(4A)	30kg	PG (10%)	15y NPP 10y FT 5y concurrent	AD	Nil	SNPP 15 years Significant role as Sydney coordinator of trans-continental drug movements – part of syndicate importing drugs from Malaysia - 3 deliveries from W.A. - set up and equipped co-offender in Perth for task of packing drugs into spare tyres and coordinated reception of deliveries to Sydney; securing leased premises - local oversight of operation - acted at direction of superiors in Malaysia - Participate in criminal group by directing, knowing participation contributed to supply of drugs. Malay national - came to Australia solely for purpose of committing offences. Remorse - endeavours to improve in prison and prospects of rehabilitation. Gambling – drug abuse.
Tiew (32) [2020] NSWCCA 234	Supply lge comm qty methlyamphet	67.477kg	PG (10%)	14y 6m NPP 10y 10m	AD	Nil	SNPP 15 years Part of syndicate importing drugs from Malaysia – role of interface between syndicate and customer; safe-keeping of drug until delivery arranged; undertook responsibility and risk of physical handover – came to Australia specifically to take possession of concealed drugs, storing drugs in his accommodation - essential role - significant trust of superiors. Malay national – gambling debt.
Hadler (37) [2020] NSWCCA 305	Supply lge comm qty methlyamphet Supply lge comm qty cocaine Supply cannabis s.166 Certificate: 4 x possess Sched: s.193B proceeds of crime	996.4g 2.547kg 9.195kg \$34,800	PG (25%)	<u>Indicative</u> 7y 6m 7y 6m 2y 3m s.10A <u>Aggregate:</u> 10y 6m NPP 6y 3m	AD		SNPP 15 years With co-offender (cousin) observed packing drugs into filing cabinet and into ute – further drugs and cash located in premises – misplaced desire to assist cousin with debts and to make some money himself Drug addict – difficult but not deprived childhood – strong prospects of rehabilitation – family On appeal: error in applying discount for plea to aggregate not indicative sentences – no lesser sentence warranted

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Tamer (21) [2020] NSWCCA 333	Supply lge comm qty methyamphet Sched: 5 offences	1060g	PG (25%)	7y 10m NPP 4y 9m	AA 7y 6m NPP 4y 6m	Supply drug, proceeds of crime, drive whilst disqualified. On bond.	SNPP 15 years Buyer would contact and meet – 22 separate occasions to predominantly a single purchaser – significant financial benefit \$137k - planned well-organised system of supply in which played pivotal role - intermediary, towards lower end of supply chain - below mid-range. CCA: Error stating applicant aged 23 at time of offending; error finding applicant on bail and regarding that as aggravating factor.
Hoang (62) [2020] NSWCCA 324	Supply lge comm qty methylampht Deal in proceeds of crime Participate in criminal group Sched: Supply methamphet Dela in proceeds of crime	1.0946kg \$200,000 1 oz \$38,700	PG (15%)	<u>Indicative:</u> 10y 6m NPP 7y 4m 3y 4y <u>Aggregate:</u> 13y NPP 9y	AD		SNPP 15 years Female and head of syndicate supplying drugs in Perth and Sydney – flew to Perth to meet potential customer and supplied 1 ounce – 2 days later phoned to arrange drug importation from Vietnam – had female associates deposit \$38,700 cash in bank accounts – arranged transfer of \$200,000 to own account – three months later took delivery of 1.0946kg drug and prepared it for transportation to Perth by co-offenders Serious health issues – speaks little English On appeal: rejected fresh evidence of medical complaints
McLean [2020] NSWCCA 344	Supply lge comm qty methylampht	18.85kg	PG (10%)	12y 7m NPP 8y 7m	AD	Older record – violence but no drugs	SNPP 15 years Placed under police surveillance after contact with UCO – found in possession of nearly 9kg drugs secreted in car – further amount found in storage unit rented by offender from resident in units – purity of drugs 77-79% - found in possession of additional equipment including multiple communication devices – subordinate but trusted position – not mere courier – responsible for picking up, storing and delivering drugs – slightly above mid-range Drug user – sought financial gain – reasonable prospects of rehabilitation – remorse On appeal: no error in assessment of objective seriousness of offence – sentence not manifestly excessive

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CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
<i>Hussein</i> [2020] NSWCCA 342	Supply lge comm qty methylampht Participate criminal group (s.93T(1))	Various amounts including agreement to supply 1kg - 565.82gms located	PG (not stated)	9y NPP 6y FT 1y 10m (concurrent)	AD	Not indicated.	SNPP 15 years Part of criminal group with four others – central figure but subordinate to B – organised number of supplies to undercover operative – financial gain.

Last updated: December 2020