

Unauthorised Possession or Use of Pistol or Prohibited Firearm

s.7(1) (NSW) Firearms Act

s 7(1) A person must not possess or use a pistol or prohibited firearm unless authorised to do so by a licence or permit.

Maximum penalty: 10 years (offences committed before 1.7.2001)

Maximum penalty: 14 years (offences committed on or after 1.7.2001)

Standard non-parole period 3 years (offences committed on or after 1.2.2003)

Standard non-parole period 4 years (offences committed on or after 21.8.2015)

	NAME (age if known)	OFFENCE	PLEA	SENTENCE AT FIRST INSTANCE	RESULT ON APPEAL	SUMMARY OF RECORD	FACTS
1.	Mouloudi (20) [2004] NSWCCA 96	2 x Possess proh pistol Sched: 7 offences including possess firearm and possess ammunition	PG (20% on appeal)	4y 6m NPP 2y 6m (each – concurrent)	Crown AA 6y NPP 4y (each – concurrent)	Previous custody - possess unauth firearm - possess proh weapon - supply drugs - mal wound Breached bond and bail	SNPP 3 years Two firearms located on respondent during police body search – both firearms loaded – one pistol stolen – offence aggravated by fact that respondent attempted to reach for weapon during search amounting to threatened use - offence “far more serious than an offence in the middle range of seriousness” Special circumstances – rehabilitation prospects due to age SJ erred as to maximum penalty – incorrectly thought maximum penalty was 5 years not 14 years
2.	Goktas (30) [2004] NSWCCA 296	Possess proh firearm	PG (25%)	4y NPP 2y 6m	AA 2y NPP 15m 20d		Delivered tool box containing machine gun being sold to undercover operative – not involved in sale – giving friend a lift - unaware contest of tool box until entered house – joint possession for mere minutes

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3.	Webb (32) (2004) 149 A Crim R 167 [2004] NSWCCA 330	Possess proh firearm Possess handcuffs Mal damage property Sched: 3 x firearms offences	PG (10%)	2y 8m NPP 16m FT 9m (concurrent) FT 12m (concurrent) <u>Total:</u> 3y 3d NPP 20m 3d (4m 3d PSC)	AD	Record – breached bond	Used sword and submachine gun to cause \$35,000 damage to unit – shot five times by police Exhibiting signs of paranoia – heavy drug use
4.	Krstic (38) [2005] NSWCCA 391	Possess proh pistol GIC Possess ammunition Possess steroids Possess methyamphetamine	PG	2y 8m NPP 2y FT 2m (concurrent) Rising of the court \$50 fine \$50 fine	AD	Not stated.	SNPP 3 years Loaded pistol found in motor vehicle during police search when reporting to Police Station as part of requirements to Immigration Department. On conditional release from Villawood Detention Centre having entered Australia illegally.
5.	AA (25) [2006] NSWCCA 55	Possess proh pistol Possess proh pistol Cultivate cannabis Sched: Various offences	PG	2y NPP 12m FT 6m (concurrent) 12m NPP 6m (concurrent)	Crown AD		SNPP 3 years Found in possession of colt .45 pistol, two unloaded magazines, 600 rounds of ammunition, bullets and cannabis seeds - 87 cannabis plants found in garage – 18m later found in possession of loaded .22 calibre pistol – carried pistol for protection after being assaulted for assistance given to police Suffering depression at time of offence – cannabis grown for personal use Sentence inadequate but appeal dismissed.

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6.	Whitfield (60) [2006] NSWCCA 362	Possess proh pistol Possess unreg firearm: s.36(1) <i>Firearms Act</i>	VG	4y NPP 3y 12m (concurrent)	AA 4y NPP 2y 3m 12m (concurrent)	Supply drug; GIC – breached bail	SNPP 3 years Female – unloaded pistol located during search of property – within mid-range Special circumstances includes accumulation of sentence, age, extension of first experience of prison and depressive disorder.
7.	Logan (23) [2006] NSWCCA 416	Possess proh pistol BES w/intent	PG	2y NPP 14m (suspended) (300 hours CSO)	Crown AD		SNPP 3 years Went with co offender to retrieve money owed by victim to co offender - Police search located items including loaded magazine for pistol, baton and roll of tape – pistol, discarded by offender located in nearby area - below mid-range for objective seriousness - pistol carried in self-defence – no evidence pistol obtained for unlawful purpose. Strong subjective circumstances – army service in East Timor – major depression – excellent rehabilitation – little chance of reoffending - “Difficult and most unusual case.”
8.	Yang (48) [2007] NSWCCA 37	Possess proh firearm Possess false instrument Possess implement to make false instrument	PG (10%)	4y NPP 2y 9m FT 15m FT 15m <u>Total</u> 5y 3m NPP 4y	AD	Nil	SNPP 3 years Loaded firearm located at premises – serial number removed – false credit cards and drivers’ licences also located – implements used to make false cards located.

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9.	Cramp (59) [2008] NSWCCA 40	Possess proh pistol Possess unreg firearm: s.36(1) <i>Firearms Act</i> Sched: Use proh pistol 2 x possess unreg firearms	PG	s.9 GBB 2y s.10 No conviction	AD	Nil	SNPP 3 years Proprietor of firearms and security business holding number of licences – in possession of two pistols for which no approval obtained – in industry for 26 years. Breaches were not trivial or technical.
10.	Marracos (30) [2008] NSWCCA 267	Possess proh pistol Possess ecstasy Possess equip for manufacture Possess proh weapon (baton): s.7(1) <i>Weapons Proh Act</i>	PG (20%)	4y NPP 18m FT 1m FT 16m FT 18m <u>Total:</u> 5y 6m NPP 3y	AA 3y NPP 18m FT 1m FT 16m FT 12m <u>Total:</u> 4y 5m NPP 2y 10m	nil	SNPP 3 years Found in possession of extendable baton and loaded colt .45 calibre semi-automatic handgun - part of 'sophisticated international enterprise' to manufacture LSD in Australia – organiser and facilitator in Sydney – not principal – greed - mid-range of objective seriousness Difficult childhood - refugee from Iraq - special circumstances - good rehabilitation prospects
11.	Thalari (26) [2009] NSWCCA 170	Possess proh pistol Possess loaded firearm in public place: s.93G(1) <i>Crimes Act</i> Supply ecstasy Sched: 6 offences	PG (30%)	3y 6m NPP 2y FT 18m FT 12m (concurrent)	AD	Limited – breached bail	SNPP 3 years Loaded .22 calibre self-loading pistol found in car with drugs and ammunition – supplied drugs on small scale – 4.82g ecstasy

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12.	Tran (30) [2010] NSWCCA 183 Co-offender: DO CHOMPEAY	Possess proh pistol Possess proh weapon: s.7(1) <i>Weapons Proh Act</i> Possess unreg firearm: s.36(1) <i>Firearms Act</i> Sched: possess ammo without licence	PG (25% on appeal)	4y 8m NPP 3y 6m FT 9m FT 2y 4m <u>Total:</u> 4y 11m NPP 3y 9m	AA 4y 3m NPP 3y 2m 8m NPP 6m FT 2y 2m <u>Total:</u> 4y 6m NPP 3y 5m	Record including mal inflict GBH	SNPP 3 years Passenger in vehicle pulled over by police – various weapons found in possession of occupants – offender in possession of working Taser-type device, copper bullet and .25 calibre pistol with a magazine with six live rounds – no explanation Insufficient discount for guilty plea.
13.	Do (32) [2010] NSWCCA 182 Co-offender: CHOMPEAY TRAN	Possess proh pistol Possess unreg firearm: s.36(1) <i>Firearms Act</i> Sched: Ammo offence Drug offence	PG (25% on appeal)	6y NPP 4y 6m FT 2y 8m (concurrent)	AA 5y 3m NPP 3y 11m FT 2y 2m (concurrent)	Lengthy record – breached parole	SNPP 3 years Driver of vehicle pulled over by police – various weapons found in possession of occupants – offender in possession of a .32 calibre Beretta pistol with magazine with live rounds and 0.027g methylamphetamines in pocket – offence considerably above mid-range Insufficient discount for guilty plea – previous involvement with gangs – drug and gambling abuse
14.	Chompeay (27) [2011] NSWCCA 96 Co-offenders: TRAN DO	Possess proh pistol Possess unreg firearm: s.36(1) <i>Firearms Act</i>	PG (25% on appeal)	5y 4m NPP 4y FT 2y 6m (concurrent)	AA 5y NPP 3y 9m FT 2y 4m (concurrent)	Lengthy – AR – GIC On bail at time of offences.	SNPP 3 years Driver of vehicle pulled over by police – various weapons found in possession of occupants. Insufficient discount for guilty plea.

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15.	Athos (27) [2013] NSWCCA 205	Possess proh pistol 2 x Possess proh firearm Possess proh weapon (handcuffs): s.7(1) <i>Weapons Proh Act</i> Possess proh weapon (silencer): s.7(1) <i>Weapons Proh Act</i> 2 x possess proh weapon (magazine): s.7(1) <i>Weapons Proh Act</i> Sched: 8 Offences	PG (25%)	5y NPP 3y 2y FT 12m FT 18m FT 2y <u>Total:</u> 6y NPP 4y	AD	Nil	SNPP 3 years Found delivering bag containing guns, ammunition, handcuffs, detachable weapons magazines and silencer – pistol: Smith and Wesson revolver – prohibited firearms: bolt guns - further ammunition found at home – brought guns down from Queensland - delivering bag to persons with criminal records – would have been aware of real chance weapons would be used for criminal activity History of depression
16.	El Masri (39) [2014] NSWCCA 13	Possess proh pistol	PG (25%)	3y NPP 1y 8m	AD	Assault	SNPP 3 years Former member of motorcycle club – received threats to himself and family - brother assaulted – weapon acquired for self-protection - .38 calibre revolver with part of serial number Good character – extra-curial punishment: business suffering due to imprisonment
17.	Farrell [2014] NSWCCA 30 [2015] NSWCCA 68	Possess proh pistol Sched: 4 offences	PG (25%)	s.11 Deferral sentence 2 years imprisonment to be served by way of ICO (9.5 months PSC)	Crown AD Crown AD		SNPP 3 years Weapon hidden in motor vehicle on offender's work premises – located during police search - below mid-range of seriousness – Uzi-machine pistol with serial number defaced SJ erred deferring sentence for surgery but no practical benefit in allowing Crown appeal

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18.	Atkinson (34) [2014] NSWCCA 262	Possess proh pistol Possess proh pistol Supply heroin Sched: 4 offences	PG (25% on appeal)	10y NPP 7y 10y NPP 6y FT 2y <u>Total</u> 11y NPP 7y	AA 8y NPP 5y 3m 8y NPP 4y 3m FT 2y <u>Total</u> 9y NPP 5y 3m	Not serious offences – some dealt with by mental health legislation	SNPP 3 years Standover man providing services for persons engaged in organised crime – weapons and related material found in house – had agreed to obtain money from someone - .22 calibre Ruger self- loading pistol - .45 calibre automatic Colt pistol – worst case Significant psychiatric problems – significant dysfunctional; background – failure to give full discount - parity
19.	Raniga [2016] NSWCCA 36	Possess proh firearm Sched: 2 related offences	PG (25%)	4y 6m NPP 3y	AD	Rob in company offences	SNPP 3 years Probation member of motor cycle club – travelling in taxi with another member followed in car by president – SKS model self- loading rifle in boot with ammunition – upper end of mid-range – connection to motor cycle club and presence of ammunition aggravating factors
20.	Alrubae (18) [2016] NSWCCA 142	Possess proh firearm Possess proh pistol Sched: 4 firearms offences	PG (25%)	<u>Indicative</u> 4y NPP 2y 3y NPP 1y 6m <u>Agg</u> 5y NPP 2y 6m	AD	Juvenile – robbery, affray, assault – breached bonds	SNPP 3 years Replica pistol and sawn-off shotgun found under garbage in industrial area – offender subsequently arrested near scene – no evidence as to intended use of firearms – pistol mid-range offence – shotgun above mid-range offence
21.	Sutton (51) [2016] NSWCCA 249	Possess proh pistol Supply methamphet	PG (10%) PG (25%)	Indicative 2y 6m 2y <u>Agg</u> 4y NPP 3y (partially concurrent to existing sentence)	AD	Lengthy – breached parole	SNPP 3 years Supplied 5g methamphetamine to nephew – in subsequent search of house showed police location of .22 calibre revolver, bullets and silencer – weapons belonged to someone else – below midrange

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22.	Lamis [2016] NSWCCA 274	Possess proh pistol Proceeds of crime offence Sched: Possess knife	PG (25%)	3y 9m NPP 2y 3m 2y 6m NPP 18m (concurrent)	AD	Breached bond – history of assaults, sexual offences, robbery, weapons	SNPP 3 years Accompanied several persons involved in drug deal to collect money– carried loaded 9mm Sig Arms semi-automatic pistol in bag into Casino – gun not removed from bag and no threats made but prepared to use weapon if required – mid-range Difficult personal history – mental health issues – drug addiction
23.	Tassis [2017] NSWCCA 143	2 x Possess proh pistol Supply drug Sched: 4 x supply Proceeds crime	PG (25%)	3y 9m NPP 2y 2y 3m NPP 14m <u>Total</u> 4y NPP 2y 9m	AD	Nil	SNPP 3 years Travelled to Brisbane and purchased 14g methamphetamine and semi-automatic self-loading pistol and magnum revolver with 6 rounds ammunition – gun purchase opportunistic and for self-protection – arranged to have guns and drugs mailed to home in NSW – further drugs and \$20,000 found in house including 171.4g methamphetamine, 27.4g amphetamine and 3.2g cocaine Long term drug user – otherwise good character
24.	Krisovic (24) [2017] NSWCCA 167	Possess proh pistol Supply proh drug Drive disqual Police pursuit Proceeds of crime	PG (50% plea and assist)	3y 6m NPP 2y 2y 3m NPP 18m FT 3m FT 4m 2y GBB	AA <u>Indicative</u> 3y 2y 3m 3m 4m <u>Total</u> 4y NPP 2y 6m	Includes weapons offences – breached bail	SNPP 4 years Drove away from police car – short pursuit – loaded pistol, 19.04g and \$440 found in car – mid range offence Good prospects of rehabilitation

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25.	Afu [2017] NSWCCA 240	Possess proh pistol Att s.97(2) s.97(2) Accessory after s97(2) Sched: 2 offences	PG (10%)	3y 6m NPP 2y 4y 5y 10m 1y 9m <u>Aggregate:</u> 7y 6m 4y 6m	AD		SNPP 3 years With co-offenders entered hotel armed with rifle, pistol and axe - staff avoided confrontation - same evening same five offenders entered second hotel armed with same weapons - threatened staff and took over \$20,000 – further robbery of another hotel – escape vehicle tracked by police to offender's home where police found proceeds of robbery including rifle used
26.	Mariam [2017] NSWCCA 292	Possess proh pistol Induce another to falsely claim responsibility for firearm w/i pervert course of justice	PG	4y NPP 3y 5y <u>Total:</u> 6y NPP 4y 6m	AD	Robbery, assault with intent	SNPP 3 years Police located .45 calibre automatic self-loading pistol together with detachable magazine loaded with 10 .45 automatic cartridges, within ceiling cavity in laundry of offender's premises – offered \$35K and Toyota vehicle to as payment for K to sign statutory declaration that firearm belonged to K – K signed statutory declaration and received Toyota motor vehicle - sentenced on basis at some stage exercised control over weapon by possessing it – no finding that offender owned weapon Reasonable prospects of rehabilitation – supportive wife and family

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27.	Hunt (65) [2017] NSWCCA 305	Possess proh firearm Fire at dwelling house with disregard for safety: s.93GA(1) <i>Crimes Act</i> s.166 Certificate Armed with intent Assault Intimidation Possess unregistered and prohibited firearm	PG (25%)	<u>Indicative</u> 3y 4m NPP 2y 6y 4m NPP 3y 9m <u>Agg:</u> 8y 3m NPP 5y 2y 12m 2y 2y	AD		SNPP 4 years Came home to partner of 30 years on farm after business trip – suspected victim of infidelity and became enraged – took rifle from car and fired at veranda where victim standing – fired second shot at house – entered house and struggled with victim while holding gun – extended period of threats and intimidation until police arrived – told police where to find rifle and key to safe containing SKS assault rifle Deteriorating mental health although not linked to offending
28.	Stavropoulos (late 40s) [2018] NSWCCA 12	2 x Possess proh pistol Supply methamphet Possess prohib weapon: s.7(1) <i>Weapons Proh Act</i> Sched: 4 offences s.166 Certificate 3 offences	PG (25%)	<u>Indicative</u> 18m NPP 9m (each) 2y 18m NPP 9m <u>Agg</u> 3y NPP 18m No additional penalty	AD	nil	SNPP 4 years Found in possession of 42.97g methamphetamine – accepted drug was for personal use and sharing with 18 poker friends – at house found in possession of knuckledusters and extendable baton, 293.7g cannabis, 3 imitation pistols, one imitation firearm, fireworks and 0.04g amphetamines – no explanation for firearms but accepted not related to criminal activity

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29.	Watkins [2018] NSWCCA 24	Supply methamphet Supply cannabis Possess proh pistol s.25A supply methamphet Supply methamphet s.193B(2) Sched: 7 offences s.166 Certificate 10 offences	PG (10- 15%) PG (25%)	<u>Indicative</u> 3y 2y 2y NPP 15m 4y 6m 4y 6m 4y <u>Agg</u> 8y NPP 5y FT 6m (concurrent)	AD	supply offences – second offences committed on bail	SNPP 3 years Drug dealing from rented premises – found in possession of 30.73g methamphetamine, 360g cannabis and pistol – after release to bail continued drug dealing – found in possession of 29.59g methamphetamine and \$35,000 Mental health issues impacting custodial conditions
30.	Ngati (31) [2018] NSWCCA 32	Possess proh firearm 4 x obtain property by deception AOABH	PG VG PG	2y 8m NPP 2y 2y 8m NPP 2y FT 12m <u>Aggregate:</u> 6y 6m NPP 5y	AD		SNPP 3 years In company with two co-offenders detained and threatened male acquaintance obtaining money from bank accounts – during search of offender's home found in possession of firearm not loaded but capable of firing ball bearing ammunition – not used in fraud offences – low seriousness Married with children – drug problems

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31.	Behjani-Zadeh [2018] NSWCCA 97	Possess proh pistol Possess pistol so as to endanger life: s.93G(1) <i>Crimes Act</i> Intimidation Sched: Deal with proceeds of crime s.166 Certificate Conduct drug premises	PG	<u>Indicative</u> 6y 9m NPP 4y 3y 4m 2y 6m <u>Agg:</u> 8y 6m NPP 5y 6m FT 6m	AD		SNPP 4 years Arrested outside unit in possession of .22 calibre self-loading pistol with live round in chamber, magazine with 6 rounds of ammunition and \$15,655 cash from drug dealing – found additional small amounts of heroin and methamphetamines and ammunition in unit – CCTV footage established drug dealing – footage also showed threatened female partner with gun several months earlier
32.	Skinner [2018] NSWCCA 185	2 x Possess proh pistol s.61 s.112(3) s.86(1) Sched: Armed with a weapon s.166 certificate: s.611 Larceny	PG (15%)	3y NPP 18m 18m 4y NPP 2y 3y <u>Aggregate:</u> 5y NPP 3y 9m 4m	Crown AD	breached bond	SNPP 4 years While walking down street threatened female acquaintance with imitation firearm – spontaneous but serious offence – one week later forced entry into unit of first victim's female cousin seeking to sort out problem – armed with pocket knife and threatened female with imitation pistol – detained male occupant in unit for several hours by threats Intellectual disability and drug use reduced moral culpability – dysfunctional childhood

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33.	Greentree [2018] NSWCCA 227	Manufacture lge comm qty amphet Accessory after fact manufacture lge comm qty amphet Possess proh firearm Sched: 3 offences	PG 15%	7y NPP 5y 2y 6m 3y NPP 1y 2m <u>Total</u> 10y NPP 7y	AA 6y 3m NPP 4y 5m 2y 1m 2y 5m NPP 1y 8m <u>Total</u> 8y NPP 5y 6m		SNPP 3 years Involved with brother - large amounts of ingredient chemicals for production ("precursors") and equipment found on property - sufficient to manufacture quantity of methylamphetamine greater than 5kg - manufacturing process not underway but manufacture of at least commercial quantity had taken place - arrangements being put in place for manufacture of further large commercial quantity - operation to be embarked upon of substantial size and sophistication - within mid-range objective seriousness - search of property found bolt action rifle with silencer Special circumstances – first time custody – drug rehabilitation On appeal - sentencing judge wrongly assumed commercial quantity was 500g when it was 1kg.
34.	Huynh (41) [2018] NSWCCA 237	Possess proh pistol Consp to supply comm qty pseudoephedrine	PG (25%)	2y 6m 7y 6m NPP 4y <u>Aggregate:</u> 8y NPP 5y	AD		SNPP 3 years Female – position of seniority in conspiracy offence - organiser and financier of importation - gave direction to others in carrying out agreement to supply drugs – pistol found in search of house – unloaded but found in a sock which was inside another sock which contained four rounds of ammunition suitable for use in pistol – mid range seriousness. Mother to three children.
35.	Huang (30) [2019] NSWCCA 144	Supply lge comm qty methylamphet Possess proh firearm Sched: Proceeds of crime 4 further offences	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 3 years Search of offender's premises and motor vehicle uncovered range of drugs including 5.5kg 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

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36.	Ah-Keni (23) [2020] NSWCCA 122	Use proh pistol Fire firearm in public place: s.93G(1) <i>Crimes Act</i>	PG (25%)	4y 3m NPP 3y 11m 3y (concurrent)	AD	Resist police – on bail	SNPP 4 years With co-offender decided to “prank” / play a joke on taxi driver – called taxi – held pistol to driver’s neck – driver struggled - pistol discharged – bullet penetrated windscreen - upper range objective seriousness. Substance abuse.
37.	SY (31) [2020] NSWCCA 320	Manufacture lge comm qty PMMA Supply large commercial PMMA Possess prohib weapon Possess pistol Sched: 3 offences	PG (Combin ed – 20%)	<u>Indicative:</u> 10y NPP 6y 6y 10m NPP 4y 3y 10m NPP 2y 6m 3y 10m NPP 2y 6m <u>Aggregate:</u> 14y NPP 9y 6m	AA <u>Indicative:</u> 9y 2m NPP 5y 8m 6y 2m NPP 3y 10m 3y 7m NPP 2y 4m 3y 5m NPP 2y 4m <u>Aggregate:</u> 13y 2m NPP 8y 10m	Obtain money by deception, resist police, enter enclosed lands, destroying property, Possess stolen goods, agg B&E, possess firearms.	SNPP 3 years Manufacture of para-methoxy methyl amphetamine (PMMA) in laboratory with co-offender – amount not ascertainable but very significantly in excess of large commercial qty – principal in operating laboratory and holding product for supply - significant planning – homemade 9mm Parabellum calibre submachine gun found in laboratory - .25 Automatic Lorcin Model L25 self-loading pistol found in storage unit – no ammunition Drug abuse - some prospects of rehabilitation - assistance to police via voluntary surrender of additional firearms CCA: Sentencing judge failed to allow discount for assistance for voluntary surrender of firearms – erred in finding firearm offences aggravated drug offences
38.	Connell [2020] NSWCCA 352	Supply lge comm qty MDA Possess shortened firearm Possess pistol Sched: Possess ammo Possess cocaine Possess cannabis Proceeds of crime	PG (25%)	 <u>Aggregate:</u> 8y 6m NPP 5y 6m	AA <u>Indicative:</u> 6y 6m 2y 3m 1y 2m <u>Aggregate:</u> 8y NPP 5y 2m	No custody – drink driving, possess prohibited drug, assault - possess knife	SNPP 4 years Observed handling guns in presence of 12y son of co-offender – next day observed packaging drugs – on execution of search warrant found small amounts of drugs and other paraphernalia – guns found in car – significant role in drug distribution hierarchy at least above street level – mid range – guns to be used for criminal defence purposes – just below mid- range Remorse and reasonable prospects of rehabilitation On appeal: error in application of guilty plea

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39.	Chandab [2021] NSWCCA 186	Possess proh pistol Knowingly take part in supply CQ cocaine Sched: Possess defaced firearm Proceeds of crime AOABH	PG (10%)	6y NPP 4y 3y 9m NPP 2y 3m <u>Total:</u> 6y 3m NPP 4y 2m	AD	History of violence and dishonesty offences	SNPP 4 years Fully loaded and defaced .357 magnum calibre Smith and Wesson and 634.7g cocaine (83.5% purity) found concealed in offender's motor vehicle - drugs held in safe keeping for someone else - member of motor cycle gang – firearm unconnected to drugs – firearm held in breach of FPO – four months later cash found in house – assaulted inmate while in custody – firearm offence above mid-range Remorse – good prospects of rehabilitation
40.	Awraham (24) [2021] NSWCCA 241	Attempt poss commercial quantity Possess unauthorised pistol Supply drug Possess unregistered firearm	PG (25%)	7y 6m NPP 5y 15d 3y NPP 1y 11m 2y 3m 18m <u>Total:</u> 9y NPP 6y 6m	AD	Driving – not relevant.	Closely involved in an attempt to import 12.152kg drugs - role "at least that of a courier" and above that of "mere recruit" - aware of when and where consignment would be delivered - arrived at delivery address to oversee what occurred after package delivered - expected to gain significantly to discharge drug debt of \$40,000 to \$50,000 - .22 calibre Ruger pistol and a magazine containing eight rounds of ammunition found on premises Special circumstances – good rehabilitation.

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41.	Le [2022] NSWCCA 243	Possess proh pistol Possess proh pistol Supply methamphet Possess proh weapon: s.7(1) <i>Weapons Prohibition Act</i> Sched: 4 offences	PG (25%)	<u>Indicative:</u> 2y 6m NPP 16m 2y 7m NPP 17m 1y 3m 18m NPP 10m <u>Aggregate:</u> 5y NPP 2y 9m	AD		SNPP 4 years Items found in home of offender's partner – unloaded and defaced glock pistol in ottoman – second defaced glock pistol in washing machine – 51.99g methamphetamine and 10.46g ecstasy found in bags – cattle prod taser – various magazines and cartridges Subjective case not relevant to appeal On appeal found no error in approach to special circumstances or assessment of objective seriousness of offences

Last updated: Nov 2022