

<p style="text-align: center;">Supply Heroin</p> <p style="text-align: center;">Large Commercial Quantity</p> <p style="text-align: center;">s.25(2) (NSW) <u>Drug Misuse and Trafficking Act</u></p>
--

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

Large commercial quantity: 1kg

Maximum Penalty: Life – s.33(3)

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

NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Chan (43) [1999] NSWCCA 103	Knowingly take part in supply large comm quantity	1231.1g	PG	MT 18m AT 2y	Crown AA MT 3y 3m AT 2y 9m	Nil later offences committed on bail	408.6g heroin found in offender's pocket – deemed supply - used post office boxes under different names to receive 1231.1g heroin in envelopes - supplied 55.98g to undercover police - 27.92g found in car - directing party in offences with co-offender Late plea, heavy heroin user, special circumstances.
	Supply	408.06g		MT 18m AT 2y	MT 3y 3m AT 2y 9m		
	Supply	55.98g		FT 2y	FT 2y 6m		
	Supply	27.92g		FT 2y	FT 2y 6m		
	Sched: 3 offences			<u>Total:</u> MT 3y 6m AT 2y	<u>Total:</u> MT 5y 9m AT 2y 9m		
Cassar (33) [1999] NSWCCA 152	Supply large comm quantity	3.36kg	VG	MT 8y AT 2y 9m	AA MT 7y 6m AT 2y 6m	drugs, possession	With co-offender seen with bag - police search found heroin and paraphernalia in bag - street value \$3.9m - important and necessary role but did not manage or control operation No remorse - good rehabilitation.

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

NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Hameed (32) (2001) 123 A Crim R 213 NSWCCA	Supply comm Supply lge comm Supply lge comm Sched: 2 x Supply large comm	671g 2.746kg 1.359kg 2.6894kg 2.8kg	PG	FT 2y MT 5y 6m AT 1y 10m FT 3y (concurrent)	AD	nil significant	Involved in supply of heroin to undercover police officer - middle man Motivated by greed -assistance to authorities.
Wan (female) Phan (male) [2001] NSWCCA 501	Supply lge comm Supply lge comm Supply lge comm	350.4g 1.4kg 1.4kg	PG (25% on appeal) PG (25% on appeal)	10y NPP 7y 6m 10y NPP 7y 6m	AA 9y NPP 6y 9m AA 7y 6m NPP 5y 7m		Wan involved in supply of smaller amount to undercover agent - agreed to supply larger amount with assistance of Phan - Phan involved in second offence only Judge failed to give sufficient discount for guilty plea and erred in assessing criminality of offenders as equal.
Le (36) [2002] NSWCCA 232 Co-offender: PHAM	Knowingly take part in supply lge comm	2,103.5g (893g pure)	VG	9y 6m NPP 5y 4m	AD	nil	Significant role in well-organised operation - isolated incident Female - difficult background in Vietnam - isolated in gaol - powerful mitigating case
Cheng (26) [2002] NSWCCA 225	Conspiracy to supply lge comm	2kg (73.6% pure)	VG	14y NPP 8y	AA 12y NPP 7y	nil	Upper middle management Female - Malaysian - high prospects of rehabilitation
Ho (22) (2002) 133 A Crim R 340 NSWCCA	Knowingly take part in supply lge comm	4.05kg	PG (50% plea and assist)	5y NPP 3y 6m	AD	nil	Courier - picked up drugs from car and arrested by police in possession Gave evidence against co-offender - married with young daughter

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

NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Yaghi (30) (2002) 133 A Crim R 490 NSWCCA	Conspiracy to supply lge comm Sched: Supply offence	1.4kg 450g	PG	10y NPP 6y 6m	AA 7y 6m NPP 5y	nil	Police officer involved in scam to steal money from person by agreeing to supply heroin - no intent to supply - negotiated to supply cocaine - organised and well planned scheme Mental stress at time of offence provides some explanation
Panagakos (31) (2002) 138 A Crim R 538 NSWCCA Co-offenders: EG LAALAA	Supply lge comm Sched: Supply comm qty cocaine	Approx 2kg	PG (20% on appeal)	10y NPP 7y 6m	AA 10y NPP 6y 6m	little record	Involved in network supplying drugs from hotel - sold heroin and cocaine from hotel room over 4 month period Long-term drug addiction and gambling problem Parity
Le (33) [2003] NSWCCA 197	Supply lge comm Sched: GIC	1.4kg	VG	12y NPP 9y	AD	Aid & abet supply heroin	Police surveillance of telephone calls between appellant and other person - intercepted appellant after meeting with other persons - found with \$160,000 cash – 28g heroin found on premises – arrangements to supply – sales and delivery man.
EG [2003] NSWCCA 246 Co-offender: LAALAA PANAGAKOS	Supply lge comm Sched: Supply comm. qty cocaine	4kg	PG (22.5%)	11y 3m NPP 8y 6m	AD		Managerial level - supplies over 4 months – supplied drugs to suppliers and supervised Remorse – assistance to authorities
Do (25) [2005] NSWCCA 209	Supply lge comm qty Supply lge comm qty cocaine	6kg 1.5kg	VG	<u>Total</u> 12y NPP 9y	AD	Nil	Bought drugs in pure form, mixed with sugar and resold through runners – sought to downplay role in operation Vietnamese – Wife and child in Vietnam – drug use – gambling habit of \$3,000 per day – some remorse – good character
Attallah (50) [2005] NSWCCA 277	Supply lge comm qty Supply lge comm qty cocaine	Over 3kg Over 8kg	VG	Life Life	24y NPP 18y 24y NPP 18y (concurrent)	Drug offences	Conducted unlicensed brothel – supplied prostitutes with small amount of heroin and cocaine over long period of time – commercial supply

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

NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Lo (2005) 159 A Crim R 71 NSWCCA Co-Accused: LAM	Supply lge comm	1.4066kg	PG (25%)	10y 6m NPP 7y	AA 10y 6m NPP 6y 6m	Nil	SNPP 15 years Involved in delivering and collecting two drug packages – low level involvement
	Supply comm	834.9g		6y NPP 4y <u>Total:</u> 11y NPP 9y	6y NPP 4y <u>Total:</u> 11y NPP 7y		
Liu (29) [2005] NSWCCA 450	Knowingly take part in supply lge comm	2.1kg	PG (25%)	8y NPP 5y	AD	Criminal record for supply	SNPP 15 years Assisted main offender in collection and return of drugs – involved to pay off drug debt Good prospects of rehabilitation
Lam (41) [2006] NSWCCA 11 Co-accused: LO	Supply lge comm	1.4067kg	PG	13y 1m 2w NPP 8y 1m 2w	AA 11y NPP 7y		SNPP 15 years Vietnamese man came to Australia to commit offences – organiser Parity
	Supply comm	834.7g		9y 4m 2w NPP 6y 8m 2w <u>Total</u> 17y 6m NPP 12y 6m	8y NPP 5y <u>Total</u> 14y NPP 10y		
Vu (27) [2006] NSWCCA 188	Offer to supply lge comm	1,575g	PG (25%)	12y NPP 9y	AA 12y NPP 7y	Nil	SNPP 15 years Arranged for 729g heroin to be transported to Brisbane by bus – offered to sell 1,575g to police informer – found in possession of 729.1g after arrangement made to sell – offer made in context of on-going supply Married with children – drug and gambling addiction
	Supply comm	729g		9y NPP 6y 9m	FT 6y 9m		
	Sched: Supply comm. qty	792.1g		<u>Total:</u> 14y NPP 11y	<u>Total</u> 14y NPP 9y		

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

NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
CTC [2006] NSWCCA 263	Supply lge comm	2.032kg	PG (40% plea and assist)	8y 6m NPP 5y 6m	AD	Supply drugs	SNPP 15 years Offender acted as distributor for group of people – received 2.1kg of heroin being three times amount he wanted – unable to offload amount - arrangements made to return 1.4kg excess – further drugs found at residence. Had served two lengthy prison sentences for similar offences.
Stojkov [2007] NSWCCA 205	Supply lge comm	1.789kg (1.08kg pure)	VG	7y NPP 5y 3m	AD		SNPP 15 years Involved in supply to undercover police officer
Chow (2007) 172 A Crim R 582 NSWCCA	Knowingly take part in supply lge comm	3.5kg	VG	11y NPP 8y 3m	AD	Similar offence	SNPP 15 years Arranged for payment of money on behalf of principal – between principal and supplier
Laalaa (34) [2009] NSWCCA 250 Co-offender: EG PANAGAKOS	Supply lge comm Sched: Supply cocaine		PG (13%)	20y NPP 15y	AD	Rob in co - use firearm – GIC	SNPP 15 years Principal of drug operation involving selling heroin and cocaine out of hotel room in Kings Cross over three month period – arrested with thirteen others.
Collier (45-46) [2012] NSWCCA 213	Supply lge comm Supply lge comm meth Sched: Supply H	At least 1kg of each	PG (25%)	FT 15y 15y NPP 10y <u>Total</u> 20y NPP 15y	AA 15y NPP 10 6m 12y NPP 9y <u>Total</u> 18y NPP 13y 6m	Nil significant	SNPP 15 years Female - part of highly organised syndicate – very significant role – organised own distribution and sales network – financial gain – known to have supplied 615.3g heroin and 224g meth – admitted selling more

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

NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
AYIK (34) [2013] NSWCCA 119	Knowingly concerned in supply lge comm Sched: GIC	28.75kg	PG (25%)	9y NPP 5y 6m	AD	Nil	SNPP 15 years Stored drugs at premises for three days – relatively limited role
Loh [2013] NSWCCA 339 Co-offender: TAN	Supply lge comm Sched: Proceeds of crime	13.999kg	PG (12.5%)	14y NPP (not stated)	AD	Nil	SNPP 15 years Came to Australia to be involved in delivering drugs as instructed – financial gain Married with three young children – remorse – good prospects of rehabilitation
Tan (21) [2014] NSWCCA 96	Supply lge comm	13.999kg	VG	15y 3m 18d NPP 10y	AD	Nil	SNPP 15 years Malaysian – delivered drugs in suitcase to co-offender – more than courier – mid-range offence Married with two children in Malaysia
Vo [2014] NSWCCA 146	Supply large comm Supply comm Proceeds of crime Sched: 2 x possess	1.9kg 754g	PG (14%)	12y NPP 8y 8y 6y (concurrent)	AD		SNPP 15 years 1.9kg heroin supplied over four months and over 71 occasions – 754g heroin found in three separate locations – deemed supply – found in possession of \$217,109 – involved in supplying to two persons who supplied to users and street dealers
Zolfonoon (47) [2016] NSWCCA 250	Supply lge comm Supply lge comm meth Sched: 3 x possess	3.5kg 9kg	PG (25%)	<u>Total</u> 10y 9m NPP 4y	Crown AA 10y NPP 6y 15y NPP 8y 6m <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

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

NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
Prelipceanu (53) [2016] NSWCCA 269	Knowingly take part in supply lge comm Knowingly take part in supply comm Sched: 2 x supply	1049.8g 336.4g	PG (25%)	<u>Indicative</u> 7y 6m NPP 5y 6y NPP 4y <u>Agg</u> 9y 6m NPP 6y 6m	AD	Limited	SNPP 15 years Assisted co-offender who supplied drugs to police source on large number of occasions – subordinate role but more than runner or courier Remorse – gambling addiction
Kha (41) [2019] NSWCCA 215	Supply lge comm 2 x supply indictable methamphetamine Sched: 3 x supply drugs	1.038kg 84g 83.6g	PG (25%)	<u>Indicative</u> 9y 4y 4y <u>Agg</u> 11y NPP 8y 3m	AA <u>Indicative</u> 7y 6m 3y 3y <u>Agg</u> 9y NPP 6y	Priors in 1996	SNPP 15 years Controlled operation - police operative induced supply of prohibited drugs by co-offender – heroin located at offender's premises - role in enterprise of storing, weighing, packaging and delivering drugs - received \$3500 for supply methamphetamine - no significant financial gain - towards bottom of range of seriousness. Prospects of rehabilitation – special circumstances - father of four children, some family hardship.

Last updated – 13/9/2019