

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

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

**Large Commercial Quantity:** 1 kg

**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
1.	<b>Cook</b> (39) <a href="#">[2002] NSWCCA 216</a>	Supply lge comm qty	2.003kg	PG	6y 4m NPP 4y 9m	AD	Minor drug offences	Found in possession of cocaine in car – difficult to ascertain role but not a principal Good work record – good prospects of rehabilitation – serious consequences of bike accident
2.	<b>Do</b> (25) <a href="#">[2005] NSWCCA 209</a>	Supply lge comm qty  Supply lge comm qty heroin	1.5kg  6kg heroin	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
3.	<b>Attallah</b> (50) <a href="#">[2005] NSWCCA 277</a>	Supply lge comm qty  Supply lge comm qty heroin	Over 8kg  Over 3kg heroin	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
4.	<b>Coetzee</b> (44) <a href="#">[2007] NSWCCA 12</a>	Supply lge comm qty	24.4kg	PG (15%)	9y 3m NPP 6y 9m	AA To allow 9d backdate only	nil	Cocaine imported and stored in storage units arranged by applicant – participation vital to operation Motivated by greed – rehabilitation

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5.	<b>Stevens</b> <a href="#">[2007] NSWCCA 252</a>	Supply lge comm qty	Just under 2kg	PG	11y NPP 7y	AD		<b>SNPP 15 years</b> Paid for 1kg cocaine supplied on two separate occasions by police informant
6.	<b>Elmir</b> <a href="#">[2009] NSWCCA 22</a> (2009) 193 A Crim R 87	Supply lge comm qty  Act w/l to pervert course of justice  Sched: 5 offences	1kg	PG	12y 6m NPP 8y  6y NPP 4y  <u>Total:</u> 15y NPP 10y 6m	AD		<b>SNPP 15 years</b> Controlled operation – 1kg supplied to appellant and co-offender by police informant – 2 weeks later provided transport for co-offender carrying cocaine - evaded police during high speed pursuit and co-offender threw 496g cocaine from window of car – lied to police about driver of car Wife in poor health – four children, two underage
7.	<b>Pan</b> <a href="#">[2010] NSWCCA 243</a>	Supply lge comm qty	6.011kg	PG (25%)	10y 6m NPP 6y 9m	AD	nil	Offence committed in 2001 – left Australia until extradited several years later – recruited in Canada to assist in supply in Australia – ‘mid-level and trusted member of well organised and international crime syndicate involved in importation and distribution of narcotics to Australia’ Good prospects of rehabilitation
8.	<b>Sevastopoulos</b> (53) <a href="#">[2011] NSWCCA 201</a>	Supply lge comm qty	2.25kg	PG (15%)	12y 6m NPP 9y	AA in part 12y 6m NPP 8y 6m	Drug offences	<b>SNPP 15 years</b> Four individual supplies – acted as “broker” or intermediary – role was to find potential buyers and facilitate sale – collected drugs from location and attended at sale – involved at both ends of transactions - received small fee for services - mid-range offence. SJ failed to give effect to special circumstances based on offender’s age and drug addiction
9.	<b>Pham</b> (25) <a href="#">[2013] NSWCCA 217</a>  Co-offender: NGUYEN	Supply lge comm qty	30kg	PG (25%)	13y 6m NPP 9y 6m	AD		<b>SNPP 15 years</b> 110kg drug imported from Mexico in tiles – not involved in importation – controlled delivery - arranged with undercover police officer to take delivery of 30kg drugs – accompanied co-offender to meeting to collect drugs – claims to have been instructed would receive \$1000 per 1 kg – lower end of middle range

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10.	<b>Gedeon</b> <a href="#">[2013] NSWCCA 257</a>	2 x Supply lge comm qty	2kg 750g	VG	<u>Total</u> 15y NPP 10y	AD		<b>SNPP 15 years</b> Operation by NSW Crime Commission – drug syndicate – intermediate level – more than organisational role – middle range objective seriousness but towards bottom range.
11.	<b>Nguyen</b> (24) <a href="#">[2014] NSWCCA 16</a>  Co-offender: PHAM	Supply lge comm qty	30kg	VG	11y NPP 7y 6m	AD	low range PCA	<b>SNPP 15 years</b> Played small part – no role in planning and organisation – arrangement with undercover police officer to take delivery of drugs – acted on request of co-offender – isolated offence in context of debt he was unable to pay. Drug abuse
12.	<b>Pham</b> (39) <a href="#">[2014] NSWCCA 115</a>	Supply lge comm qty  Supply comm qty ecstasy  Sched: Supply methorphan	1000.8g  299.2g	PG (25%)	11y NPP 8y  5y NPP 3y  <u>Total:</u> 12y NPP 8y	AD	Minor	<b>SNPP 15 years</b> Involved in supply of drugs to undercover officer – arranged to obtain drugs from supplier further up chain – mid-range involvement
13.	<b>YY</b> (36) <a href="#">[2016] NSWCCA 124</a>	Supply lge comm qty  Supply cocaine  Supply cocaine  Sched: 4 offences	5.9573kg  8.02g  85.15g	PG (45% combined)	14y NPP 10y 6m  FT 12m  FT 2y 6m  <u>Total:</u> 16y NPP 12y 6m	AA 11y NPP 8y 3m  FT 12m  FT 2y  <u>Total:</u> 11y 6m NPP 8y 10m	Minor, not significant	<b>SNPP 15 years</b> Drugs and \$1,313,700 in cash found at offender's premises – other supply to undercover police officer and another supply following drugs and money located in offender's car. Successfully operated restaurants - became involved in selling cocaine initially to pay business suppliers – began own drug use- not motivated by greed - wide acceptance in social scene - supply operation of significant size - not involved in organized supply chain or hierarchy. Remorse – assistance – family support On appeal: second appeal - <i>Muldrock</i> error
14.	<b>Lopatinsky</b> (52) <a href="#">[2017] NSWCCA 227</a>	Supply lge comm qty	1kg (75% pure)	PG (25%)	9y 6y 6m	AA 6y 9m NPP 4y 6m		<b>SNPP 15 years</b> With co-offender - drugs imported from U.S. packed inside a large, metal log-splitting device encased in a wooden crate – to be paid \$150k. Appeal allowed on parity grounds.

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15.	<b>Hurmz</b> <a href="#">[2017] NSWCCA 235</a>	Supply lge comm qty	2.4kg	PG (25%)	9y 9m NPP 7y 3m	AD	drugs, driving, dishonesty, inflict GBH with intent	<b>SNPP 15 years</b> With co-offenders, involved in activities of known criminal group supplying drugs to 1200 plus customer base – offender’s role to arrange delivery and receive bulk quantities, collection and payment from drug suppliers, processing drug to increase volume and profit margins, weighing and packing into smaller on-supply quantities, arranging payment of group members - committed for financial gain Rehabilitation prospects guarded.
16.	<b>Rodgers</b> (40) <a href="#">[2018] NSWCCA 47</a>	Supply lge comm qty  Supply lge comm qty  Corrupt benefit to public official s.142.1(1) (Cth) <u>Code</u>  Sched: Supply drug	1kg  1kg	PG (25%)	8y 6m NPP 6y  8y NPP 5y 6m  3y NPP 2y  <u>Total:</u> 9y NPP 7y	AD	Insignificant. Possess drugs	<b>SNPP 15 years</b> Controlled undercover police operation - acted as “middle man” facilitating offer and supply of 2kg of cocaine – negotiated sale and supply - obtained information from AFP officer to assist with importation of drugs, in exchange for financial reward - below mid-range - unusual combination of serious drug supply and corruption offence Good prospects of rehabilitation - significant community support - genuine remorse
17.	<b>Refaieh</b> <a href="#">[2018] NSWCCA 72</a>	Supply lge comm qty	1.001kg	PG (25%)	6y NPP 4y	AD (except to adjust backdate by one day)		<b>SNPP 15 years</b> Few factual details – supply arranged and carried out by co-offenders (including Rodgers) – drugs collected from offender at his house On bail for 12mths for murder charge subsequently no billed – no error in failing to give credit for this time in gaol

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18.	<b>Battersby</b> (30) <a href="#">[2018] NSWCCA 141</a>	Supply lge comm qty ecstasy  Supply lge comm qty  Proceeds of crime: s.193B	23.85kg  2.23kg	PG (25%)	<u>Indicative:</u> 12y NPP 7y 6m  5y NPP 3y  5y  <u>Aggregate</u> 15y 6m NPP 10y	AA <u>Indicative:</u> 10y NPP 6y 6m  5y NPP 3y  3y  <u>Aggregate</u> 12y NPP 8y	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
19.	<b>Lee</b> (38) <a href="#">[2019] NSWCCA 106</a>	Supply lge comm qty	665.05g  334.98g	PG (25%)	7y 6m NPP 5y	AA 6y NPP 4y		<b>SNPP 15 years</b> Part of sophisticated drug supply operation - offender supplied drivers as instructed by H - drivers directed by H or G to meet and supply cocaine to customers - offender supplied 1,414 bags - Police located 681 resealable bags at offender's premises - motivation solely for financial gain. Progress towards rehabilitation - subjective case compelling – good character – special circumstances On appeal found error in assessment of role of offender
20.	<b>Khoury</b> (36) <a href="#">[2020] NSWCCA 190</a>	Supply lge comm qty  Supply cocaine s 25(1)  s.166 certificate 3 offences	2,376.2g  27.9g	PG (25%)	3y 6m NPP 2y  1y 6m  3m  <u>Total:</u> 4y 3m NPP 2y 9m	AD	Possess loaded firearm in public place, possess drug, proceeds crime, demand property with menaces. On parole and bond.	<b>SNPP 15 years</b> Drug rip-off – not real cocaine - with co-offender supplied fake blocks of powder represented / pretending to be cocaine to undercover police operative – second offence was actual supply of 27.9g. Drug abuse. Lowest sentence recorded for this class of offence in sentencing statistics held by the Judicial Commission of NSW: at [89].

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21.	Hadler (37) <a href="#">[2020] NSWCCA 305</a>	Supply lge comm qty cocaine  Supply lge comm qty methyamphet  Supply cannabis  s.166 certificate 4 x possess  Sched: s.193B proceeds of crime	2.547kg  996.4g  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		<b>SNPP 15 years</b> 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
22.	Parkinson (28) <a href="#">[2021] NSWCCA 98</a>	Supply lge comm qty cocaine  s.166 certificate Possess cocaine  Sched: Supply cocaine	2,405.1g  2.2g  138.1g	PG (12.5%)	7y NPP 4y 6m  No penalty	AD	nil	<b>SNPP 15 years</b> Observed by police to be involved in organised drug supply over several weeks – 138.01g supplied to under cover operant collected by co-offender from home of offender – observed using car found to have sophisticated secret compartment and 2,406.1g cocaine – below mid-range Prospects of rehabilitation On appeal: no factual errors or parity issues

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	CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
23.	Rodriego (a pseudonym) <a href="#">[2021] NSWCCA 237</a>	Supply lge comm qty  Unlawfully sell firearms three or more times: s.51B(1) <i>Firearms Act</i>  Sched: 4 offences	Over 3kg   110g	PG (combined 45% - increased on appeal to 50%)	<u>Indicative</u> 6y 6m  5y 5m  <u>Aggregate:</u> 10y NPP 7y 6m	AA <u>Indicative</u> 6y 8m NPP 5y  4y NPP 3y  <u>Aggregate:</u> 8y NPP 6y	AR; supply; conspiracy to cultivate; dishonesty offences	<b>SNPP 15 years</b> Sold guns on three separate occasions to registered source – semi-automatic rifle, pistol and shotgun – selling on behalf of others but could obtain more firearms – sold drugs to same operative – not source of drugs but integral role – could access more drugs on short notice – drug offence mid-range High quality assistance – financially motivated due to gambling and financial stress On appeal: failed to appreciate and rely upon police report on poor condition of firearms – seriousness of firearms offences reduced
24.	Blakeney <a href="#">[2022] NSWCCA 277</a>	Supply lge comm qty	1.74kg	PG (25%)	3y 6m NPP 1y 9m	AD	Supply drugs, goods in custody	<b>SNPP 15 years</b> With co-offenders operated drug supply from garage – offender attended garage 16 times – extracted cocaine from larger block and bagged smaller quantities - total of 4kg prepared for supply by participants in joint criminal enterprise. Drugs from aged 15 – complex mental health – low risk reoffending - impressive employment history – tertiary educated.
25.	Hassoun (late 20s) <a href="#">[2023] NSWCCA 5</a>	Supply lge comm qty	1.47kg	PG (25%)	7y 6m NPP 4y 6m	AD	Fine for assault police	<b>SNPP 15 years</b> Involved with drug syndicate supplying drugs over Sydney for 5 months - responsible for day-to-day running of syndicate and directing drug runners – approaching mid-range Good character – some evidence of remorse – unlikely to re-offend On appeal: No disparity to sentences of co-offenders established

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26.	Chu (33) <a href="#">[2023] NSWCCA 13</a>	Supply lge comm qty  Supply lge comm qty meth  Supply ecstasy  Supply comm qty GBL  s.166 Cert: 8 offences  Sched: 6 offences	3,322.50g  7,418.36g  19.16g  2,047g	PG (25%)	<u>Indicative:</u> 6y NPP 4y  6y NPP 4y  2y  4y NPP 2y 8m  1m-6m  <u>Aggregate:</u> 9y NPP 6y	AA <u>Indicative:</u> 5y 3m NPP 3y 6m  5y 3m NPP 3y 6m  9m  3y NPP 2y  s.10A  <u>Aggregate:</u> 7y 6m NPP 5y	nil	<b>SNPP 15 years</b> Drugs and related material found in bedroom – storing drugs for suppliers – limited role but large quantities and multiple types of drugs – well below mid-range Good character – good prospects of rehabilitation – link between mental health issues, drug use and offending On appeal: manifestly excessive in view of mental health issues
27.	Kochai (52) <a href="#">[2023] NSWCCA 116</a>	Supply lge comm qty  Proceeds of crime: s.193D  Sched: Possess 1g cannabis	3.0227kg	PG (10%)	<u>Indicative:</u> 9y NPP 5y  5y  <u>Aggregate:</u> 10y NPP 6y	AD	Nil significant	<b>SNPP 15 years</b> Over 10 months purchased \$860,000 worth illegal cigarettes from under cover operant by \$262,500 cash and cocaine – integral and significant part of supply chain – degree of planning Refugee from Afghanistan – limited remorse – good prospects of rehabilitation – heart condition

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28.	Moreno (28)	Supply lge comm qty	15kg	PG (25%)	5y 3m NPP 3y 4m	AD	Low range PCA	<b>SNPP 15 years</b> Arranged for supply of 15kg of cocaine to undercover operative – rip off – supplied sugar and wood – sought financial gain to pay off debts – G uncle of M and principal – offence for M just below mid-range – offence for G mid-range Colombian nationals – prior good character – excellent prospects of rehabilitation – unlikely to re- offend – remorse On appeal: no error in assessment of seriousness of offence
		Sched: Supply Possess	3.1g 4.5g					
	Gomez (50)	Supply lge comm qty	15kg	PG (25%)	<u>Indicative:</u> 6y 4m		nil	
	<a href="#">[2023] NSWCCA 149</a>	Proceeds of crime: s.193C	\$340,950		18m			
		Sched: Supply Poss knife	3.1g		<u>Aggregate:</u> 6y 9m NPP 4y 4m			

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