

## Firearms and Commercial Drug Offences

	NAME (age if known)	OFFENCE	PLEA	SENTENCE AT FIRST INSTANCE	RESULT ON APPEAL	SUMMARY OF RECORD	FACTS
1.	<b>Aslan</b> (33) <a href="#">[2004] NSWCCA 121</a>	Supply firearms on ongoing basis: s.51B <i>Firearms Act</i>  Supply methylamphet on ongoing basis  Supply lge comm qty methylamphet  Sched: 5 offences	PG (25%)	8y NPP 3y 6m  6y 6m NPP 3y 6m  7y 6m NPP 4y 6m  <u>Total:</u> 11y 6m NPP 7y	AD	Nil convictions – on recognisance for s.10 offence	Sold total of 84.7g methylamphetamine to person who supplied to undercover officer – sold self-loading pistols to undercover officer on four occasions – each firearm had serial number obliterated – on two occasions also supplied ammunition and on one occasion sold silencer – sold 1,020g methylamphetamine with purity of 2.5% just prior to arrest – wholesaler supplying to wholesaler – little regard for public safety
2.	<b>Capar</b> <a href="#">[2005] NSWCCA 402</a>	Consp supply lge comm qty heroin  Consp supply comm qty cocaine  Money laundering  Unauth poss proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 4 offences	PG (15%)	12y 9m NPP 8y 4m  8y 6m NPP 6y 4m  6y 9m NPP 5y  4y  (all concurrent)	AD		Principal of significant drug operation over period in excess of 12 months – engaged in business only for financial profit – multiple supplies of significant quantities – meticulous attention to detail – used violence – elaborate security – laundered over \$500,000 – no detail on firearm offence On appeal: no error in discount for plea

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3.	<b>Walsh</b> (25-30)	Supply lge comm qty methy lampmet  2 x Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Unauth possess proh weapon: s.7(1) <i>Weapons Act</i>  Sched: 26 Firearms off  Agg BE with intent  SMV  Sched: 14 offences	PG	32y NPP 24y  15m / 3y 6m  15m  6y 9m NPP 5y  FT 2y 2m  (all concurrent)	AD		W joined outlaw motorcycle club and took over drug distribution for several years – purchased 50kg pure drug and distributed 450kg mixture – search of house and storage units found drugs and supply indicia and large cache of firearms – indictment offences were possession of Smith and Wesson 6 chamber revolver, .303 calibre Bren machine gun and silencer – also involved in theft and conversion of stolen vehicles and ram raid on ATM L manufactured methylamphetamine and supplied to W over two years – total 19kg On appeal: no error in commencing at life sentence for Walsh or in guilty plea discount for Little
	<b>Little</b>  (2006) 168 A Crim R 237 <a href="#">[2006] NSWCCA 406</a>	Manuf lge comm qty methy lampmet  Supply lge comm qty methy lampmet  Possess shortened firearm: s.62 <i>Firearms Act</i>  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Unauth possess proh weapon: s.7(1) <i>Weapons Act</i>  Sched: 26 firearms off	PG(15%)	22y NPP 16y 6m  22y NPP 16y 6m  3y 6m  FT 15m  FT 15m  (all concurrent)	AD		

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4.	<b>S</b> (43) <a href="#">[2008] NSWCCA 186</a>	Supply comm qty methylamphet  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 3 offences	PG (combined 65%)	6y 6m NPP 4y  FT 18m  <u>Total:</u> 7y NPP 4y	AD	Drug offences	<b>SNPP 10 years (drug) / 3 years (firearm)</b> Supplied amphetamine to undercover operative on four occasions – admitted selling significant amounts of drug over eight months – more than street dealer – at time of arrest found in possession of loaded .22 calibre pen gun Remorse – good prospects of rehabilitation
5.	<b>XX</b> (2009) 195 A Crim R 38 <a href="#">[2009] NSWCCA 115</a>	Supply lge comm qty methylamphet  Supply lge comm qty MDMA  Unauth possession proh firearm: s.7(1) <i>Firearms Act</i>  Unauth possession proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 8 offences	PG (combined 60%)	7y NPP 5y  7y NPP 5y  FT 15m  FT 18m  (all concurrent)	Crown AA 7y NPP 5y  8y 9m NPP 6y 7m  2y NPP 1y 6m  2y 5m NPP 1y 8m  <u>Total</u> 9y 6m NPP 7y 4m	supply proh drug	<b>SNPP 15 years (drug) / 3 years (firearm)</b> 3.165kg ice and 7.4945kg ecstasy found in offender's garage – mid-range and just above mid-range - Chinese self-loading rifle and Russian Nagant revolver also found with other weapons and drugs and \$160,000 ash– firearms unloaded but in working order with ammunition nearby – silencer attached to revolver added serious connotation – linked to drug dealing - mid-range seriousness On appeal: error in imposing identical sentence for drug offences – firearm offences required NPP – error to make sentences concurrent

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6.	<b>Kalemusic</b> (35) <a href="#">[2009] NSWCCA 178</a>	Manufacture lge comm qty MDMA  Supply lge comm qty MDMA  Supply comm qty methylamphet  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  s.166 Certificate Good in custody  Sched: Poss methylamphet Unauth poss ammunition	PG (1/6 <sup>th</sup> )	15y NPP 11y 3m  10y NPP 7y 6m  10y NPP 7y 6m  5y NPP 15m  FT 3m  <u>Total:</u> 16y 3m NPP 12y 6m	AD	Manufacture drug	<b>SNPP 15 years (drug) / 3 years (firearm)</b> Involved in manufacture of drug in lab built on rural property – 27.5kg MDMA found in lab with other ingredients and equipment – 1,477.4g MDMA, 764.6g methylamphetamine and .22 calibre pistol found in truck being driven from property by offender and brother – role of real significance – manufacture in mid-range Strong employment history On appeal: no issue of parity
7.	<b>Parkinson</b> (26) <a href="#">[2010] NSWCCA 89</a>	Supply comm qty methylamphet  Unauth supply pistol: s.51(1A) <i>Firearms Act</i>  Unauth supply proh firearm: s.51(1A) <i>Firearms Act</i>  Sched: 2 drug offences 2 weapons offences	PG (25%)	6y NPP 2y 9m  FT 3y  FT 2y  <u>Total:</u> 7y NPP 3y 9m	Crown AA 8y NPP 6y  7y 6m NPP 4y 6m  7y 6m NPP 4y 6m  <u>Total:</u> 9y 6m NPP 6y 6m	Significant although no drugs or full time custody – breached conditional liberty	<b>SNPP 10 years (drugs and firearms)</b> Over three months sold total of 563.3g methylamphetamine to undercover operative – low purity – escalating amounts – significant drug enterprise – significant financial gain – towards lower end mid-range - also sold .22 calibre pistol in working order with 96 x .22 calibre rounds – took \$3000 as payment for second firearm – supply to known drug dealer made firearms offences serious On appeal: sentences manifestly inadequate

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8.	Hristovski (22) <a href="#">[2010] NSWCCA 129</a>	Supply comm qty MDMA  Supply lge comm qty MDMA  Supply lge comm qty amphet  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Sched: 2 offences	PG (25%)	FT 10y  14y NPP 10y  14y NPP 10y  FT 3y  (all concurrent)	AD	nil	<b>SNPP 15 years (drug) / 3 years (firearm)</b> Supplied drugs to undercover operative on two occasions – total of 495.49g MDMA – on third occasion supplied 1,221g 'MDMA' that on analysis proved to be amphetamine – indicated ability to supply greater amounts – mid-range - on arrest found in possession of loaded .22 calibre Phoenix brand pistol with one round in chamber and full magazine – relationship to drug offences – slightly above mid-range Prior good character – good prospects of rehabilitation – drug user with substantial debt
9.	Mahmud (26) <a href="#">[2010] NSWCCA 219</a>	Agg possession firearms: s.51D(2) <i>Firearms Act</i>  Supply lge comm qty methyldamphet  Sched: Firearms offences	PG (17.5% on appeal)	3y 6m NPP 2y 6m  6y 6m NPP 3y 6m  <u>Total:</u> 7y 6m NPP 4y 6m	Crown AA 5y NPP 3y 9m  9y NPP 6y 6m  <u>Total:</u> 10y NPP 7y 6m	record	<b>SNPP 15 years (drug) / 10 years (firearm)</b> Two single shot bolt firearms and a 25 mm self-loading pistol loaded with five rounds found at house – also found in possession of knives, taser gun and ammunition – 1.78kg methylamphetamines found in freezer – firearm fetish – firearms offences below mid-range
10.	AZ (43) <a href="#">[2011] NSWCCA 43</a>	Supply lge comm qty MDMA  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 2 x supply drug Proceeds crime	PG (50% combined)	5y 6m NPP 2y 9m  2y NPP 12m (concurrent)	Crown AA 8y NPP 5y 2m  1y 9m NPP 1y 1m 2w  <u>Total:</u> 8y 8m NPP 5y 10m	Nil	<b>SNPP 15 years (drug) / 3 years (firearm)</b> Drugs and large amount of drug paraphernalia found during search of offender's residence – 1,081g - large amount of money also located - .25 calibre ammunition and small .25 calibre keyring pistol in working order found in safe – drug offence just below mid-range – evidence pointed to substantial involvement in drug supply – firearm offence mid-range in context of drug supply involvement Assistance to authorities. Error in assessment of objective seriousness of both drug and firearm offences – error in concurrent sentences.

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11.	<b>Ayshow</b> (33) <a href="#">[2011] NSWCCA 240</a>	Supply comm qty ecstasy  Supply methy lamphet  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Sched: 7 drug and firearm offences	PG (10%)	12y NPP 6y  4y 6m NPP 2y 4m  6y 9m NPP 4y  <u>Total:</u> 14y NPP 8y		Possess drug and unauth firearm – on parole for armed robbery	<b>SNPP 10 years (drug) / 3 years (firearm)</b> On arrest driving to drug supply found in possession of 94.6g methylamphetamine, 194g ecstasy and loaded 9mm pistol – involved in drug dealing at wholesale level – more than mere courier – not isolated offence – mid-range – pistol related to drug activity – well within upper range seriousness Born in Iraq – difficult childhood – drug user
12.	<b>DW</b> <a href="#">[2012] NSWCCA 66</a>	Conspiracy to manufacture lge comm qty amphetamine  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Sell prohibited firearm: s.51 <i>Firearms Act</i>	PG (50%)	4y NPP 2y 6m  18m NPP 9m  FT 18m  <u>Total</u> 4y 8m NPP 3y 2m	Crown AD	Breached parole – similar offences	<b>SNPP 3 years (firearm)</b> Started planning with informer and undercover police officer to manufacture 4kg – possessed and sold .44-40 Winchester calibre six chamber revolving cylinder shortened rifle Significant assistance
13.	<b>Nanai</b> <a href="#">[2012] NSWCCA 141</a>	Supply comm qty proh drug  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 3 offences	PG (25%)	6y NPP 4y  7y NPP 3y  <u>Total:</u> 10y NPP 6y	AD	On parole for manslaughter	<b>SNPP 10 years (drug) / 3 years (firearm)</b> Stopped while driving and found in possession \$6,475 – subsequent intercepted telephone conversations recorded arrangement to supply 3000 pills unknown drug – search of home found .22 calibre Bersa pistol, silencer fitting pistol and 44 rounds ammunition – mid-range offence

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14.	Hsu <a href="#">[2012] NSWCCA 248</a>	Supply lge comm qty MDMA  Sched: Deemed supply  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Sched: Poss unreg firearm Poss ammunition	PG (10%)  PG (25%)	13y 6m NPP 10y  4y NPP 3y  <u>Total:</u> 14y NPP 10y 6m	AD	Drug offences	<b>SNPP 15 years (drug) / 3 years (firearm)</b> Undercover police operation – separate supplies of 1000 and 2000 tablets (total 732.4g) – role as bottom to middle of range wholesaler /commission agent – lower end of large commercial quantity type case – slightly below mid-range - .45 calibre six shot pistol found in offender's safe Drug addiction.
15.	Cao (32) <a href="#">[2013] NSWCCA 321</a>	Ongoing supply methylamphet  Supply comm qty methylamphet  2 x Unauth possess proh weapon: s.7(1) <i>Weapons Act</i>  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 3 offences	PG	3y NPP 18m  6y NPP 3y  3y NPP 18m  3y NPP 18m  <u>Total:</u> 8y 6m NPP 5y 6m	AD	Minor offences	<b>SNPP 10 years (drug) / 3 years (firearm / weapon)</b> Sold total of 127g methylamphetamines to dealer over 39 occasions – admitted supplying daily to dealer who on-sold drugs - search of house on arrest found 749g methylamphetamine, extendable baton, unloaded .22 long calibre rifle Jennings J-22, self-loading pistol with 6 rounds of ammunition and .32 automatic calibre double-barrelled key-ring style firearm with 2 rounds of ammunition – drug dealing for profit – weapons related to drug dealing although did not take guns when drug dealing - second drug offence above mid-range – first drug offence and firearms offences mid-range Born in Vietnam – remorse On appeal: seriousness of firearms offences and relationship to drug offences – sentence not excessive

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16.	<b>Matthews</b> (59-60) <a href="#">[2013] NSWCCA 326</a>	Supply lge comm qty ecstasy  Supply firearms on ongoing basis: s.51B <i>Firearms Act</i>  Sched: Smaller drug and firearms offences	PG (10%)	12y 9m NPP 7y 9m  7y 3m  <u>Total:</u> 16y NPP 11y	AA 12y 9m NPP 7y 9m  7y 3m NPP 5y  <u>Total:</u> 16y NPP 11y	'formidable' – serious offences – no drug offences	<b>SNPP 15 years (drug) / 10 years (firearm)</b> Drug supply to undercover officer on two occasions – total 732.4g - co-offender D arranged for drugs to be provided to Matthews who sold to undercover officer – offenders shared \$1000 between them for each supply – financial gain – also sold firearms to undercover officers on three occasions – self-loading pistol with 16 bullets in functional but not perfect working order – 3 rifles in working order Disturbed upbringing – PTSD resulting from prison experience – poor health On appeal: error in not setting NPP for SNPP firearms offence
17.	<b>Tran</b> (41) <a href="#">[2014] NSWCCA 85</a>	Supply comm qty methylamphet  2 x Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 3 Drug offences	PG (42.5% combined)	<u>Indicative:</u> 6y 10m NPP 4y 9m  3y NPP 2y  <u>Aggregate:</u> 8y NPP 5y 9m	AD		<b>SNPP 10 years (drug) / 3 years (firearm)</b> Travelled to Sydney to transport drugs to Perth – detained at airport with co-offender carrying total of 977.7g methylamphetamine between them – found in possession of additional drugs dealt with on schedule – mid-range - possession of .38 revolver and single barrel swan off shotgun – possession by drug dealer meant mid-range On appeal: procedural unfairness in finding of objective seriousness – no lesser sentence warranted
18.	<b>IL (No 4)</b> (45) <a href="#">[2014] NSWSC 1801</a>	Manufacture lge comm qty methylamphet  3 x Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>	VG	<u>Indicative</u> 10y  9m / 12m  6m  <u>Aggregate:</u> 11y 6m NPP 7y 6m		nil	<b>SNPP 15 years (drug) / 3 years (firearm)</b> Female permitted associate to use premises to refine over 6kg methamphetamine – some further involvement in process – subordinate position – financial reward – associate killed when bathroom exploded – joint possession of guns belonging to associate found in house and car - 9mm Luger and associated 20 round magazine, .38 calibre Smith & Wesson and .45 calibre Norinco - connection to weapons exacerbates criminality of drug offences Good character

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19.	Lowe (37) <a href="#">[2015] NSWCCA 46</a>	Ongoing supply methyldamphetamine  Supply comm qty methyldamphetamine  Supply comm qty methyldamphetamine  Cultivate comm qty cannabis – enhanced indoor  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Possess unreg firearm: s.36 <i>Firearms Act</i>  Unauth possess proh weapon: s.7(1) <i>Weapons Act</i>  Sched: 5 Firearm offences Supply cannabis GIC	PG	10y NPP 7y  12y NPP 8y  10y NPP 7y  FT 3y  FT 2y 4m  FT 12m  FT 3y  <u>Total:</u> 14y NPP 10y	AA 10y NPP 7y  10y 6m NPP 7y  10y NPP 7y  FT 3y  FT 2y 4m  FT 12m  FT 3y  <u>Total:</u> 12y 6m NPP 9y	Not extensive and no drug offences	<b>SNPP 10 years (drug) / 3 years (firearm / weapon)</b> Supplied methylamphetamine to undercover operative on four occasions: 31.8g, 65.7g, 98.5g and 66g – two days later supplied 512.8g – search of house being leased by co-offender found total 479.6g and 18 cannabis plants – also found .22 calibre Phoenix self-loading pistol with ID erased; two magazines in bubble wrap; .22 calibre BSA Sportsman single shot rifle JB31077 and two Taser- like devices Reasonable prospects of rehabilitation On appeal: parity in relation to second offence only
20.	Sponberg (42) <a href="#">[2017] NSWCCA 120</a>	Supply comm qty cocaine  Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 4 offences	PG (25%)	6y 6m NPP 3y 10m  2y NPP 15m (concurrent)	AA 5y 3m NPP 3y 6m  2y NPP 15m (concurrent)	Nil	<b>SNPP 10 years (drug) / 3 years (firearm)</b> Supplied to undercover police operative on 5 occasions – total 377.64g - motivated by profit. Stirling .22 calibre semi-automatic rifle found during search of home – rusted and believed not in working order – found at work site – unrelated to drug offence – near bottom of seriousness Good character – remorse - depressive illness - good prospects rehabilitation

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21.	<b>Johnson</b> (30) <a href="#">[2017] NSWCCA 43</a>	Supply lge comm qty proh drug  Supply lge comm qty proh drug  Sched: 4 x offences  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Sched: 4 Firearm offences	PG (25%)	<u>Indicative:</u> 10y NPP 6y  9y NPP 5y 6m  3y 6m NPP 2y  <u>Aggregate:</u> 12y NPP 7y 6m	DA	Nil significant	<b>SNPP 15 years (drug) / 3 years (firearm)</b> Supplied quantity of tablets "Nexus" (dimethoxyphenethylamine) to undercover operatives on five occasions between August and September 2013 - search of offender's premises found further 200g of Nexus and home-made pistol containing live round in chamber - indictable quantities of methylamphetamine and ecstasy, cash and ammunition also found – offences below mid- range – user / supplier making some financial gain – firearms connected to drug offences Positive steps in rehabilitation – remorse – strict bail conditions – good prospects of future
22.	<b>James</b> <a href="#">[2017] NSWCCA 287</a>	Manufacture lge comm qty methylamphet  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Poss unath firearm: s.7A <i>Firearms Act</i>  Sched: 5 offences	PG (25%)	9y 6m NPP 5y 3m  3y NPP 1y 8m  1y 6m NPP 1y  FT 1y  <u>Total:</u> 10y NPP 5y 9m	Crown AA 10y 6m NPP 6y 10m  3y NPP 1y 8m  3y NPP 1y 6m  FT 1y	Priors for drug possession, larceny and assault	<b>SNPP 15 years (drug) / 4 years (firearm)</b> Manufacturing of methylamphetamine in garage at premises occupied by offender - 12.84kg drugs found of high level purity – 208.36g methylamphetamine found in house – 2.088kg of pseudoephedrine, 30kg of hypophosphorous acid and 20.23kg of iodine also found – sophisticated and large operation - Colt .45 calibre pistol with seven live ammunition rounds found in garage - .22 calibre pistol and 6 millimetre Airsoft calibre KHC repeating rifle found in safe – firearms offences below mid- range Remorse – good prospects of rehabilitation – drug user - involved in drug offences to satisfy drug debt On appeal: calculation error and manifestly inadequate – erred in imposing different sentences for essentially same firearms offences

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23.	Amiri (27) <a href="#">[2017] NSWCCA 157</a>	Att supply lge comm qty  Att unauth poss proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 4 offences	PG (14%)	6y 6m NPP 4y  FT 22m  <u>Total:</u> 7y NPP 4y 6m	AD	limited	Persistent attempts to recover bag with 1.894kg 25l-NBOMe, a "potent psychedelic drug" and Mossberg sawn-off pump action shotgun on behalf of criminal gang – associated but not member of gang – no financial gain – offences approach mid-range Hardship as refugee from Afghanistan – remorse – prospects of rehabilitation
24.	Greentree <a href="#">[2018] NSWCCA 227</a>	Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Manufacture lge comm qty amphet  Accessory after fact manufacture lge comm qty amphet  Sched: 3 offences	PG 15%	<u>Indicative:</u> 3y NPP 1y 2m  7y NPP 5y  2y 6m  <u>Aggregate</u> 10y NPP 7y	AA <u>Indicative:</u> 2y 5m NPP 1y 8m  6y 3m NPP 4y 5m  2y 1m  <u>Aggregate</u> 8y NPP 5y 6m		<b>SNPP 15 years (drug) / 3 years (firearm)</b> 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.
25.	Huynh (41) <a href="#">[2018] NSWCCA 237</a>	Unuath possess pistol: s.7(1) <i>Firearms Act</i>  Consp to supply comm qty pseudoephedrine	PG (25%)	<u>Indicative:</u> 2y 6m  7y 6m NPP 4y  <u>Aggregate:</u> 8y NPP 5y	AD		<b>SNPP 3 years (firearm)</b> 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.

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26.	Thach (29) <a href="#">[2018] NSWCCA 252</a>	Agg possession firearms: .51D(2) <i>Firearms Act</i>  Supply lge comm qty meth  Supply comm qty heroin  Supply lge comm qty meth  Supply lge comm qty heroin  2 x Possess precursor  Possess drug manufacture apparatus  Sched: 6 offences	PG (25%)	<u>Indicative:</u> 10y NPP 7y 6m  10y NPP 7y 6m  7y 6m NPP 5y 7m 15d  12y NPP 9y  17y NPP 12y 9m  3y / 4y  2y  <u>Aggregate:</u> 18y NPP 13y 6m	AD		<b>SNPP 15 years (drugs) / 10 years (firearm)</b> Significant role in drugs offences - warehousing of very significant quantities of illicit substances and firearms for syndicate - ready, willing and able to fetch and carry – not a principal but more than a mere courier Found in trailer attached to car used by offender: <ul style="list-style-type: none"> <li>shortened 5.56 x 45mm calibre Australian Arms self-loading rifle;</li> <li>Colt detachable box magazine capable of holding 30 rounds;</li> <li>silencer;</li> <li>9mm Parabellum calibre Uzi pistol;</li> <li>Two Uzi detachable box magazines for the Uzi capable of holding 26 rounds;</li> <li>Uzi silencer;</li> <li>shortened 12-gauge shotgun;</li> <li>shortened 12-gauge self-loading firearm;</li> <li>0.22 calibre self-loading pistol;</li> <li>0.44 Magnum pistol;</li> <li>0.32 Smith and Wesson pistol;</li> </ul> 9mm Glock pistol

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27.	Smith (46) <a href="#">[2019] NSWCCA 1</a>	Agg possession firearms: .51D(2) <i>Firearms Act</i>  Manufacture comm qty meth  Possess precursor  Supply comm qty meth  Possess precursor  Possess firearm in contravention of order: s.74(1)  Sched: 34 offences	PG (25%)	<u>Indicative:</u> 6y NPP 4y  6y NPP 4y  2y 3m  4y 6m NPP 3y  18m  3y  <u>Aggregate:</u> 11y NPP 7y 4m	Crown AA <u>Indicative:</u> 7y 6m NPP 4y 10m  7y NPP 4y 6m  4y  6y NPP 3y 10m  3y 4m  6y  <u>Aggregate:</u> 16y NPP 10y 6m	previous convictions for firearms offences	<b>SNPP 10 years (drugs) / 10 years (firearms)</b> With co-offender involved in manufacture of prohibited drugs in remote property owned by offender – related materials found in other locations – had possession of firearms in storage unit as member of bikie gang: <ul style="list-style-type: none"> <li>• Colt AR15 .223 calibre semi-automatic rifle together with attachable scope and bipod stand</li> <li>• .38 calibre "pen gun" firearm.</li> <li>• Ruger Mini 14 .223 calibre semi-automatic rifle and five empty magazines (three of which could hold 10 rounds).</li> <li>• 12 gauge pump action shotgun.</li> <li>• Remington Savage brand .223 calibre rifle with scope. (This is not a "prohibited" firearm. [15] )</li> <li>• 12 gauge shortened single barrel shot gun.</li> <li>• homemade .22 calibre "pen gun" firearm.</li> <li>• number of magazines for ammunition, some filled with ammunition and some not.</li> <li>• large quantity of ammunition suitable for multiple calibres of firearms</li> </ul> Also in possession of stolen but licenced firearm s.51D(2) offence well above mid-range
28.	Huang (30) <a href="#">[2019] NSWCCA 144</a>	Unauth possess proh firearm: s.7(1) <i>Firearms Act</i>  Supply lge comm qty methylamphet  Sched: Proceeds of crime 4 further offences	PG (25%)	3y NPP 2y 3m  11y 6m NPP 8y 6m  <u>Total</u> 12y 6m NPP 9y 6m 25d	AA 2y 3m NPP 18m  8y 3m NPP 6y  <u>Total</u> 10y 6m NPP 7y 10m 14d	Nil	<b>SNPP 15 years (drugs) / 4 years (firearm)</b> 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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	NAME (age if known)	OFFENCE	PLEA	SENTENCE AT FIRST INSTANCE	RESULT ON APPEAL	SUMMARY OF RECORD	FACTS
29.	Bridge (34) <a href="#">[2020] NSWCCA 233</a>	Supply comm qty GBL  Supply lge comm qty methyldamphet  Sched: 4 offences  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Supply cocaine  Proceeds of crime: s.193B(1) <i>Crimes Act</i>  Ongoing supply   Make counterfeit money  s.166 Certificate: 11 offences	PG (25%)	<u>Indicative:</u> 2y 3m NPP 1y 5m  7y 6m NPP 4y 8m  2y NPP 1y 3m  8m  6m  2y 3m  <u>Aggregate:</u> 10y NPP 6y  FT 9m  <u>Aggregate:</u> 10y 4m NPP 6y 4m		limited	<b>SNPP 15 years (drug) / 4 years (firearm)</b> Principal in running extensive and large scale drug operation – significant financial reward – mid range – no detail on firearms offence Good prospects of rehabilitation – unlikely to re- offend – remorse On appeal: rejected parity argument

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30.	<b>Oncu</b> <a href="#">[2020] NSWCCA 260</a>	Manufacture lge comm qty methylamphet  Unath possess pistol: s.7(1) <i>Firearms Act</i>  Sched: Possess ammunition	PG (20%)	<u>Indicative:</u> 8y NPP 5y 6m  4y NPP 2y  <u>Aggregate:</u> 9y 6m NPP 6y 6m	AA 8y NPP 5y  3y NPP 1y 6m  <u>Total:</u> 9y NPP 6y	Minor including driving offence and common assault	<b>SNPP 15 years (drugs) / 3 years (firearm)</b> Involved in manufacture of drugs in large shed built in outer suburb of Sydney – 30.5kg drugs manufactured over 6 weeks – substantial operation stopped by arrest – not principal but important role – mid-bottom half of objective seriousness - .357 Magnum calibre Ruger SPIOIO revolver with obliterated serial number found at property with ammunition – mid-range Gambling and depressive disorder – sought to repay financial debts – out of character - hardship to family relevant but not exceptional – good prospects of rehabilitation – remorse On appeal: error made in relation to SNPP for firearm offence – took into account good conduct in custody and on bail for two years
31.	<b>Cutajar</b> <a href="#">[2020] NSWCCA 273</a>	Manufacture lge comm qty methamphet  Unuath possess proh firearm: s.7(1) <i>Firearms Act</i>  Sched: 2 firearm offences	PG (25%)	11y NPP 7y  12m (concurrent)	AD	Nil	<b>SNPP 15 years (drugs) / 3 years (firearm)</b> Manufacture at premises with co-offender – 15.98kg - more than mere “unskilled storeman” - involved in negotiating prices - committed offence to clear debt Search of property found .22 calibre self-loading rifle, silencer and detachable magazine Good rehabilitation prospects – supportive family.

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	NAME (age if known)	OFFENCE	PLEA	SENTENCE AT FIRST INSTANCE	RESULT ON APPEAL	SUMMARY OF RECORD	FACTS
34.	Chandab <a href="#">[2021] NSWCCA 186</a>	Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Knowingly take part in supply comm qty cocaine  Sched: 3 offences	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	<b>SNPP 4 years (firearm)</b> 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
35.	Rodriego (a pseudonym) <a href="#">[2021] NSWCCA 237</a>	Supply lge comm qty cocaine  Supply firearms on ongoing basis: s.51B <i>Firearms Act</i>  Sched: 4 offences	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 (drugs) / 10 years (firearm)</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

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36.	Chartres-Abbott (64) <a href="#">[2021] NSWCCA 239</a>	Possess shortened firearm: s.62 <i>Firearms Act</i>  Possess shortened firearm: s.62 <i>Firearms Act</i>  Supply lge comm qty methamphet  Supply comm qty heroin  Supply comm qty methylamphet  Sched: 7 offences	PG (25%)	<u>Indicative</u> 3y 4m  2y 9m  7y 6m NPP 4y 6m  3y 9m NPP 2y 3m  4y 6m NPP 2y 9m  <u>Aggregate:</u> 14y NPP 8y 6m	AA <u>Indicative</u> 3y 4m  2y 9m  7y 6m NPP 4y 6m  3y 9m NPP 2y 3m  4y 6m NPP 2y 9m  <u>Aggregate:</u> 10y NPP 6y	Lengthy but much largely 'petty' offences	<b>SNPP 15 years (drugs)</b> Supplied 372.63g methamphetamines to undercover operant over four occasions – 888.79g methylamphetamine, 368.8g heroin, Sportco .22 rifle with magazine and Sterling .22 firearm found in house on search – up-line supplier for co-offender – not possible to determine precise role - operation not sophisticated – first supply at lower end of mid-range – other offences at below or at mid-range – firearms both in working order and found near ammunition Long term drug user – traumatic childhood – severe traumatic brain injury resulting in deficits and more onerous custodial conditions On appeal: aggregate sentence outside range
37.	Awraham (24) <a href="#">[2021] NSWCCA 241</a>	Possess unreg firearm: s.36 <i>Firearms Act</i>  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Attempt poss comm qty cocaine (Cth)  Supply drug	PG (25%)	18m  3y NPP 1y 11m  7y 6m NPP 5y 15d  2y 3m  <u>Total:</u> 9y NPP 6y 6m	AD	Driving – not relevant	<b>SNPP 4 years (firearms)</b> Closely involved in an attempt to import 2,152.27g cocaine 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.

	NAME (age if known)	OFFENCE	PLEA	SENTENCE AT FIRST INSTANCE	RESULT ON APPEAL	SUMMARY OF RECORD	FACTS
38.	XY (pseudonym) (38) <a href="#">[2023] NSWCCA 50</a>	Supply lge comm qty methyldamphet  Supply comm qty methyldamphet  Poss shortened firearm: s.62 <i>Firearms Act</i>  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Proceeds of crime: s.193B(1) <i>Crimes Act</i>  Sched: 6 offences	PG (50% combined)	<u>Indicative</u> 6y NPP 4y  2y 3m NPP 18m  1y 9m  1y 6m NPP 1y  1y 3m  <u>Aggregate:</u> 7y 6m NPP 5y	AD	Significant – offending breached parole	<b>SNPP 15 years (drugs) / 4 years (firearms)</b> Principal in one man operation supplying wholesale drugs – sold 288.6g drugs – concealed 991.4g drugs, firearms and \$288,470 cash in drum buried in bushland – .42 calibre sawn-off Beretta Monoblock double barrel shotgun and F5 automatic machine pistol - instructions for manufacture of drugs, steroids and silver knuckledusters found in bedroom – took possession of truck in lieu of drug debt – commercial quantity offence below mid-range – large commercial quantity offence mid-range – firearm offences below mid-range Difficult childhood – back injury On appeal: reference to sentencing principles for aggregate sentence – sentence not manifestly excessive
39.	Walker (61) <a href="#">[2023] NSWCCA 219</a>	Manufacture lge comm qty MDMA  Supply lge comm qty MDMA  Unauth possess pistol: s.7(1) <i>Firearms Act</i>  Possess precursor  Sched: 3 offences	PG (25%)	<u>Indicative:</u> 7y 6m NPP 4y 6m  5y 6m NPP 3y 6m  3y NPP 1y 10m  2y 6m  <u>Aggregate:</u> 9y NPP 6y	Crown AD	Relatively minor	<b>SNPP 15 years (drugs) / 4 years (firearms)</b> Manufacture operation with two co-accused - role as cook, not principal - essential role in providing his property as venue for manufacture – 6.433kg pure - found in caravan drawer loaded .38 Smith & Wesson revolver and ammunition – firearm offence more serious because connected to manufacture offence – within mid-range Financial motivation, lost employment due to covid pandemic - likely mild intellectual disability - opioid use disorder – remorse - respondent's wife significantly disabled – special circumstances – CCA: Sentence imposed by SJ lenient, but not unduly given applicant's subjective case - reasonable prospects rehabilitation - entitled to some leniency due to insignificant criminal history.

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