Import Ecstasy / MDMA

Commercial Quantity

s.233B(1) (Cth) *Customs Act*

s 233B(1) **(b) import**

(c) possess prohibited import

(ca) possess reasonably suspected prohibited import

(cb) conspire to import (*repealed 15.12.2001*)

(d) knowingly concerned in import (*repealed 15.12.2001*)

Subsection substituted 28.9.2004

s 233B(1) **(a)(iii) import**

(a)(iv) possess prohibited import

(a)(vi) possess reasonably suspected prohibited import

Commercial Quantity: 500g

Maximum Penalty: Life

s.235(2)(c)(i)

s.16G (CTH) *Crimes Act* was repealed 16.1.2003 (applies to all sentences imposed after that date)

Section s 233B repealed 6.12.2005

	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
1.	**Carey** (26) (1997) 97 A Crim R 552 (VSCA)	Import	2kg	PG	8y NPP 5y 6m	AA 6y NPP 3y 6m	Insignificant	English national carried drugs in suitcase - at home living in near poverty and tempted by offer of financial reward - courier. Assistance to police – successful controlled delivery.

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	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
2.	**Bowers** (1997) 97 A Crim R 461 NSWCCA	Import	7,000 tablets 719g	PG	8y 6m NPP 4y 6m	AD	Nil	Drugs strapped to waist - needed money.
3.	**Thorp** (27) WASCA 5.11.1997	Consp to import	804g on last shipment	PG	16y NPP 8y	AD	Nil drug offences	At least 4 shipments involved – arranged importation through couriers
4.	**Behar** NSWCCA 14.10.1998	Import	1.231kg	PG	6y NPP 18m (50% assistance)	Crown AA 6y NPP 2y 6m	Nil	Courier with exceptional background - became involved with drugs through Orange People Since disavowed involvement with sect
5.	**Soonius** NSWCCA 29.5.1998	Import	3.340kg	VG	11y NPP 6y (discount for assistance)	AA 9y NPP 5y 3m		Hidden in suitcase – courier Suffering psychiatric condition at time of offence - vulnerable.
6.	**Budiman** (1998) 102 A Crim R 411 NSWCCA	Knowingly concerned in import	591.6g	VG	8y 3m NPP 6y 3m	AD	Nil	Tablets found in speakers imported Controlled delivery to A at hotel - courier from Indonesia.
7.	**Power** [1999] NSWCCA 25	Possess	1056.5g MDMA	PG	9y NPP 5y 6m	AD		Arranged to pick up delivery of suitcases containing drug from co-offender who had brought suitcases from Holland - co-offender arrested and agreed to controlled delivery – more than mere courier – middleman
8.	**Diefenbach** (1999) 108 A Crim R 19 [1999] WASCA 4 Co-offenders: PUNEVSKI RUVINOVSKI MUSTAFA	Import	562.3g MDMA	PG	12y NPP 6y	AA 10y NPP 5y (Parity)	Nil	Female - bought in drugs hidden on body with 3 others – recruited and advised other couriers

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9.	**Camus** [1999] NSWCCA 425	Possess	736.5g ecstasy	PG	8y NPP 5y	Crown AA 10y NPP 6y		Recruited by man in Bali to find customers for tablets - picked up tablets from Melbourne and sought to sell drugs in Sydney - management level - supplied some drugs to dealers before arrested - motivated by greed - to earn $40,000 - objective criminality high.
10.	**MacGregor** (23) (2000) 120 A Crim R 24 [2000] NSWCCA 552	Attempt possess Possess ecstasy Supply ecstasy Proceeds of crime	657.3g ecstasy	PG	9y NPP 6y (other sentences unstated)	AA 8y NPP 5y	n	German national carried drugs strapped to thighs – controlled delivery to offender – found in possession of $67,750 and 2.16g ecstasy – motivated by financial gain Good prospects of rehabilitation
11.	**Ruvinovski** (2000) 116 A Crim R 131 [2000] WASCA 398 **Punevski** (2000) 116 A Crim R 146 [2000] WASCA 397 Co-offenders: DIENFENBACH MUSTAFA	Attempt possess Attempt possess	513g ecstasy	VG VG	13y NPP 8y 13y NPP 8y	AA 13y NPP 6y 8m 13y NPP 6y 8m	Nil significant	Involved in importation of over 2kg (pure) drug through four couriers – attempted to collect drugs from one courier - collectors
12.	**Rocco** [2001] NSWCCA 124	Knowingly concerned in import	4.027kg MDMA	VG	13y NPP 9y	AD		Involved in importing drug in water pump consignment South African
13.	**Tan** (41) [2001] NSWCCA 219	Import	736g MDMA	PG	7y NPP 4y 6m	AD	nil	Mere courier found with tablets taped to body. Isolation in custody - custody of two teenage children - needed money for ill mother.

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14.	**Mustafa** [2001] WASCA 192 (2002) 133 A Crim R 133 WASCA (2002) 136 A Crim R 570 [2002] WASCA 357 Co-offenders: PUNEVSKI RUVINOVSKI DIEFENBACH	Attempt possess	513g MDMA	PG (25% plea and personal factors)	12y NPP 7y	AA 12y NPP 6y AA 10y 6m NPP 5y 6m AD	nil	One of 7 offenders – drugs brought into Australia by 4 couriers – recruited to assist in collecting drugs from couriers – minor role Original appeal to CA saw reduction in NPP only – Successful appeal to HCA meant matter returned to CA and sentence reduced - Final appeal to CA found mathematical error but no lesser sentence warranted
15.	**Efendi** (39) (2001) 125 A Crim R 487 [2001] NSWCCA 391	Import Import traff qty	0.8kg MDMA 10.7g methylamphet	VG	10y NPP 6y 5y (concurrent)	AD	Nil	Indonesian national imported drugs concealed in exercise machine - courier
16.	**Tan** [2001] NSWCCA 438	Possess	6.15kg ecstasy	PG (20%)	15y NPP 9y (JIRS summary)	AD	nil	Arrested following AFP investigation of Singapore/Chinese syndicate - suitcase containing drugs found during search of offender's premises - financial motive Married - one child.
17.	**Chua** [2001] WASCA 353	Knowingly concerned in import	6.2kg ecstasy	PG (25% on appeal)	16y NPP 8y	AA 13y 6m NPP 6y 9m	nil	Collected drugs from boat docked at Broome and drove to Alice Springs – at least a major courier Illegal immigrant – insufficient discount for guilty plea
18.	**Van der Aar** (45) (2001) 124 A Crim R 115 [2001] VSCA 205	Import	697.3g MDMA	PG	7y NPP 4y 6m	AD		Drugs sent in package containing machinery – with co-offenders collected boxes and arrested in act of opening machinery – sophisticated and well planned operation – active participant

	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
19.	**X** (35) **Y** (59) (2002) 130 A Crim R 153 [2002] NSWCCA 40	Consp import Consp import comm qty Consp import Consp import comm qty	24.4889kg ecstasy 7.1648kg cocaine 24.4889kg ecstasy 7.1648kg cocaine	PG (58% assist)	7y 6m NPP 5y 7y 6m NPP 5y (concurrent) 5y NPP 3y 5y NPP 3y (concurrent)	Crown AA 10y NPP 5y 10y NPP 5y (concurrent) 7y NPP 3y 7y NPP 3y (concurrent)	Old but serious offence of import heroin nil	Conspiracy extended over 6 months – travelled to Europe to arrange for importation of drugs concealed in hydraulic rams – packed drugs themselves then monitored progress – picked up rams upon arrival in Sydney – controlled delivery X recruited Y – not a principal but significant organisational responsibilities Y – role less than X but still active and important contribution
20.	**Guiu** (2002) 129 A Crim R 387 [2002] NSWCCA 181	Attempt possess	10,000 tablets - 1.102kg ecstasy	VG	8y NPP 5y 3m	AA 6y NPP 3y 9m	nil	Arrested after arriving to collect suitcase of 'drugs' at hotel under police surveillance - two co-offenders including husband for whom drugs were collected. SJ erred in assessment of role of applicant as more culpable than merely collecting drugs
21.	**Grimwood** (41) [2002] WASCA 135	Import	1.4kg ecstasy	PG (22% plea and mitigating factors)	14y NPP 7y	AD	Nil	British – claimed sole involvement for commercial gain – high level of involvement Pleaded guilty on fast track
22.	**Tyler** (30) [2002] NSWCCA 272	Import Sched: Passport offence	947.6g MDMA	PG (20% on appeal – plea and mitigating factors)	7y 6m NPP 4y 6m	AA 6y NPP 3y 3m	minor	Female - imported tablets in luggage. Good prospects of rehabilitation
23.	**Woolery** [2002] NSWCCA 299	Import	1570.2g (30% pure) MDMA	PG (25% plea and assist)	7y 6m NPP 4y 6m	AD		Imported powder strapped to back Assistance to authorities

	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
24.	**Lim** **Yeung** [2002] NSWCCA 293	Possess Possess	46,000 tablets - 6.15kg MDMA	VG VG	9y NPP 5y 4m 9y NPP 5y 4m	Conviction AD AD		Found in possession of $40,000 – drugs found in premises offenders travelling to
25.	**Togias** (21) (2002) 132 A Crim R 573 [2002] NSWCCA 363	Import	967.5g MDMA	PG	5y GBB	Crown AD	Nil	Female - imported drugs from Bali - courier - subsequent to offence gave birth to daughter - evidence suggested delay in assessment of respondent for mother/daughter facilities in gaol - separation could cause psychological harm to child - originally given recognisance and sent back by CCA for re-sentence
26.	**Leung** (36) (2002) 134 A Crim R 187 [2002] NSWSC 858	Knowingly concerned import Knowingly concerned import comm qty	51.47kg ecstasy 10.7kg heroin	VG	14y 18y Total: 20y NPP 14y		nil	Drugs imported from China hidden in cans of pineapple – took delivery of drugs and stored them in storage unit – controlled delivery – significant role as middleman
27.	**Niketic** [2002] NSWCCA 425	Import	1.19kg ecstasy	PG (15%)	7y 6m NPP 4y 6m	AD		Imported tablets from Bali for $10,000.
28.	**Schofield** (2003) 138 A Crim R 19 [2003] NSWCCA 3	Attempt possess Sched: 2 drug offences	2.0979kg MDMA	PG	2y 6m NPP 18m	Crown AA 5y NPP 3y	on parole for mal wound	Driver for associates picking up drugs secreted in automotive transmission Discount for assistance Includes table and summary of similar cases.
29.	**Soh** [2003] WASCA 29	2 x Knowingly concerned in import	Not stated	VG	14y NPP 7y	AD		Slightly above courier – not clear from judgment if commercial quantity – assumed from length of sentence

	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
30.	**De Groot Van Embden** (38) (2003) 140 A Crim R 403 [2003] NSWCCA 156	Attempt possess	16.5kg MDMA	PG (65% plea and assist)	12y NPP 8y	AA 12y NPP 7y		Principal Australian organiser of Dutch syndicate arranging importation of drugs into Australia – to pick up and arrange sale of drugs Dutch citizen – father of four – significant assistance to authorities – family in witness protection – protection and isolation in gaol – anxiety for family
31.	**Simon** (37) (2003) 142 A Crim R 166 [2003] NSWCCA 147	Import	921.4g MDMA	PG (20% on appeal)	6y NPP 3y 6m	AA 4y 6m NPP 2y 6m	nil	Courier – imported drugs in body bags – carefully planned – expected financial reward American – financial difficulties – out of character – health problems – evidence of rehabilitation Insufficient discount for guilty plea
32.	**Cant** [2003] NTCCA 5	Knowingly concerned in import		VG	14y 8m (partially cumulative to existing sentence)	AA 14y NPP 8y 6m		Organised importation of tablets in steel cylinder - unpacked drugs and gave them to courier for delivery – advised courier 110,000 – 112,000 tablets in importation Subsequent to sentencing conviction from earlier sentence quashed
33.	**Evans** [2003] WASCA 194	Import	686.3g ecstasy	VG	14y NPP 7y 6m	AD		Drugs imported in luggage
34.	**Shepherd** (44) (2003) 142 A Crim R 101 [2003] NSWCCA 287 Co-Offender: PRASAD EI HANI L. SUKKAR J. SUKKAR S. SUKKAR CHOI	Knowingly concerned in import	34.401kg MDMA	PG (45% on appeal for plea and assist)	14y NPP 9y	AA 11y 6m NPP 7y 4m	Nil relevant	Tablets hidden in freezer panels in packing crates on shipping container imported from Holland – assisted by arranging importation documents and delivery to warehouse Assistance

	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
35.	**Balogun** [2004] NSWCCA 72	Attempt possess	1.323kg MDMA	VG	8y NPP 5y	AD		Internal courier – picking up package containing drugs
36.	**El Hani** [2004] NSWCCA 162 Co-Offender: SHEPHER PRASAD L. SUKKAR J. SUKKAR S. SUKKAR CHOI	Knowingly concerned in import	34.401kg MDMA	PG (25% plea and assist)	15y NPP 10y	AD		Involved in importation of tablets in freezer panels – senior person playing important managerial role Some assistance
37.	**B** (22) [2004] WASCA 1	Aid, abet, procure import	2.45kg ecstasy	PG	7y NPP 3y 6m	Crown AD	nil	Israeli attempting to eliminate drug debt – role was to monitor courier and report back
38.	**Prasad** (2004) 147 A Crim R 385 [2004] NSWCCA 293 Co-Offender: SHEPHERD El HANI L. SUKKAR J. SUKKAR S. SUKKAR CHOI	Knowingly concerned import	34.401kg ecstasy	VG	14y NPP 8y 8m	Crown AD (exercise of discretion)		Drugs imported in freezer equipment – active and important role arranging clearing and collection of drugs – involved because of financial equipment
39.	**Studenikin** (25) (2004) 147 A Crim R 1 [2004] NSWCCA 164	Import Make false statement on entry to Australia	3.2786kg MDMA	PG	12y NPP 7y FT 1y (concurrent)	AA 10y 6m NPP 7y	fraud	**POST 16G REPEAL** Russian entered Australia with drugs hidden in suitcase Remorse – reasonable prospects of rehabilitation

	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
40.	**Kevenaar** (23) **Dedoes** (22) **Pan** (22) (2004) 148 A Crim R 155 [2004] NSWCCA 210	Attempt posses Attempt posses Attempt posses	5.9877kg MDMA	PG (40% plea and assist on appeal) PG (35% plea and assist on appeal) PG (20% plea and assist on appeal)	3y NPP 21.5m 4y NPP 28.5m 6y 6m NPP 43.5m	Crown AA 7y NPP 4y 6m 7y 9m NPP 5y 11y NPP 7y	Minor minor	**POST 16G REPEAL** Dutch nationals sent to Australia to collect drugs – less than middlemen – JP more involved than other two offenders Some contrition and mitigating circumstances in background - assistance
41.	**Neale** (57) (2004) 148 A Crim R 493 [2004] NSWCCA 311	Knowingly concerned in import	52.33kg MDMA	VG	Life NPP 21y	AA Life NPP 15y	Dishonesty offences only	Drugs imported in cases of wine bottles Non-parole period reduced only because of age of applicant
42.	**Johnson** [2004] WASCA 207	Attempt poss Attempt poss trafficable	805.2g ecstasy 131.7g cocaine	PG	8y 3y 6m <u>Total</u>: 11y 6m NPP 5y 6m	AA 8y 3y 6m <u>Total</u> 9y NPP 4y 6m		Drugs brought into Australia from Indonesia strapped to body of courier – controlled delivery - paid to collect drugs and pass them on

	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
43.	**J** (59) **H** (52) (2005) 152 A Crim R 152 [2005] NSWCCA 1	Attempt possess Attempt possess	16.5 kg MDMA	PG (40% plea and assist on appeal) PG (18% on appeal)	7y 6m NPP 4y 7y NPP 3y 9m	Crown AA 9y 6m NPP 5y 9m Crown AA 9y NPP 5y 3m	Numerous - 15y for heroin importation 7y for heroin importation	**POST 16G REPEAL** Attempted to pick up consignment of ecstasy with street value of $9M – controlled delivery – subordinate to co-offenders - J recruited 2 days before arrest – H only learnt that drugs involved on day of offence – part of large Dutch syndicate J: reformed since release – health problems – PTSD H: remorse – depression
44.	**S. Sukkar** [2005] NSWCCA 54 Co-accused: PRASAD SHEPHERD El HANI L. SUKKAR J. SUKKAR CHOI	Knowingly concerned import	34.401 kg ecstasy	VG	14y NPP 9y	Crown AD Sentence AD		**POST 16G REPEAL** Drugs imported in freezer equipment - brother involved as principal— acting in pre-concert Practising solicitor – good character
45.	**Millerat** (25) [2005] NSWCCA 142	Import	2.0259kg MDMA	PG (25%)	5y 6m NPP 2y 9m	Crown AA 9y NPP 4y 6m	nil	**POST 16G REPEAL** French woman paid to bring in drugs from Holland – drug addict suffering severe depression
46.	**DPP v Inbar** (23) [2005] VSCA 116	Aid and abet import Possess import Possess import	19kg+ ecstasy 28.8g MDMA 0.12g LSD	PG	5y 6m NPP 3y 3m 12m 7 days	Crown AA 7y 6m NPP 5y 12m 7 days	nil	Israeli citizen – drugs imported from Holland concealed in crates carrying chandeliers – not a principal – critical role in clearing drugs through customs – used false identities and documentation – LSD and ecstasy powder found in own room for personal use Drug addiction – isolation in custody

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47.	**C.A.S**. (31) (2005) 160 A Crim R 451 [2005] NSWCCA 192 Co-offender: NP	Aid and Abet import	136.913kg ecstasy	PG (50% overall discount)	8y NPP 5y	AD	nil	**POST 16G REPEAL** Company customs clerk arranged customs clearance for drugs imported in freezers – provided advice – junior but important role Element of duress – no financial gain – high order assistance
48.	**L. Sukkar** [2005] NSWCCA 55 Co-accused: SHEPHERD PRASAD El HANI J. SUKKAR S. SUKKAR CHOI	Knowingly concerned in import	34.401 kg MDMA	PG (25% plea and assist)	18y NPP 12y	AD	nil	**POST 16G REPEAL** Drugs imported in freezer equipment – co-principal and partner with brother

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49.	**Nguyen** **Pham** **To** (2005) 157 A Crim R 80 [2005] NSWCCA 362	Knowingly concerned in import Knowingly concerned in import traff. qty Knowingly concerned in import Knowingly concerned in import traff. qty Possess comm qty prohibited import	52.702kg MDMA 477.8g heroin	PG PG PG	25y NPP 16y 15y <u>Total</u>: 25y 18y Life NPP 23y 15y <u>Total</u> Life NPP 25y Life NPP 20y	AA 21y 10y <u>Total</u> 22y NPP 16y 6m 27y 10y <u>Total</u> 28y NPP 18y 22y NPP 16y	No priors No priors Prior drug conviction	**POST 16G REPEAL** All involved in importation of 50.702kg ecstasy secreted in tiles - N and P also involved in importation of heroin in liquor bottle N – female – High level involvement – Experienced drug trafficker P – Male – Principal V – Male – Local courier – Lowest level of culpability T – Male
50.	**Moore** (50) [2005] NSWCCA 212	Possess	92.442kg MDMA	PG (25% plea and assist)	20y NPP 15y	AD		**POST 16G REPEAL** Part of agreement to take possession of 980,000 tablets – leased premises and took delivery of drugs – senior and trusted member Limited assistance
51.	**Minniti** (2006) 159 A Crim R 394 [2006] NSWCCA 30	Attempt possess	20kg MDMA	VG	12y NPP 8y	AD	nil	**POST 16G REPEAL** Ecstasy imported from Belgium in machinery - minor but willing assistance – no financial reward Good character

	Case (age if known)	Offence	Amount (pure)	Plea	Result	Appeal	Record	Facts
52.	**J. Sukkar** (44) (2006) 172 A Crim R 151 [2006] NSWCCA 92 Co-accused: SHEPHERD PRASAD El HANI L. SUKKAR S. SUKKAR CHOI	Knowingly concerned in import	34.4g MDMA	PG (35% plea and assist on appeal)	13y 3m NPP 8y 6m	Crown AD 20y NPP 12y	Prior convictions for importing hashish oil	**POST 16G REPEAL** Drugs imported in freezer equipment – principal Assistance in relation to Netherlands associates – delay
53.	**Z** (2006) 167 A Crim R 436 [2006] NSWCCA 342	Possess Money laundering offence	16.86kg MDMA	PG (50% plea and assist on appeal)	5y 2m NPP 2y 7m 2y (concurrent)	Crown AA 8y NPP 4y 2y Total 9y NPP 5y		**POST 16G REPEAL** Israeli national travelled to Australia to assist international crime syndicate transfer money out of Australia – took delivery of Ecstasy tablets Suffering PTSD and depression from suicide bomb in Israel – assistance to authorities
54.	**Adams** [2007] VSCA 37 [2008] HCA 15	Possess	8.916kg MDMA	VG	9y NPP 7y	AD HCA AD	Minor drug offences in America	American citizen - drugs imported hidden in containers – offender sent to Australia to locate container and extract drugs – significant role – more than mere courier
55.	**Choi** [2007] NSWCCA 150 Co-accused: SHEPHERD PRASAD El HANI L. SUKKAR J. SUKKAR S. SUKKAR	Knowingly concerned in import	34.4kg MDMA	VG	20y NPP 13y	AD		**POST 16G REPEAL** Drugs imported in freezer equipment – arranged importation – senior to all except L and J Sukkar Granted s.16G discount

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56.	**Mauceri** [2007] NSWCCA 262	Consp import	56.5kg MDMA	PG (50% plea and assist)	8y NPP 5y	AD	nil	**POST 16G REPEAL** Drugs imported in container of furniture – significant role in importation arrangements – motivated by financial hardship. Assistance to authorities.
57.	**Alchikh** [2007] NSWCCA 345	Consp import	10.44kg ecstasy	PG (33.3% plea and assist)	12y NPP 7y 3m	AD		**POST 16G REPEAL** Drugs hidden in refrigerators in consignment from UK – 164,462 tablets – retail value $11.4 million – managerial role.
58.	**NP** [2008] NSWCCA 205 Co-offender: C.A.S.	Consp import	136.913kg MDMA	PG (50% plea and assist)	11y NPP 7y	AD	Nil	**POST 16G REPEAL** Part of conspiracy to import drugs concealed in freezer units imported from Malaysia – middleman facilitating contact between members in Sydney Out of character – evidence against co-offender – psychological problems – troubled family history
59.	**Keung** **Bow** **Liu** (2008) 191 A Crim R 317 [2008] NSWCCA 193	Consp import Consp import Consp import	234.9kg MDMA	VG	Life NPP 18y 24y NPP 16y 21y NPP 14y	Conviction AD		**POST 16G REPEAL** Drugs imported from Netherlands concealed in pastry
60.	**DPP v Aisbett** (40) **DPP v Giampaolo** (56) [2009] VSCA 172	Att possess Att possess	500kg ecstasy	VG	6y NPP 4y 6y NPP 4y	Crown AD	Lengthy record Record including drug offences	Secreted in tiles imported from Italy – controlled delivery - collected tiles from warehouse and started unpacking – recruited days before to unpack tiles only – unaware of quantity of drugs

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61.	**El Jalkh** [2011] NSWCCA 236	Consp import	4.3721kg MDMA	PG	10y NPP 5y 3m	AD	nil	**POST 16G REPEAL** Involved in conspiracy to import drugs from Europe and Middle East through shoe importer – flew overseas to make further arrangements – drugs obtained by co-offender seized in Italy – a principal but not driving force Medical condition
62.	**King** [2012] NSWCCA 185	Consp import	165,000 tablets – 32kg ecstasy	PG (25% plea and assist)	16y NPP 10y	AD	Lengthy. UK conviction for conspiracy supply drugs.	**POST 16G REPEAL** UK syndicate – drugs imported inside refrigerators – key organiser or very senior member. Arrested in 2003 – delay due to offender contesting extradition proceedings.
63.	**Balloey** (51) [2014] NSWCCA 165	Attempt possess	87.44kg MDMA	PG (15%)	24y NPP 16y	AA 19y NPP 13y	Record – no drugs	**POST 16G REPEAL** Part of drug distribution group who came to Australia to distribute drugs – drugs imported in agricultural machinery – offender provided machinery and supervised loading – unpacked drugs in Australia – 10% reduction for element of coercion Belgian national – isolation from family
64.	**Kinch** (57 at sentence) [2016] NSWSC 63 Hidden J	Consp import Consp import Money laundering	Total of at least 200kg MDMA	PG (30%- plea and assist	22y 6m 22y 6m 7y Total: 24y 6m NPP 16y		Record in England – burglary and robbery – no drugs	**POST 16G REPEAL** 2001-2003 – two charges part of one conspiracy reflecting change in legislation – involved with Dutch syndicate – drugs imported on several occasions in PVC piping – senior and trusted member – supervisor of others – collected large amounts of money and sent it overseas Concurrent sentence imposed for later conspiracy to import pseudoephedrine Old offences – spent 4y 5m in difficult custodial conditions in Thailand – troubled upbringing Sentenced for later offence of

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