

**Supply Ecstasy**  
**Large Commercial Quantity**  
**s.25(2) (NSW) Drug Misuse and Trafficking Act**

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

**Large commercial quantity:** 500gm

**Maximum Penalty:** Life – s.33(3) (large commercial quantity)

**Standard Non-Parole Period** 15 years (offence committed on or after 1.2.2003)

<b><u>Case</u></b> <b><u>(age if known)</u></b>	<b><u>Offence</u></b>	<b><u>Amount</u></b>	<b><u>Plea</u></b>	<b><u>Result</u></b>	<b><u>Appeal</u></b>	<b><u>Record</u></b>	<b><u>Facts</u></b>
<b>Moore</b> (37)	Conspiracy to supply lge comm qty	798.8g (633g pure - capable of producing 6,000 tablets with street value of \$240,000.)	PG	MT 3y 6m AT 1y 2m	Crown AD	minor	M a member of "Orange People" – asked to arrange importation - W to be paid \$10,000 – W brought in tablets strapped to back. M – Canadian – married - contrition W – Canadian – courier - assistance – prior good character
<b>Wiebe</b> (35)  NSW CCA 1.8.1992	Supply lge comm qty		PG	MT 3y AT 1y	AD	nil	
<b>Lao</b> (52) <a href="#">[2003] NSWCCA 315</a>	Supply lge comm qty	1016.6g	PG (discount not stated)	5y NPP 3y	AD	Nil	Courier Gambling problem – good character – strong prospects of rehabilitation
<b>OPA</b> (39) <a href="#">[2004] NSWCCA 464</a>	Knowingly take part in supply lge comm qty	3.1kg	PG (50% combined)	8y NPP 6y	AA 5y 8m NPP 4y 3m	Nil	Found in possession of drugs – involved in extensive operation – took orders, supplied drugs and collected money – underling Valuable assistance – special protection
<b>Nassif</b> (32) <a href="#">[2005] NSWCCA 38</a>	Attempting to receive for supply lge comm qty	3.2452kg	PG (maximum discount)	6y NPP 3y	AD	Priors including drug supply	Agreed to take delivery of 14,000 tablets from Sukkar (see importation commercial quantity of ecstasy table)

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<b>Thompson</b> (34) (2005) 156 A Crim R 467 <a href="#">[2005] NSWCCA 340</a>	Supply lge comm qty  Sched: Supply tablet GIC	1.983kg	PG (25%)	16y NPP 12y	AA 13y 4m NPP 10y	Priors including drug supply	<b>SNPP 15 years</b> Found in possession of drugs Erroneous consideration of standard non-parole period
<b>Yildiz</b> (2006) 160 A Crim R 218 <a href="#">[2006] NSWCCA 97</a>	Supply lge comm qty	602g	PG	10y NPP 7y	AD	Nil	<b>SNPP 15 years</b> Arrested during agreement to supply – found in possession of drugs.
<b>Stankovic</b> <a href="#">[2006] NSWCCA 229</a>      Co-offender: NIKOLIC	Supply lge comm qty  Sched: Cultivate Possess 0.34g MDMA Possess stanazol Possess \$5000	44kg	PG (35% combined)	7y 9m NPP 5y 2m	Crown AA 11y 8m NPP 8y 9m	Nil - on bail.	<b>SNPP 15 years</b> Involved in manufacture of MDMA at residential premises – engaged as labourer in illicit factory – unsupervised – claim of duress - mid-range objective seriousness
<b>Nikolic</b> (45) <a href="#">[2007] NSWCCA 232</a>  Co-offender: STANKOVIC	Knowingly take part in supply lge comm qty	44kg	PG (15%)	9y NPP 6y	Crown AA 12y 9m NPP 8y 6m	Nil	<b>SNPP 15 years</b> Involved in manufacture of MDMA at residential premises – agreed to assist co-offender out of obligation for assistance given to son in Serbia – lesser offender – below mid-range Remorse

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<b>Knight</b> (34)	Supply lge comm qty  Sched: 4 drug offences	961g	PG (10% on appeal)	10y NPP 6y	Crown AA 14y 4m NPP 10y	Minor	<b>SNPP 15 years</b> K (female) head of drug syndicate employing others – B (husband) assisted in menial tasks
<b>Biuvanua</b> (34)  (2007) 176 A Crim R 338 <a href="#">NSWCCA</a>	Knowingly take part in supply lge comm qty		PG (10%)	3y 6m NPP 2y	Crown AD	Nil relevant	
<b>Sukkar</b> <a href="#">[2007] NSWCCA 298</a>	Supply lge comm qty	5.9kg	PG (25%)	11y 6m NPP 7y 6m	AD		<b>SNPP 15 years</b> Arrested during transaction - no further facts provided. Assistance to authorities.
<b>Lim</b>	Supply lge comm qty  Sched: 2 x supply drugs		PG (10%)	8y NPP 5y	Crown AA 9y 10m NPP 6y	Agg robbery	<b>SNPP 15 years</b> Entered into agreement to supply \$5000 worth of tablets (weighing between 1 – 2.5 kg) to undercover police operative – no actual supply.
<b>Gao</b>  <a href="#">[2007] NSWCCA 343</a>  <a href="#">[2008] NSWCCA 234</a>	Supply lge comm qty  Supply comm qty  Sched: 3 x supply drugs		PG (25%)	11y NPP 7y  7y NPP 5y  <u>Total:</u> 12y NPP 8y	Crown AD AD		

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<b>Edwards</b> (23) <a href="#">[2008] NSWCCA 281</a>	Supply lge comm qty	1680g	PG (25%)	17y NPP 10y	AD	Nil	<b>SNPP 15 years</b> Supplied over three months – sophisticated operation - at least within mid-range although a finding that offence fell above mid-range would have been open True remorse – good prospects of rehabilitation
	Supply comm qty amphet	381.3g		FT 7y 6m			
	Supply comm qty amphet	301.29g		FT 7y 6m			
	Supply comm qty ecstasy	225g		FT 7y 6m			
	Sched: GIC Deemed supply ecstasy Deemed supply methamphet	100 tabs 68.35g		(all concurrent)			
<b>Woodgate</b> (44) (2009) 195 A Crim R 219 <a href="#">NSWCCA</a>	Supply lge comm qty  Sched: GIC	67.79g tabs 42.956kg 10.921kg tabs 12.234kg powder	PG	14y NPP 10y	AD		<b>SNPP 15 years</b> Drugs found in apartment, unfurnished house and storage facility – also found in possession of \$31,805, pill press and other equipment – senior trusted figure
<b>Xue</b> (37) <a href="#">[2009] NSWCCA 227</a>	Supply lge comm qty	852.9g	PG (10%)	13y 6m NPP 10y	AD	Not significant	<b>SNPP 15 years</b> Supplied tablets to undercover police operative – mid range offence Drug abuse – gambling
<b>Wang</b> <a href="#">[2009] NSWCCA 223</a>  <a href="#">[2017] NSWCCA 61</a>	Supply lge comm qty	1464.46g	VG	20y NPP 15y	AA 16y NPP 12y	Driving, dishonesty, firearms – summary offences only.	<b>SNPP 15 years</b> Observed with bag later found to contain 5000 ecstasy tablets – struggled with police officer at scene – got away and later observed with another bag found to contain smaller quantity of ecstasy tablets - offence below mid-range Second appeal – <u>Muldrock</u> appeal
	Supply not less trafficable  Assault police officer		PG	3y NPP 2y 3m  FT 1y (all concurrent)	AA 14y NPP 10y 6m		

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<b>Shen</b> (64) <a href="#">[2009] NSWCCA 251</a>	Knowingly take part in supply lge comm qty MDMA  Traffic MDMA	666g (pure)  7.5kg (pure)	PG (combined 35%)	9y 9m NPP 7y 3m  11y NPP 7y  <u>Total:</u> 13y NPP 9y	AA 9y 9m NPP 7y 3m  11y NPP 7y  <u>Total:</u> 11y 6m NPP 7y 6m	Nil	<b>SNPP 15 years</b> Large quantity of drugs imported from Canada into Queensland – not involved in importation but took possession of small amount of drugs for distribution – maintained relationship with importers and agreed to purchase further drugs from second importation four months later – controlled delivery – second offence less serious and below mid-range – acted for financial gain – principal role in distribution Good character On appeal: overall sentence reduced for parity
<b>Fitzsimon</b> (32) <a href="#">[2010] NSWCCA 25</a>	Supply lge comm qty  Supply methylamph.  Sched: 2 x supply methylamph	1.7kg  54.84g  56g	PG (15%)	9y 4m NPP 6y  FT 2y (concurrent)	AD	Significant although older record	<b>SNPP 15 years</b> On four occasions took possession of drugs and provided them to co-offender to drive north to third offender – involved in substantial drug organisation but received small financial rewards only Reasonable prospects of rehabilitation – suffering mental condition
<b>Choi</b> (20) <a href="#">[2010] NSWCCA 318</a>	Knowingly took part in supply lge comm qty  Sched: 2 offences	About 5.9kg	PG (50% combined)	17m 15d suspended  (6.5m PSC)	Crown AA 4y 6m NPP 2y 6m	nil	<b>SNPP 15 years</b> Agreed to source 30,000 tablets for supplier although tablets never obtained Good character – good rehabilitation – unlikely to re-offend – remorse - assistance
<b>Kwon</b> <a href="#">[2011] NSWCCA 58</a>	Supply lge comm qty  Supply lge comm qty	1.1422kg - around 6000 tablets  Agreement to supply 30,000 tablets	PG (25%)	12y NPP 8y  12y NPP 8y  <u>Total:</u> 13y NPP 9y	AD	nil	<b>SNPP 15 years</b> Just below mid-range offences - 6 supplies totalling around 6000 tablets to undercover officer and one other person – second supply did not take place as intended recipient was undercover officer – middle man in hierarchy Korean national raised in Australia by mother – rejected by biological father – began to take drugs and associate with persons of bad influence - excellent rehabilitation – substantial family support – unlikely to reoffend

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<b>Chen</b> (55) <a href="#">[2011] NSWCCA 145</a>	Supply lge comm qty  Supply lge comm qty  Supply  Sched: 2 x possess drug	Agreed to supply 830g  Attempted to possess 500g  400 tablets	VG	10y NPP 7y 6m  12y NPP 8y 6m  FT 5y  <u>Total:</u> 14y NPP 10y 6m	AD		<b>SNPP 15 years</b> Offences committed in one month period – offender was stepson - in series of telephone conversations, agreed to supply to various persons 830g of ecstasy – attempted to have in his possession 2000 ecstasy tablets (500g) – found in possession of 400 tablets – mid-range objective seriousness – co-offender aged 18y and under offender's authority – offender dominant partner. Low cognitive functioning – anxiety and depression regarding parents in China
<b>AZ</b> (43) <a href="#">[2011] NSWCCA 43</a>	Supply lge comm qty  Possess proh firearm  Sched: 2 x supply drug; Deal with proceeds crime	1,081g	PG (50% combined)	<u>Total:</u> 5y 6m NPP 2y 9m	Crown AA <u>Total:</u> 8y NPP 5y 10m	Nil	<b>SNPP 15 years</b> Drugs and large amount of drug paraphernalia found during search of offender's residence – large amount of money also located. Just below mid-range objective seriousness: at [62] – evidence pointed to substantial involvement in drug supply. Assistance to authorities. Error in assessment of objective seriousness of both drug and firearm offences – error in concurrent sentences.
<b>Hsu</b> <a href="#">[2012] NSWCCA 248</a>	Supply lge comm qty  Possess firearm  Sched: Deemed supply	1000 tablets (237.6g)	PG (10%)	13y 6m NPP 10y  2y NPP 1y  <u>Total:</u> 14y NPP 10y 6m	AD	Drug offences	<b>SNPP 15 years</b> Undercover police operation – supply of 1000 tablets – role as bottom to middle of range wholesaler/commission agent – lower end of large commercial quantity type case – slightly below mid-range offence. Drug addiction.
<b>Deakin</b> (32) <a href="#">[2014] NSWCCA 121</a>	Supply lge comm qty  Participate in criminal group	30.242kg	PG (25% - plea and assist)	10y 6m NPP 7y 6m  FT 12m (concurrent)	AA 10y 6m NPP 6y 9m  (greater backdate over existing sentence)	Drug offences	<b>SNPP 15 years</b> Involved in criminal group carrying out drug related activities over 4 months – directly involved in ecstasy supply – group involved with other drugs – trusted employee – transported drugs Drug addicted parents – difficult childhood – early drug addiction

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<b>Cullen</b> (30) <a href="#">[2014] NSWCCA 162</a>	Supply lge comm qty	991.35g	PG (25%)	<u>Indicated</u> 9y NPP 6y	AD	Nil	<b>SNPP 15 years</b> Large scale drug dealer – end supplier – drugs found in apartment
	Supply lge comm qty GBL	11.4kg		9y NPP 6y			
	Supply meth	30.52g		2y			
	Supply cocaine	9.29g		2y			
	Supply ketamine	181.84g		2y 6m  <u>Agg Sentence</u> 12y NPP 8y			
<b>Briouzuine</b> (22) <a href="#">[2014] NSWCCA 264</a>	Supply lge comm qty	2,900g	PG (18%)	<u>Indicative</u> 7y	AD	Nil significant	<b>SNPP 15 years</b> University student became involved in supplying drugs to associate who sold them further – supplied over 4 months – facilitator – became involved to fund addiction – continued and escalated involvement due to threats made Immature – user / dealer – mental disorder
	Supply lge comm qty	882g		4y			
	Supply indictable	100g		2y			
	Supply comm qty	275g		3y			
	Sched: 10 offences			<u>Agg</u> 9y NPP 5y			

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<b>Dunshea</b> (27) <a href="#">[2016] NSWCCA 244</a>	Knowingly concerned supply lge comm qty  Knowingly concerned supply lge comm qty nexus  Sched: Supply meth Possess pistol	2.537kg  809.17g	PG (25%)	<u>Indicative</u> 8y NPP 5y  11y NPP 7y  <u>Agg</u> 12y NPP 8y	AA 6y NPP 4y  8y NPP 5y  <u>Agg</u> 9y NPP 6y	Minor drug offence	<b>SNPP 15 years</b> Assisted principal in supplying drugs and collecting debts Early drug addiction – failure at first instance to consider remorse and parity
<b>Miles</b> (25) <a href="#">[2017] NSWCCA 266</a>	Supply lge comm qty  Supply lge comm qty  s.25A ongoing supply  Supply comm qty cocaine  Supply meth  Sched: 5 drug offences	646.86g  681.6g	PG (25%)	<u>Indicative</u> 3y NPP 18m  4y NPP 2y  2y 6m  3y NPP 18m  2y  <u>Agg</u> 8y NPP 4y 6m	AA <u>Indicative</u> 3y NPP 18m  3y 6m NPP 2y 6m  2y 6m  2y 6m NPP 15m  18m  <u>Agg</u> 7y NPP 3y 9m		<b>SNPP 15 years</b> Supplied to female known to police – supplies took place on snow fields - received \$91K for second supply - high potency – other drug supplies to same female for payment. University graduate – supportive family – special circumstances. On appeal parity with co-offender

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<b>Murray</b> <a href="#">[2017] NSWCCA 262</a>	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	<b>SNPP 15 years</b> 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
<b>Grabovac</b> (25) <a href="#">[2018] NSWCCA 100</a>  <a href="#">[2018] NSWCCA 120</a>	Supply lge comm qty  Sched: 3 drug offences	816.47g	PG (25%)	12y NPP 7y 6m	10y 6m NPP 6y 9m  Start date adjusted	Nil	<b>SNPP 15 years</b> Involved in drug hierarchy with 3 co-offenders. Difficult childhood – sound work history – drug and alcohol abuse - brain development to late adolescence CCA: Parity
<b>Dayment</b> (35) <a href="#">[2018] NSWCCA 132</a>	Knowingly take part in supply lge comm qty  Supply cocaine  Sched: 2 offences	1366g  85.26g	PG (25%)	4y 6m  2y 10m  <u>Aggregate:</u> 5y 6m NPP 3y 3m	AD	Not relevant	<b>SNPP 15 years</b> Female – in relationship with co-offender – drugs located in offender's home - not involved in joint enterprise but knowingly took part in co-offender's intended supply by permitting and acquiescing storage of MDMA in suitcase in unit - obvious quantity not insubstantial - knowing participation in context of being involved in business of sourcing and supplying cocaine for financial gain, where knew co-offender involved in similar business - below mid-range – less serious role than co- offender Steady employment history – drug abuse – history of abusive relationships

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<b>Battersby</b> (30) <a href="#">[2018] NSWCCA 141</a>	Supply lge comm qty	23.85kg	PG (25%)	<u>Indicative:</u> 12y NPP 7y 6m	AA <u>Indicative:</u> 10y NPP 6y 6m	nil	<b>SNPP 15 years</b> Observed giving suitcase containing drugs to co-offender waiting in car - money found in search of house – not involved in financing or organising offence – delivered drugs on behalf of friend – chose to be involved although aware criminal activity – element of fear and obligation after receiving 5mths free rent – limited role but still well above lowest rung in hierarchy – drug offences somewhat below mid-range – proceeds offence mid-range Good character – genuine remorse – evidence of rehabilitation – cannabis drug user
	Supply lge comm qty cocaine	2.23kg		5y NPP 3y	5y NPP 3y		
	Proceeds of crime: s.193B			5y  <u>Agg</u> 15y 6m NPP 10y	3y  <u>Agg</u> 12y NPP 8y		
<b>Assam</b> (26) <a href="#">[2019] NSWCCA 12</a>  Co-offender: MATU ABDUL	Supply lge comm qty	1.039kg	PG (25%)	<u>Indicative</u> 5y NPP 3y	AA <u>Indicative</u> 5y NPP 3y	nil	<b>SNPP 15 years</b> Highly trusted member of drug syndicate over several months – transported and stored drugs – mid-range offences Drug user
	Supply lge comm qty	2.515kg		8y NPP 5y 6m	8y NPP 5y 6m		
	Supply comm qty ecstasy	151.95g		3y 6m NPP 2y	3y 6m NPP 2y		
	Supply comm qty methamphet	221.1g		4y NPP 2y 6m	4y NPP 2y 6m		
	Supply amphet	27.4g		2y	2y		
	Supply cocaine	167.6g		3y	3y		
	Proceeds of crime	\$83,725		4y 6m	4y 6m		
	Sched: Possess restricted substance			<u>Aggregate:</u> 11y NPP 8y	<u>Aggregate:</u> 9y 9m NPP 6y 9m		

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<b>Matu</b> (20) <a href="#">[2016] NSWCCA 23</a>  Co-offender: ASSAM ABDUL	Supply lge comm qty  Supply cocaine	2.417kg  115.8g	PG (25%)	<u>Indicative</u> 6y NPP 4y  3y 6m  <u>Aggregate:</u> 7y NPP 4y 6m	AA to change the commencement date of sentence	driving offence	<b>SNPP 15 years</b> Involved in supply of drugs over several months – driver or runner of drugs – weekly retainer - highly trusted part of a sophisticated drug distribution network Mental health problems – drug user
<b>Abdul</b> (20-21) <a href="#">[2019] NSWCCA 18</a>  Co-offender: ASSAM MATU	Knowingly take part in supply lge comm qty  Knowingly take part in supply comm qty cocaine  Knowingly take part in supply indictable qty amphet  Supply lge comm qty MDA  Knowingly direct activities of criminal group	6.234kg  449.82g  27.4g  1.138kg	PG (25%)	<u>Indicative</u> 10y 6m NPP 7y 6m  5y NPP 3y  30m  6y NPP 4y  5y  <u>Aggregate:</u> 12y 6m NPP 9y	AD	driving offence	<b>SNPP 15 years</b> Senior role in sophisticated drug distribution syndicate over several months Drug user

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<b>Jackson</b> <a href="#">[2019] NSWCCA 101</a>	Offer to supply lge comm qty  Supply lge comm qty  Proceeds of crime s.193B(2)  Sched: 8 offences	1kg  539.6g	PG (25%)	8y NPP 5y  8y NPP 4y 6m  12m  <u>Total:</u> 9y NPP 5y 6m	AD		<b>SNPP 15 years</b> Offer to supply: offender conducted negotiations – 'up the line supplier' - discussion included supply being first of series of ongoing supplies - no supply in fact occurred. Supply: involvement in discussions leading to supply for cash - cleared drug debt incurred for prescription medication and steroids - retention of \$1000 for own benefit - some planning and premeditation. Offences committed as a result of addiction to prescription opioid-based pain killers - dysfunctional family background and personal circumstances – good prospects rehabilitation
<b>McKinnon</b> (46) <a href="#">[2020] NSWCCA 106</a>	Supply lge comm qty  Supply lge comm qty  Sched: Possess testosterone Proceeds of crime offence	2440g  2533g	PG (25%)	7y NPP 4y 6m  7y NPP 4y 6m  Agg: 11y NPP 7y 6m	AA 5y 6m NPP 3y 9m  6y 6m NPP 4y 4m  Agg: 8y NPP 5y 6m	old offence	<b>SNPP 15 years</b> Negotiated two sales of drugs to undercover officer over two months – drugs supplied by co-offender lower in hierarchy - \$237,700 cash found in car and house – mid-range offence On appeal – erred in not making sentence of one offence reflect schedule offences Drug addict paying off drug debt – good conduct in custody – good prospects of rehabilitation – remorse – onerous custodial conditions in view of pandemic

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<b>See</b> (35) <a href="#">[2020] NSWCCA 272</a>	Knowingly take part in supply lge comm qty	1,004.4g	PG (10%)	<u>Indicative:</u> 5y	AD	Nil relevant	<b>SNPP 15 years</b> Assisted brother-in-law in drug dealing – 231.4g methamphetamines found in bedroom of house shared with mother, sister and brother-in-law – cash and schedule drugs also found in bedroom - weapons found in bedroom were extendable baton, slingshot and knuckledusters – larger amounts of drugs found in car outside premises – offender observed by CCTV placing drugs or retrieving drugs from car on behalf of co-offender Born in Laos – difficult childhood – drug user since 13y
	Supply meth: s.25(1)	231.4g		3y			
	Knowingly deal in proceeds of crime: s.193B(2)	\$27,850		1y			
	Knowingly take part in supply comm qty meth	499.8g		4y			
	Sched: 3 supply offences	5.5g MDMA 5.62g heroin		6m (each)			
	s.166: 3 x possess weapon	42.88g cocaine					
	Possess drug	0.53g cannabis					

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