

Import Cocaine
Marketable Quantity
s.307 (Cth) Criminal Code

Commenced 6.12.2005

307.2 Importing and exporting marketable quantities border controlled drug

307.6 Possessing marketable quantities border controlled drug

307.9 Possessing marketable quantities border controlled drug reasonably suspected of having been unlawfully imported

Marketable Quantity: 2gm

Commercial Quantity: 2kg

Maximum Penalty: 25 years

| | Case (age if known) | Offence | Amount (pure) | Plea | Sentence | Appeal | Record | Facts |
|----|---|--|--------------------|--------------------------------|---------------------|-----------------------|--------|--|
| 1. | Onuorah (2009) 197 A Crim R 430 [2009] NSWCCA 238 | Att possess mkt qty: s.307.6 | 107.2g cocaine | VG | 9y NPP 6y | AD | Nil | Leased post office box in false name – jewellery box sent from Venezuela with cocaine secreted inside – drugs removed in Venezuela and controlled delivery undertaken – offender eventually took delivery of box |
| 2. | NN (31) | Possess mkt qty: s.307.6 | 1.753kg cocaine | PG (40% plea and assist) | 8y 4m NPP 5y 3m | AA 6y 6m NPP 4y | Minor | Cocaine imported in brake drum – N to take delivery of imported package – low in hierarchy – P involved in facilitating delivery of package Married with children – Armenian – reasonable prospects of rehabilitation |
| | AP (28) [2009] NSWCCA 108 | Aid and abet import mkt qty: s.307.2 | | PG (40% plea and assist) | 7y 9m NPP 4y 10m | 6y NPP 3y 8m | Minor | |

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| 3. | Oprea (45) [2009] QCA 184 Co-offender: HARRIS | Att possess mkt qty: s.307.6 | 1.4897kg cocaine | VG | 10y NPP 6y 6m | AD | Old and less serious drug offences | Drugs sent from Costa Rica in chocolate package – controlled delivery – picked up package sent to co-offender and delivered it to another person - courier Romanian refugee |
| 4. | Harris [2009] QCA 370 Co-offender: OPREA | Att possess mkt qty: s.307.6 | 1.4897kg cocaine | PG (12.5%) | 7y NPP 4y | AD | | Female - drugs sent from Costa Rica in chocolate package – agreed to receive package to pay off drug debt – controlled delivery - no involvement in planning Long term drug addiction – absconded at time of trial |
| 5. | Jimson [2009] QCA 183 | Import mkt qty: s.307.2 | 1.6868kg cocaine | PG | 8y NPP 4y 6m | AD | | Female - Cocaine found concealed in suitcase – paid to collect suitcase and deliver it to another person Malaysian national with husband and son in Malaysia – remorse and assistance |
| 6. | Di Tommaso (26) [2010] VSCA 178 | Import mkt qty: s.307.2 | 34.5g cocaine | PG | 2y 6m NPP 1y 6m | AD | Nil | Italian national - Imported cocaine in pellets from Thailand Immature and impulsive |
| 7. | De La Rosa (2010) 205 A Crim R 1 [2010] NSWCCA 194 | Import mkt qty: s.307.2 | 1870g cocaine | PG (25%) | 8y NPP 5y | AD | Significant | Role of courier – delivered drugs. [CCA reviews number of sentence cases]. |
| 8. | Brink [2010] NSWCCA 217 | Import mkt qty: s.307.2 | 210.5g cocaine 281.9g heroin | PG | 8y 6m NPP 5y | AD | | Brought in drugs concealed in picture frames from South Africa – suspicious that frames contained drugs Amputated leg |
| 9. | Nikolovska (48) [2010] NSWCCA 169 Co-Offender: NAKHLA | Import mkt qty: s.307.2 | 1.431kg cocaine | PG (20%) | 6y NPP 3y 9m | Crown AA 7y 6m NPP 4y 9m | minor | Female - Cocaine imported in oil filters – employee of Qantas Distribution Centre – assisted in arranging flights overseas for co-offender, monitoring arrival of packages and passing on information – ‘strategically placed facilitator intended to be receiver and deliverer of importation to co-offender’ – breach of trust Loss of career |

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| 10. | Okeke (44) [2010] NSWCCA 266 | Att possess mkt qty: s.307.6 Att possess mkt qty: s.307.6 Att possess mkt qty: s.307.6 Possess mkt qty: s.307.9 Proceeds of crime: s.400.5 | 80.4g cocaine 545.4g cocaine 71g heroin 371.9 cocaine 473g heroin \$61,150 | PG | 18m 3y 3y 6y 6m 14m <u>Total</u> 10y 6m NPP 8y | AA 2y 7y 4y 6m 6y 6m 18m <u>Total</u> 10y 6m NPP 6y 10m | | Arranged to receive drugs secreted in 6 packages sent from overseas over 7 months – found in possession of heroin after collecting package from interstate – also found in possession of \$61,150 – above mid-range |
| 11. | Nakhla [2011] NSWCCA 143 Co-offender: NIKOLOVSKA | Import mkt qty: s.307.2 | 1.431kg cocaine | PG (20%) | 9y 6m NPP 5y 9m | AD | | Travelled overseas to make arrangements for the dispatch of drugs – cocaine imported in oil filters - given \$10k cash to pay co-offender – although other persons were higher in organisation offender was “trusted lieutenant” and extremely active participant. Assistance |
| 12. | Chong (25) [2011] NSWCCA 182 | Import mkt qty: s.307.2 | 151.1g cocaine | PG | 6y NPP 3y 6m | AA 5y 3m NPP 2y 9m | US drug and dishonesty offences | Female - flew in from USA with drugs concealed in underwear US citizen – heavy drug addiction |
| 13. | Lindsay (44) [2012] NSWCCA 124 | Import mkt qty: s.307.2 | 352.1g cocaine | PG (25%) | 8y 6m NPP 5y 6m | AD | Lengthy. drugs, stealing, dishonesty | Full facts not provided. Not a mere courier - involvement included booking his travel and his hotel accommodation |

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| 14. | O P Q (45) (2012) 221 A Crim R 424 [2012] VSCA 115 | Att possess mkt qty: s.307.6 | 491.3g heroin 69.7g cocaine | PG | 6y NPP 3y 6m | AD | Assault – bond Dishonesty off – suspended sentence | Nigerian – travelled from Sydney to Melbourne to collect five packages sent from Bangladesh, Nepal, Argentina, Thailand, Philippines – organised and planned – possession of false identity documents and cash showed more than just collecting packages – trusted intermediary Good character HIV – PTSD from childhood in Nigeria – mental condition moderated culpability - drug user |
| 15. | Maya (27) Kennedy (50) [2012] QCA 123 | Att possess mkt qty: s.307.6 | 1.865kg cocaine | VG | 11y NPP 7y | AD | Nil – both | M (female) and K (male) – elaborate arrangements made to take delivery of drugs secreted in hydraulic rams imported from Colombia without detection – different but equal involvement – found commercial motive but no evidence as to benefit |
| 16. | Beqiri (40) (2013) 37 VR 219 [2013] VSCA 39 Co-offenders: HISENI MEHMETI | Possess mkt qty: s.307.6 | Just under 1.7kg cocaine | PG (15%) | 6y NPP 3y 9m | AA 5y 6m NPP 3y 4m (pre discount for guilty plea: 7y NPP 5y) | nil | Drugs brought in from Fiji impregnated in towels and clothing in suitcase of female acquaintance – collected drugs – made arrangements to extract drugs – significant involvement – expected financial reward Culpability reduced by psychological condition On appeal - conviction for offence of manufacture quashed reopening sentence |
| 17. | Adegoke [2013] NSWCCA 193 | Att possess mkt qty: s.307.6 Proceeds of crime: s.400.4(1) False instrument (NSW) | 86.2g cocaine \$387,241 | PG (20%) | 7y 5y 12m Total: 10y NPP 6y | AD 7y 5y 3m Total: 10y NPP 6y | Dishonesty offences from NSW and USA | Found in possession of postal slip for package containing drugs concealed in thermos sent from Brazil – intended to collect drugs to sell Traumatic background |

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| 18. | Hay [2013] NSWCCA 22 | Conspiracy to import mkt qty: s.307.2 Possess mkt qty: s.307.6 | 250.7g cocaine | VG | 7y NPP 4y 7y NPP 4y (concurrent) | AD | | Driver for airline catering company became involved in conspiracy to import – co-offender retrieved cocaine hidden in rubbish receptacle in toilet by passenger |
| 19. | Omorogbe (56) [2013] NSWCCA 201 | Att possess mkt qty: s.307.6 | 106.4g cocaine | PG (25%) | 5y NPP 3y | AD | Nil | Attempted to collect package of drugs from post box – drugs sent from China – collecting on behalf of another – low end of scale – not isolated offending Nigerian – family still in Nigeria |
| 20. | AB [2013] NSWCCA 333 | Import mkt qty: s.307.2 | 400g cocaine | PG (50% plea and assist) | 5y NPP 2y 6m | AD | Nil | Female - travelled from Malaysia having swallowed 66 pellets containing drugs – pregnant at the time. Assistance. |
| 21. | Sutton (52) [2013] QCA 151 | Import mkt qty: s.307.2 | 127.2g cocaine | PG | 5y NPP 2y 6m | AD | Record includes supply prohibited drug | Arrived at airport from Philippines – admitted drugs secreted in anus – intended to share drugs with friends – less serious than courier |
| 22. | Hiseni [2013] VSCA 301 Co-offenders: BEQIRI MEHMETI | Possess mkt qty: s.307.6 | 1692.92g cocaine | PG | 5y 6m NPP 3y 4m | AD | | Drugs imported into Australia impregnated in clothes and towels in suitcase – offender travelled from USA to extract drugs - similar culpability to M Isolated from family |
| 23. | Mehmeti [2014] VSCA 131 Co-offenders: HISENI BEQIRI | Possess mkt qty: s.307.6 | 1692.92g cocaine | PG | 5y 6m NPP 3y 4m (pre discount for guilty plea: 7y NPP 5y) | AD | GIC offences | Drugs imported into Australia impregnated in clothes and towels in suitcase – involved in plans to extract drugs – similar culpability to H Delay in prosecution – refugee with history of deprivation and persecution |

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| 24. | Chime (36) [2014] NSWCCA 304 | Aid and abet import mkt qty: s.307.2 | 158.6g methamphet | VG | 3y | AA | Nil | Nigerian took delivery of drugs in eight packages – intermediary involving quite a degree of planning – false identification documents – more than a courier – unwrapped drugs and passed them on Suffering some PTSD | |
| | | Aid and abet import mkt qty: s.307.2 | 42.3g heroin | | 2y | | | | |
| | | Aid and abet import mkt qty: s.307.2 | 64.7g cocaine | | 2y | | | | |
| | | Aid and abet import mkt qty: s.307.2 | 174g heroin | | 3y | | | | |
| | | Aid and abet import mkt qty: s.307.2 | 106g morphine derivative | | 3y | | | | 2y |
| | | Aid and abet import mkt qty: s.307.2 | 116.7g cocaine | | 3y | | | | |
| | | Aid and abet import mkt qty: s.307.2 | At least 2g heroin | | 3y | | | | |
| | | Aid and abet import mkt qty: s.307.2 | 332.1g heroin | | 4y | | | | |
| | | Aid and abet import mkt qty: s.307.2 | 159g cocaine | | 3y | | | | |
| | | Proceeds of crime: s.400.4(1) | Over \$500,000 | | 6y | | | | |
| | | | <u>Total:</u> 12y NPP 7y | <u>Total:</u> 12y NPP 7y | | | | | |

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| 25. | Harrington (62) [2014] ACTSC 321 Burns J [2016] ACTCA 10 | Att possess mkt qty: s.307.6 Traffic: s.302.4 | 258.5g cocaine 24.91g cocaine | PG (10%) | 4y 6m 10m <u>Total</u> 4y 6m NPP 2y 3m | Crown AA 7y 1y 6m <u>Total:</u> 8y NPP 4y 6m | Not significant | Parcel containing cocaine secreted in car wax intercepted by police – took delivery of parcel and arrested in process of removing wax – intended to sell some of the drugs for profit – further cocaine and drug paraphernalia found in residence Prior good character – suffering from cancer |
| 26. | Ojielumhen (36) [2014] ACTCA 28 Co-offender: MANYATHELA | Att possess mkt qty: s.307.6 | 196.3g cocaine | PG (25% plea and assist) | 6y NPP 4y | AA 5y NPP 2y 6m | nil | Drugs concealed in DVD player imported from Thailand – accompanied co-offender to collect package – found in premises with opened package – role was to collect package and pass them on Prior good character |
| 27. | Siddiqi (19) [2015] NSWCCA 169 | Import mkt qty: s.307.2 | 1.48kg cocaine | VG | 7y 6m NPP 3y 9m | AD | AR, enter enclosed lands - not relevant as bonds had been granted | With 2 co-offenders, actively involved in recruitment of innocent agents to receive drugs sent from overseas. Suffering major depressive order. |
| 28. | Manyathela (26) [2015] ACTCA 13 Co-offender: OJIELUMHEN | Att possess mkt qty: s.307.6 | 196.3g cocaine | PG (10%) | 7y 2m NPP 4y 8m | AA 2y 6m Recog (see facts) | nil | Drugs concealed in DVD player imported from Thailand – accompanied co-offender to collect package equal culpability Prior good character – some assistance On appeal – would have imposed new sentence of 6y NPP 3y – but NPP would have expired year earlier |
| 29. | Zandi (34) [2015] VSCA 24 | Att possess mkt qty: s.307.6 | 2kg cocaine | PG | 7y NPP 4y | AD | | Controlled operation – met on several occasions to make arrangements for purchase of imported drug with undercover police officer – discussions suggested supply of up to ten kilos – paid \$65,000 and received 2 kilograms of substituted drug – seeking to finance own drug addiction |

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| 30. | Atanackovic [2015] VSCA 136 | Possess mkt qty: s.307.6 Trafficking: s.302.4 | 1,194.3g cocaine | PG | 3y 6m 1y 6m <u>Total:</u> 4y NPP 2y 6m (pre discount for guilty plea: 6y NPP 4y) | AD | Nil relevant | Drugs imported from USA brought to offender's apartment by co-offender and found by police in search – trusted minder of drugs aware they would be trafficked – observed by police preparing and supplying drugs and 12.4g (pure) and 68.5g (pure) cocaine found in apartment and storage unit by later police search – motivated by financial gain Became addicted to cocaine after cancer and inability to have children – genuine remorse - good prospects of rehabilitation – suffering depression (consideration of a State guideline judgment in relation to Community Corrections Order to federal offences – concluded does not apply to federal offences) |
| 31. | Alpha (33) [2015] NSWCCA 225 | Import mkt qty: s.307.2 Sched: 2 offences | 684g cocaine | PG (50% plea and assist on appeal) | 7y 2m NPP 4y 3m | AA 6y NPP 3y 8m | Supply drugs | Communicated with father and other co-offenders regarding import - utilised coded terminology in conversations via telephone services subscribed with false identification – drugs intercepted by police - high level seriousness. Drug abuse |
| 32. | Harris (24) [2016] VSCA 30 | Import mkt qty: s.307.2 | 120g cocaine | PG | 5y NPP 3y | AA 3y 1d NPP 2y | Nil | Imported drugs in underpants and rectum – pressured by drug debt Early guilty plea |
| 33. | Neto (25) [2016] QCA 217 | Import mkt qty: s.307.2 | 712.3g cocaine | PG | 7y 6m NPP 4y 3m | AD | nil | Brazilian national – carried cocaine in suitcase from Dubai – sought to raise money to support family in Brazil – must have at least suspected carrying drugs Remorse – efforts at self-improvement in custody – pregnant partner in Brazil |
| 34. | Johnstone (26) McCauley (24) [2017] ACTSC 84 Penfold J | Import mkt qty: s.307.2 Import mkt qty: s.307.2 | 29.7g cocaine | VG VG | 3y 6m ICO 3y 4m ICO | | Minor Minor | J met man in Thailand and arranged for 50g of drug to be mailed to Australia – offenders impressed with price and quality and arranged second mailing to M's grandmother – controlled delivery – personal use although intended to sell for cost – would have imported more – low range seriousness – J more culpable J – good rehabilitation from long term substance abuse M – some rehabilitation |

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| 35. | Cunha (26) [2017] QCA 6 | Import mkt qty: s.307.2 | 1.338kg cocaine | PG | 8y NPP 5y | AD | Nil | Brazilian national entered Australia with co-offender carrying drugs in pants Some financial pressure at home Co-offender BERNARDO dealt with for importing comm qty |
| 36. | Stemler [2017] NSWCCA 320 | Att possess mkt qty: s.307.6 Supply: (NSW) Sched: Poss cannabis and cocaine | 1413.9g cocaine | PG (29.5%) | 7y 9m NPP 5y 3m 12m <u>Total:</u> 7y 11m NPP 5y 5m | AA 7y 9m NPP 5y 12m <u>Total:</u> 7y 11m NPP 5y 2m | Breached bond for assault | Drugs imported in ink cartridges - arranged for delivery of package containing drugs – financial rewards – controlled delivery Remorse – prospects of rehabilitation |
| 37. | Sintat (29) [2018] NSWCCA 165 Co-offender: DUFLAUT | Import mkt qty: s.307.2 | 63.5g cocaine | PG (25% on appeal) | 3y Released after 2y for 2y recog | AD | nil | Female – agreed to carry drugs in vagina for co-offender – flew from France – courier – well below mid-range Despite errors no lesser sentence warranted |
| 38. | Duflaut (35) [2019] NSWCCA 21 Co-offender: SINTAT | Import mkt qty: s.307.2 | 63.5g cocaine | PG (25% on appeal) | 5y 6m NPP 3y 8m | AA 5y 3m NPP 3y 6m | nil | French national – arranged for co-offender to courier drugs secreted in vagina on behalf of acquaintance – made extensive arrangements – travelled with co-offender by plane |
| 39. | Gwardys (36) [2019] NSWCCA 62 | Import mkt qty: s.307.2 | 391.7g cocaine | PG (25% on appeal) | 6y NPP 4y | AD | nil | Flew to Australia from Canada with drugs concealed in abdomen – integral role – low in hierarchy – agreed to carry drugs – approached after booking holiday – financial gain Drug user – genuine remorse – prior good character |

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| 40. | Cuthbertson [2019] VSCA 104 | Import mkt qty: s.307.2 Possess imitation firearm (VIC) Possess unreg firearm (VIC) | 837.9g cocaine | PG | 8y 3m 12m 9m <u>Total:</u> 8y 3m NPP 5y 9m | AD | older record | Drugs imported concealed in shock absorbers from Thailand – opened parcel locker using false name and identification – arranged for and collected consignment using false name – acted on behalf of acquaintance in Thailand to pay off considerable gambling debt – some level of duress created by offender’s association with acquaintance known to be violent criminal Difficult childhood – coerced by father to commit murder at 16y – protective custody – mental health issues - remorse |
| 41. | Duque (31) [2019] VSCA 212 | Att possess mkt qty: s.307.6 | 403g cocaine | PG | 6y NPP 4y | AD | nil | With co-offender arrested in possession of package containing drugs sent from Chile – used old residential address of co-offender – controlled delivery – Australian organiser and more culpable than co-offender – extensive planning over several weeks Colombian national – genuine remorse – good prospects of rehabilitation - deportation |
| 42. | ZZ (middle age) [2019] NSWCCA 286 | Import mkt qty: s.307.2 | 824.4g cocaine | PG (35% combined on appeal) | 5y NPP 3y 2m | AA 4y 4m NPP 2y 9m | nil | Middle aged German female flew in with partner from Germany carrying drugs in suitcase – recruited in Germany – reckless as to presence of drugs – below mid-range but not at bottom Remorse – good prospects of rehabilitation – no English On appeal – took into account greater appreciation of value of assistance |
| 43. | Woodrum (50) [2019] NSWCCA 270 | Import mkt qty: s.307.2 | Not stated | PG | 7y 6m NPP 4y 6m | AA 5y NPP 3y | nil | Offender imported drugs concealed in shoes in suitcase – reckless as to presence of drugs – not aware of amount of drug – naïve and duped by co-offender into carrying drugs with promise of emotional future – junior partner – well below mid-range Female from USA – prior good character On appeal: sentence manifestly excessive – factual error in relation to amount drug exceeded marketable quantity |

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| 44. | Ahmad (27) [2019] NSWCCA 198 | Att import mkt qty: s.307.2 Att possess mkt qty: s.307.6 Dishonestly obt financial adv by deception (NSW) Possess proh drug (NSW) Sched: Fraud offence | 367g cocaine 74g cocaine \$59,458 3.8g cocaine | PG (25%) | 5y 3y <u>Total Cth Off:</u> 6y NPP 4y 2y 6m <u>Total:</u> 7y NPP 5y | AD | Not particularly significant | Fraudulently obtained loan to purchase motor vehicle – unsuccessful attempt made to obtain second loan - drugs imported concealed in toner cartridge – offender unsuccessfully sought to enable co-offender to collect package – larger amount sent by package from USA 6 weeks later – controlled delivery - senior member of syndicate – ‘supervising receiver of imported drugs, tasked with arranging for collection, retrieval and distribution’ – financial motivation – 3.8g cocaine found in offender’s house at time of search warrant Exposed to criminal activity of brothers – lengthy substance abuser On appeal: sentence for possession offence not manifestly excessive – no issue of parity |
| 45. | Oliveira (36) [2020] WASCA 32 | Import mkt qty: s.307.2 | 1.331kg cocaine | PG (25%) | 8y NPP 5y 4m | AA 8y NPP 5y | nil | Arrived from Dubai with cocaine in shampoo bottles in luggage – attempted to escape from airport – agreed to bring in drugs in return for holiday to Australia – not aware of quantity or purity of drugs Brazilian national who had moved to US – isolation while in custody – limited assistance – remorse - some steps to rehabilitation – good character On appeal: SJ erred in referring to hierarchy of drugs |
| 46. | Buttigieg [2020] SASCFC 38 | Import mkt qty: s.307.2 | 134.5g cocaine | PG (20%) | 2y 11m 3w Realised to recog for 2y 6m | Crown AD | Nil relevant | Flew to USA and arranged for consignment containing drugs to be sent to Australia – on return attempted to collect delivery – resisted arrest Drug user seeking to repay drug debt – delay – remorse – significant rehabilitation On appeal: sentence inadequate and discount for plea too great – dismissed in view of nature of rehabilitation |

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| 47. | Walsh (23-24) [2020] NSWCCA 182 | Consp to import mkt qty: s.307.2 | 1,154.3gm cocaine | PG | 9y NPP 5y | AA 9y NPP 4y 9m | Nil | Cocaine imported concealed in goods sent on consignment through Australia Post over 18 months – integral role and link between overseas participants and Australian participants – 19 consignments intercepted – further 30 consignments not intercepted Acted under duress after threats made to family – gambling and drug debts – prior good character – remorse – excellent prospects of rehabilitation On appeal: Xiao error made on guilty plea discount |
| 48. | Melville (44) [2020] NSWCCA 210 | Import mkt qty: s.307.2 | 274.9g cocaine | PG (25%) | 5y NPP 3y | AD | Nil | Swallowed drugs contained in pellets – detected at airport - committed offence to pay a debt. |
| 49. | Roberts (55) [2020] QCA 129 | Import mkt qty: s.307.2 | 413.9g cocaine | VG | 9y NPP 5y 6m | AD | minor | Female imported drugs in suitcase from Argentina – extent of involvement unclear Out of character |
| 50. | Khaler [2021] NSWCCA 40 | Import mkt qty: s.307.2 Supply comm qty (NSW) Sched: Knowingly take part in criminal group: s.93T(1) | 808.6g cocaine Less than 1kg cocaine | PG (25%) | 7y 9m NPP 5y 5y 4m NPP 3y 4m <u>Total:</u> 8y 9m NPP 6y | AD | Nil relevant | Observed supplying drugs to member of syndicate and being paid large amount of cash – several weeks later detained at airport having ingested 111 hard pellets of cocaine before flying from Thailand – not management role but more than mere mule – financial reward – aware of wider criminal activities of group – aware of weight of drugs – element of planning Mental health issues – drug user with mounting drug debt – good character – good prospects of rehabilitation – remorse – medium risk of re-offending |
| 51. | Urdanegui [2021] NSWCCA 170 | Import mkt qty: s.307.2 | 375.6g cocaine | PG (not stated) | 7y NPP 4y 6m | AD | Negligible - not stated | Arrived in Sydney – drugs found in champagne bottles in luggage – debts of \$15k. |

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| 52. | Robson-Bolan [2022] NSWCCA 1 | Import mkt qty: s.307.2 Supply (NSW) Sched: Proceeds of crime Possess cannabis | 182g cocaine Approx. 300g cocaine \$3,300 \$31,900 391g | PG (25%) | 2y 6m released after 1y 6m FT 1y <u>Total:</u> 3y 6m NPP 2y 6m | AA 2y 3m released after 1y 6m FT 9m <u>Total:</u> 2y 9m NPP 2y | Two minor driving matters | Purchased drugs over dark web using own name and address – drugs concealed in ruler – controlled delivery – arrested when picked up package from post office – found in possession of additional drugs, money and drug supply material – principal – financial gain – lower end of seriousness Contrite and remorseful – childhood mental health, self-harm and early drug use – difficulties in custody – good prospects of rehabilitation On appeal: error in total accumulation |
| 53. | Huynh (47 at sentence) [2022] VSCA 49 | Import mkt qty: s.307.2 | 875g cocaine | PG | 7y NPP 4y 8m | AD | Dishonesty and drug offences including drug offences committed at similar time | Drugs sent to offender's parents' address from Chile hidden in paragliding equipment – controlled delivery – hands-on, integral and high level involvement from outset – no evidence involvement beyond importation Delay On appeal: not manifestly excessive |

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