Doing an Act in Preparation For or Planning a Terrorist Act

Section 101.6 (Cth) *Criminal Code*

s 101.6 Other acts done in preparation for, or planning, terrorist acts

(1) do any act in preparation for, or planning, a terrorist act

Maximum Penalty: Life

	NAME (age if Known)	OFFENCES	PLEA	SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
1.	**LODHI** (36) (2006) 199 FLR 364 [2006] NSWSC 691 Whealy J (2007) 179 A Crim R 470 [2007] NSWCCA 360	s.101.6 Collecting documents connected with preparation for terrorist act: s.101.5(1) *[15y]* Possess thing connected with preparation for a terrorist act: s.101.4(1) *[15y]*	VG	20y 10y 10y Total: 20y NPP 15y	AD	Nil	Offender planned to damage part of electricity system but no evidence as to precise nature of ultimate target – collected maps of Australian electricity supply system - sought information concerning availability of chemical materials capable of being used for manufacture of explosives or incendiary devices - possessed document containing information on ingredients for manufacture of poisons, explosives, detonators and incendiary devices connected with preparation for terrorist act - culpability at a high level, although falling short of worst category of case Prior good character
2.	**TOUMA** (28) [2008] NSWSC 1475 Whealy J	2 x s.101.6 2 x Possess thing connected with preparation for terrorist act: s.101.4(1) *[15y]*	PG (25%)	14y 8y Total: 14y NPP 10y 6m		Limited.	Part of larger group - acquired substantial quantities of firearm ammunition - attempted to make improvised explosive devices - possessed collection of items including copper pipe, gun powder, 165 railway detonators, instructional notes, dismantled firearm ammunition - possessed collection of documents, including electronic documents, images, videos and audio files – first two counts very serious level - conduct deliberate and sustained - continuing course of criminal conduct - extremist views. Stable upbringing – affected by anti-Islamic sentiment after 9/11 - some reason to accept has moved / moving away from extremism. MULAHALILOVIC, SHARROUF and BALADJAM sentenced for s.101.4 offence K.CHIEKHO. M.CHIEKHO, ELOMAR, HASAN, JAMAL, and BALADJAM sentenced for s.101.6 offence

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

	NAME (age if Known)	OFFENCES	PLEA	SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
3.	**ELOMAR** (40) **HASAN** (35) **K.CHEIKHO** (32) **M.CHEIKHO** (28) **JAMAL** (20) (2010) 264 ALR 579 [2010] NSWSC 10 Whealy J (2014) 316 ALR 206 (2014) 300 FLR 323 [2014] NSWCCA 303	Consp s.101.6 Consp s.101.6 Consp s.101.6 Consp s.101.6 Consp s.101.6	VG VG VG VG VG	28y NPP 21y 26y NPP 19y 6m 27y NPP 20y 3m 26y NPP 19y 6m 23y NPP 17y 3m	AD AD AD AD AD	Nil Nil Nil Nil Nil	Over 6 month period (late 2004-2005) each agreed to detonate explosive devices, or use firearms for terrorist act - no specific target identified - amassed armoury of firearms and ammunition, purchased laboratory equipment, obtained chemicals and materials suitable for use in manufacture and detonation of explosives - not satisfied beyond reasonable doubt intention was plan to kill but each offender countenanced possibility of loss of life: [65] – serious offence falling only marginally short of most serious case: [69] – conspiracy well-advanced although amateurish: [68]. ELOMAR and K.CHEIKHO - directly involved in purchase of ammunition ELOMAR and HASAN - purchased laboratory equipment HASAN and JAMAL - ordering and purchase of chemicals Each offender collected literature about manufacturing and detonating explosives, and extremist literature advocating "Jihad". ELOMAR - role more senior. K.CHEIKHO - co-ordinator of conspiracy - occupied senior position. EACH OFFENDER - poor prospects of rehabilitation given absence of remorse and lack of withdrawal of extremist views. CCA: Lack of target for attack not supportive of manifest excess where offence directed to preparatory acts — SJ correctly considered "mindset" of offenders as distinctive feature of offending not as aggravating factor. MULAHALILOVIC, SHARROUF, TOUMA and BALADJAM sentenced for s.101.4 offence TOUMA and BALADJAM sentenced for s.101.6 offence

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4.	**FATTAL** (35) **AWEYS** (25 at offence, 29 at sentence) **EL SAYED** (25 at offence, 27 at sentence) [2011] VSC 681 King J [2013] VSCA 276	Consp s.101.6 Consp s.101.6 Consp s.101.6	VG VG VG	18y NPP 13y 6m 18y NPP 13y 6m 18y NPP 13y 6m	Conviction AD Sentence AD Crown AD	Minor – not indicated serious violence prior to 2005) Nil	Proposed terrorist act to attack on Army Base at Holsworthy, Sydney - to shoot and kill as many soldiers and other persons as possible - most ameliorating factor is amateurish level at which all offenders were operating and that conspiracy did not advance to any significant degree: [87] – each offender played different role - no one emerges as leader or follower: [91] – target chosen and intention to kill: [85] – no purchase or gathering of weapons: [95]-[96]. FATTAL - visited army base and reported easy target - cognitive impairment from low intellectual functioning – rigid in views of Islam – difficult behaviour in custody. EL SAYED and AWEYS - continuing ongoing involvement in conspiracy, particularly seeking of fatwa or approval from Muslim clerics to carry out an attack on Holsworthy. Absence of remorse or behaviour indicating renouncement of their extremist views: [83] – slim prospects for rehabilitation: [99].
5.	**MHK** (17 at time of offence) [2016] VSC 742 Lasry J [2017] VSCA 157 [2017] VSCA 180	s.101.6	PG	7y NPP 5y 3m	Crown AA 11y NPP 8y 3m (pre guilty plea discount: 16y NPP 12y)	Nil	Planned to build and detonate bomb in populated area - acquired materials - activities elaborate and carefully planned - Islamic State recruiter providing information – intention to carry out terrorist attack - very serious case. Stable supportive family – character - good prospects of rehabilitation – youth - apparent rehabilitation and rejection of extreme jihadi ideas On appeal: *[77] In arriving at the new sentence, we are of course aware that in Benbrika significantly lower sentences were imposed for the very serious terrorism offences there committed. Those sentences may have been regarded as within range at that time. However, having regard to the scourge of modern terrorism, and the development of more recent sentencing principles in this area, they seem to us to have been unduly lenient. No such sentences would have been imposed today*. Second appeal: relevance of new continuing detention provisions under s105A to re-sentencing – no change to conclusion as to appropriate sentence

	NAME (age if Known)	OFFENCES	PLEA	SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
6.	**AL-KUTOBI** (24) **KIAD** (26) [2016] NSWSC 1760 Garling J [2023] NSWCCA 155	Consp s.101.6 Consp s.101.6	PG (10%) PG (10%)	20y NPP 15y 20y NPP 15y	AA 16y NPP 12y 16y NPP 12y	Nil Nil	Conspiracy included detonating improvised explosive device to damage or destroy a building and using a bladed weapon to cause serious harm or death to a person - arrested at their flat - police recovered number of items including explosive materials, machete, hunting knife, homemade Islamic State flag, homemade balaclava, handwritten notes and video pledging allegiance to Islamic State and violence - objective seriousness above mid-range. CCA: *Xiao v R* (2018) 96 NSWLR 1error conceded – SJ failed to take into account utilitarian value of pleas of guilty**.** Whether pleas demonstrated a measure of remorse: in hindsight, an early part of a developing process of acceptance of wrongfulness on part of both applicants that has reached quite a deep level. Youth at time of offences - difficult and disrupted backgrounds - joint radicalisation a vicious circle whereby each exacerbated the other - prior good character of each. Rehabilitative progress - post-sentence evidence over many years favourable to applicants.
7.	**BESIM** (18) [2016] VSC 537 Croucher J [2017] VSCA 158 [2017] VSCA 180	s.101.6	PG	10y NPP 7y 6m	Crown AA 14y NPP 10y 6m (pre guilty plea discount: 19y NPP 14y 3m)	Nil	Plan to drive car to kill, then behead, law enforcement officer on ANZAC Day –communicated with another person in UK via telegram messaging and conducted internet searches – plan foiled by police week before ANZAC Day - objectively very serious offence - planned over a month – one target as opposed to many victims - one death intended - offender was to act alone. Youth – previous good character – supportive family - good prospects rehabilitation although SJ not prepared positively to accept renounced violent jihadism. VSCA: Personal mitigatory factors of limited weight – grave example offending – high moral culpability Second appeal: relevance of new continuing detention provisions under s105A to re-sentencing – no change to conclusion as to appropriate sentence

	NAME (age if Known)	OFFENCES	PLEA	SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
8.	**KHALID** (20) **J.ALMAOUIE** (21) **IM** (14) [2017] NSWSC 1365 Bellew J (IM) [2019] NSWCCA 107 (KHALID) [2020] NSWCCA 73 (ALMAOUIE) [2021] NSWCCA 274	Consp s.101.6 Consp s.101.6 4 x Firearms offences Sched: 4 firearms offence Consp s.101.6	PG (10%) PG (10%) PG (10%)	22y 6m NPP 16y 9m 18y 10m NPP 14y 2m 12m <u>Total</u>: 19y 9m 21d NPP 15y 1m 21d 13y 6m NPP 10y 1m	AA 20y NPP 15y AA 16y 6m NPP 12y 6m AA 10y 9m NPP 8y	Stalk and intimidate Nil Firearms offences related to conspiracy	Conspired over 6 weeks to do violent acts to further jihad in Australia – unresolved but to involve firearms, killing of police officers and attacking government buildings – all offenders committed to violent extremism and general deterrence important KHALID – senior role – responsible for co-ordinating many aspects of conspiracy - appeal allowed – error in discount for guilty plea - extremely onerous custodial conditions IM – high level in conspiracy - appeal allowed on basis utilitarian value of plea of guilty not taken into account ALMAOUIE – joined late but involvement still serious – upper end of scale just below K – firearms offences related to conspiracy – could not backdate conspiracy sentence but total sentence to reflect sentence for conspiracy – On appeal Xiao error GHAZZAWY, M.ALMAOUIE and SAID sentenced for s.101.5 offence

	NAME (age if Known)	OFFENCES	PLEA	SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
9.	**KHAJA (No.5)** (19) [2018] NSWSC 238 Fagan J	s.101.6 Sched*:* Foreign incursion offence	PG (12m reduct)	19y NPP 14y 3m		nil	Went to vicinity of Army Barracks and court buildings to assess facilities as targets of attack with firearms and explosives - made contact with people whom he thought were sympathisers, attempted to procure weapons from them and sought advice with respect to attack - told them he intended to kill as many unbelievers before being killed himself - contemplated 50 deaths – fully committed to offence - attempted to leave Australia to join ISIS in Syria No evidence of prospects of de-radicalisation – importance of deterrence
10.	**AH** (16) [2018] NSWSC 973 Latham J [2023] NSWCCA 230	s.101.6	PG (25% on appeal)	12y NPP 9y	AA 7y 6m NPP 5y 7m 15d	nil	Sought assistance online in making bomb and obtaining gun – indicated desire to plan terrorist attack for ANZAC Day – mobile phone revealed access made to radical websites - activity spanned 7 days – acted alone – above low level range of gravity Juvenile – failed to take up diversionary program when risk of radicalisation emerged – after counselling renounced radical views – suffering major depressive illness at time of offence On appeal: failed to properly consider subjective mitigating factors – on re-sentence took into account onerous custodial conditions, demonstrated prospects of rehabilitation and strong subjective case
11.	**BALADJAM** (32) [2018] NSWCCA 304	2 x s.101.6 Possess thing connected with preparation for terrorist act: s.101.4(1) *[15y]* Possess thing connected with preparation for terrorist act: s.101.4(1) *[15y]*	PG	18y (each) 8y 7y <u>Total</u>: 18y NPP 14y	AD		(2005) One of group of men involved in conspiracy – devout Muslim seeking to defend religion – purchased ammunition and chemicals – in possession of extremist material, loaded firearms, chemicals and phone in false name – degree of planning to avoid detection – could not be satisfied intended to bring about loss of life Troubled childhood including violence MULAHALILOVIC, SHARROUF and TOUMA sentenced for s.101.4 offence K.CHIEKHO. M.CHIEKHO, ELOMAR, HASAN, JAMAL, and TOUMA sentenced for s.101.6 offence

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12.	**ABBAS** (22) [2018] VSC 553 Tinney J [2020] VSCA 80 Co-offenders: ABBAS CHAARANI MOHAMED	Consp s.101.6	PG (approx 15%)	24y NPP 20y	AD	nil	Conspired with younger brother, cousin and friend – purchased chemicals for explosive device and bladed weapons and conducted reconnaissance around public square – well advanced in preparations and attack imminent – planned attack for near Christmas – intended substantial death and suffering – had recruited younger brother – upper end of range of seriousness Upon rekindling faith embraced jihad ideology – married with young daughter
13.	**HG** (16y 5m) [2018] NSWSC 1849 Bellew J Co-Offender: WE	s.101.6	VG	16y NPP 12y		nil	Purchased two hunting knives – 6 days later purchased two more knives in presence of co-offender – arrested in vicinity of Police Station and Courthouse in possession of knives, items to hide face and written pledge to be attached to victim – unequivocally committed to imminent attack – clear although unsophisticated plan – at or about mid-range Strong need for personal deterrence – cautious approach to rehabilitation
14.	**BAYDA** (18 at offence) **NAMOA** (18 at offence) [2019] NSWSC 24 Fagan J (Namoa) [2020] NSWCCA 62	s.101.6 s.101.6	VG (20%) VG	4y NPP 3y 3y 9m NPP 2y 10m	Conviction AD	Nil Nil	B (male) and N (female) in relationship – conspired to attack on New Year's Eve 2015 - B in company with young males intending to prepare for violent attack against non-Muslims - N knew of proposed attack, agreed B should carry it out and strongly encouraged him - evidence did not establish type of attack - conspiracy in existence for two weeks - first objective abandoned - replacement conceived in vaguest terms - relatively low order of seriousness. Both offenders adopted extremism as young teenagers. B: criminality greater - exercised degree of influence over N - any action was taken by B – assistance – remorse – contrition - youth N: mental health – remorse, contrition - progress in rehabilitation - youth

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15.	**AZARI** (20) [2019] NSWSC 314 N.Adams J [2021] NSWCCA 199	s.101.6 Attempt make funds available to terrorist organisation: s.102.6(1) *[25y]* Sched: 2 x s.102.6(1)	VG PG (25%)	12y 8y Total: 18y NPP 13y 6m	AD	nil	Attempted to make US$9000 available to Islamic State – schedule offences involved transferring total of US$6000 to Pakistan for Islamic State – telephone conversation with senior Australian Islamic State member in Syria planning terrorist acts in Australia – no actual agreement to commit terrorist act and no further planning – in direct contact with Islamic State acting as intermediary with radicalised groups in Australia – offences below mid-range Born in Afghanistan – delay – still holds some extremist views – prior good character On appeal: no disparity – no error in relation to scheduled offences
16.	**HRAICHIE (No.3)** [2019] NSWSC 973 Johnson J [2022] NSWCCA 155	s.101.6 Send letter containing threat to kill: s.31 (NSW) *Crimes Act [10y]* Wound with intent to murder: s.27 (NSW) *Crimes Act [25y]* Cause GBH with intent to cause GBH: s.33(1)(b) (NSW) *Crimes Act [25y]*	PG (25%) (20%) (25%) (15%)	20y NPP 15y 6y 3m NPP 4y 7m Indicative: 10y NPP 7y 6m Indicative: 14y NPP 10y 6m Aggregate: 20y NPP 15y Total: 34y NPP 29y	AA 20y NPP 15y 6y 3m NPP 4y 7m Indicative: 8y 7m NPP 6y 6m Indicative: 13y 7m NPP 10y 2m Aggregate: 16y 6m NPP 12y 4m Total: 30y 11m NPP 25y 11m	Lengthy as a juvenile and an adult – included violence – offences committed while in custody	Radicalised as a juvenile – over six month period while on parole then in custody committed multiple acts in preparation for terrorist acts – planned targets changed from police officers to corrective services officers – substantial acts including talking to associates, writing material and obtaining weapons – while in custody attacked cell mate with intent to kill – stabbed, punched, choked, whipped with cable, carved letters into forehead, further cuts inflicted with razor and attempted to waterboard – sent letter containing death threats to Corrective Services Commissioner Discount contained small element for admissions to police – no contrition or remorse – letter given to Sentencing Court indicated continued radicalisation – no evidence of mental health issue On appeal: sentence for assault offences excessive

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17.	**K.KHAYAT** (49) **M.KHAYAT** (32) [2019] NSWSC 1817 Adamson J (M.Khayat – conviction only) [2025] NSWCCA 151	Consp s.101.6 Consp s.101.6	VG VG	40y NPP 30y 36y NPP 27y	Conviction AD	nil nil	Brothers conspired with third brother and another person (both overseas) over six months – planned to send bomb on plane with another brother – prepared bomb and took to airport concealed in meat mincer but changed mind at last minute due to risk of detection – commenced preparation for use of poisonous gas by making test burns – took instructions from third brother and other person via phone – intended death of significant number of people – K more culpable – very serious offence of this nature – motivation for offence unclear K.KHAYAT – initially co-operated during questioning and during trial – strong family ties – married with four adult children - poor physical heath – onerous custodial conditions M.KHAYAT – co-operated during trial – strong family ties – married with two young children - poor physical heath – onerous custodial conditions

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18.	**ABBAS** (21) **CHAARANI** (26) **MOHAMED** (24) [2019] VSC 775 Beale J (Abbas conviction appeal) [2022] VSCA 39 (Mohamed sentence appeal) [2022] VSCA 136 (Chaarani sentence appeal) [2023] VSCA 275 (Abbas sentence appeal) [2025] VSCA 116 Co-offender: ABBAS	Consp s.101.6 Consp s.101.6 Consp s.101.6	VG VG VG	22y NPP 16y 6m 26y Total: (with existing sentence for s.101.1 offence) 38y NPP 28y 6m 26y Total: (with existing sentence for s.101.1 offence) 38y NPP 28y 6m	Conviction AD Sentence AD AA 26y Total: 32y NPP 24y AA 26y Total: 32y NPP 24y	nil nil relevant limited	Conspiracy to cause mass slaughter of civilians on or about Christmas Day in busy city involving explosive devices and weapons – chemicals and weapons purchased and reconnaissance conducted – upper range of seriousness – Abbas joined conspiracy late and played lesser role ABBAS – born of Lebanese family – not as radicalised as co-offenders but no evidence had de-radicalised – reasonable prospects of rehabilitation CHAARANI – gave sworn evidence accepting guilt and renouncing ideology – married – remorse – reasonable prospects of rehabilitation MOHAMED – gave sworn evidence accepting guilt and renouncing ideology – born in Egypt – father to young son – remorse – reasonable prospect of rehabilitation CHAARANI and MOHAMED sentenced 4 months earlier for committing terrorist offence: s.101.1 - committed similar time – see table for s.101.1 offences On appeal: MOHAMED and CHAARANI successful sentence appeal reduced accumulation to existing sentence

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19.	**WE** (16y) [2020] NSWSC 1569 Bellew J Co-offender: HG	s.101.6 – s.11.2A	VG	16y NPP 12y		nil	Paid for co-offender to purchase hunting knives – arrested with co-offender in circumstances where unequivocally committed to imminent attack on public using bladed weapon – planned offence – mid-range Strong need for personal deterrence – unequivocally committed terrorist – committed to violent, extremist, religious ideology – no indication of rehabilitation Summary of sentencing principles for terrorism offences at [72]-[79]
20.	**ALI** (20) [2020] VSC 316 Champion J [2020] VSCA 330	s.101.6	PG	10y NPP 7y 6m	Crown AA 16y NPP 12y (pre guilty plea discount: 20y NPP 15y)		Planned attack on Melbourne in 2017 - contemplated killing of civilians, targeting crowd to maximise casualties and eventual death to achieve martyrdom – contemplated several methods – spoke to undercover operatives about obtaining firearms and ammunition although noting purchased at time of arrest several months later - downloaded document describing various techniques and other material – ideological and extreme religious motivation – high level of culpability moderated by youth and exposure to extreme ISIS propaganda Became radicalised in late teen years with older brother – plea entered after pre-trial matters determined – remorse – significant early steps in rehabilitation – youth On appeal – consideration of factors influencing seriousness of offences of this nature at [75]-[83]
21.	**GALEA** (36) [2020] VSC 750 Hollingworth J	s.101.6 Att make document - s.101.5 *[15y]*	VG	10y 6y Total: 12y NPP 9y		Minor theft and property damage	Offender held radical right wing views – Aug 2015 – Aug 2016 planned attack on sites associated with left wing ideology – preliminary research into several commercial premises – attempted to recruit people – researched explosive devices – planned property damage – arrested in early stages of preparation – low to mid-range – Nov 2015 – Aug 2016 creating document designed to equip and encourage people to commit violent acts – adapted passages from anarchist publication – moderately serious example Dysfunctional childhood with abuse and neglect – mental diagnosis unclear – ASD – paranoia, conspiratorial theories, substance abuse, social isolation and poor emotional response had some causal connection to offences – no remorse – harsh custodial conditions over 4 years

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22.	**KRUEZI** (21) [2020] QCA 222	Preparations for incursion into a foreign state: s.6 *Crimes (Foreign Incursions and Recruitment) Act*: *[10y]* s.101.6	PG	3y 6m 17y 4m NPP 13y (concurrent)	AD	Minor record	Supported overthrow of government in Syria – arrested at airport after booking flight to Kosovo intending to travel to Syria – 6m later obtained .22 rifle and material for Molotov cocktails – spent two weeks planning attack although no target identified – objective seriousness very high Albanian descent – each offence an expression of extreme religious and ideological belief – no evidence of remorse or contrition – importance of specific and general deterrence
23.	**AMIN** (24 at offence; 30 at sentence) [2021] NSWSC 1267	s.101.6 Attempt to export goods: 233BAA(5) *Customs Act [5y]*	PG (20%) (25%)	Indicative 5y 9m Aggregate: 5y 4m NPP 4y		Nil	Engaging in acts in preparation for act to take place in Bangladesh, not Australia – communications with persons in Bangladesh regarding making explosive device ('cocktail bomb'), equipment, training of persons – transferred money to wife in Bangladesh – stopped at Sydney airport attempting to travel to Bangladesh with publications, films and material with instructions and support for terrorist acts – member of Islamic State. Below mid-range objective seriousness – not armed – no definite arrangement to join any particular group in Bangladesh – no fixed plans. Reasonable prospects rehabilitation - abandoned extremist ideological views – maturity since offences committed.
24.	**EL MATARI** (19-20 at offence; 22 at sentence) [2021] NSWSC 1260 Garling J Co-offender: LAWRENCE	s.101.6 Preparing to engage in commission of foreign incursion offence: s.119.4(1) *Criminal Code [Life]* Sched: Membership terrorist organisation: s.102.3(1) *Criminal Code [10y]*	PG (25%)	Indicative 4y 6m 6y Aggregate 7y 4m NPP 5y 6m		Arrested in Lebanon for attempting to join and fight with IS in Syria.	Communications regrading preparations to establish Islamic State insurgency in Australia, importation of assault rifles, vague plans of how acts could be carried out and that he would blow himself up – prepared to go to Afghanistan to engage in hostile activity - below mid-range. Youth - exposed to radical beliefs by peers at 15-16y - offence motivated by complex reasons including loneliness, lack of close friendships - ADHD – PTSD - not satisfied of renunciation of beliefs or unlikely to reoffend - risk of both general and violent reoffending - high risk of further offences of violent extremism

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25.	**LAWRENCE** (22/23) [2023] NSWSC 1428 Ierace J Co-offender: EL MATARI	s.101.6 Sched: Advocating terrorist act: s.80.2C *Criminal Code*	PG (25%)	6y NPP 4y 6m		Extensive – breached parole for violent offence by commission of schedule offence	2018 used various social media platforms and means of communication to promote and encourage violent jihad – mid range offence – while in custody in 2019 in High Security Unit sought to recruit fellow inmate to obtain addresses of families of Corrective Services Officers upon release – some months later wrote letter in support of co-offender's plan for violent Islamic insurgency – neither acts progressed very far – well below mid-range Extremely difficult childhood engaging *Bugmy* principles – low intellectual capacity – converted to Islam as young teenager - no remorse, insight or contrition – prospects of rehabilitation poor – not satisfied resiled from belief system – difficult custodial conditions due to catastrophic injury suffered while in custody and high security rating
26.	**DIRANI** (22 at offence; 30) [2023] NSWSC 1664 Sweeney J	s.101.6	VG	14y NPP 10y 6m		Little significance - Possess ecstasy tablet, assault, conceal offence	2015 – role and conduct was to provide support to RA attempting to obtain a gun; RA then provided gun to offender FM used in shooting of C. Chen – offender involved only for short time and in limited way; not directly involved in provision of gun, not present when RA gave gun to FM – not shown offender knew what was intended to be done with gun nor knew the act planned or when it was to occur - accompanied RA to meetings when RA was trying to obtain gun, however, most interactions occurred away from offender's immediate physical presence and offender not a party to conversations - below mid-range seriousness Willingness to rehabilitate - no evidence has done anything in custody to promote extremism – chronic physical conditions making custodial conditions onerous.

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