Supply Amphetamines / Methylamphetamines

Commercial Quantity

s.25(2) (NSW) *Drug Misuse and Trafficking Act*

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

Commercial Quantity: **250gm**

Large commercial quantity: **Amphetamines - 1kg / Methylamphetamines – 500g after 1.9.2015**

Maximum Penalty: **20 years – s.33(2)**

Standard Non-Parole Period **10 years (offence committed on or after 1.2.2003)**

	NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
	Gudge (38)	Supply comm qty Sched 3 x supply	448g	PG	MT 6y AT 2y	AA MT 4y AT 2y	Prior convictions but no gaol	On arrest found in possession of 448g amphetamine - previously supplied 7.6g, 1g and 7.5g to police operative, and entered into negotiations for supply of 450g.
1.	**Brown** (female) (33) NSWCCA 3.4.1995	Knowingly take part in supply comm qty Sched: 3 x supply	448g	PG	MT 4y 6m AT 1y 6m	MT 2y 6m AT 2y	Possess heroin - no gaol	
2.	**Atkinson** (41) NSWCCA 9.5.1997	Supply comm qty Sched: Supply comm qty cannabis		PG	MT 3y AT 12m	AD no merit in parity argument	Record for serious offences - subject to bail and recog at time of offences	Actual role unclear but not much more than “useful fetcher and carrier”

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)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
3.	**Heard** (59) [2000] NSWCCA 107	Supply comm qty amphet	583g (6.9% purity)	PG	MT 3y AT 4y	AA (parity) MT 2y 2m AT 2y 10m	Lengthy record including gaol term for AR - no drug offences	Found in car in possession of two bags of speed - part of extensive organisation Motivated by desperate financial situation - poor health - good support - remorse - age - hardship in custody
4.	**Watt** (48) [2000] NSWCCA 37	Knowingly take part in supply comm qty methylamphet	400g	VG	MT 2y 6m AT 1y 6m	AD	Includes supply drug	Co-offender supplied drugs to undercover police officer on four occasions on behalf of offender - low purity of drug suggesting unsophisticated operation. Father of three children - good work history.
5.	**Virgin** (44) [2000] NSWCCA 307	Supply comm qty methylamphet Sched: 4 x offences	376.8g	PG	MT 3y 9m AT 1y 3m	AA 3y NPP 2y 3m	Appalling criminal record	Found in possession of methylamphetamines and 14.1g cannabis leaf - stole drugs from supplier - intoxicated at time of offences - objective criminality at lower end of continuum. Assistance to police
6.	**George** (60) [2002] NSWCCA 419	Knowingly take part in supply comm qty methylamphet Sched: 2 x knowingly take part in supply comm qty methylamphet	850.4g 2,900 tablets 662g	PG (25%)	4y NPP 3y	AD	Minor record except for bribe public official	Involved in supplying drugs to courier sent from Perth with money - more than mere courier Poor health
7.	**Spicer** (44) (2003) 139 A Crim R 206 [2003] NSWCCA 108	Supply comm qty methylamphet		VG	4y NPP 2y 6m	AA 3y NPP 21m	one driving offence	Car stopped and found in possession of equipment and chemicals and liquid amphetamines - Deemed supply – Conviction for manufacture quashed on appeal Mother, wife and daughter suffering serious medical conditions and unable to cope alone - family in poverty - exceptional circumstances
8.	**Kitchener** (47) [2003] NSWCCA 134	Supply comm qty methylamphet Supply less comm qty methylamphet	280g 224g	PG (20%)	8y NPP 6y	AA only to adjust starting dates	Sexual offences and supply amphetamine offence – breached parole	Supplied to undercover operative on two occasions Excellent prison record – wife suffering ill health – 2 teenage boys – financial stress

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9.	**Fursey** [2004] NSWCCA 44	2 x Supply comm qty methylamphet Sched 3 x Possess firearm		PG (20%)	4y NPP 3y	Crown AD		Facts not stated
10.	**Shi** (19) [2004] NSWCCA 135	Supply comm qty methylamphet Sched: Possess false driver's licence	992.2g (pure)	PG (25%)	4y NPP 2y	Crown AA 6y NPP 3y	Nil	**SNPP 10 years** Found in possession of drugs – carrying drugs as favour for friend – to receive smaller amount to feed drug addiction and remove of debt Prior good character – remorse – good prospects of rehabilitation
11.	**Blair** (2005) 152 A Crim R 462 [2005] NSWCCA 78	Supply comm qty methylamphet	371.3g	VG	13y 4m NPP 10y	AA 7y NPP 5y 3m	No drug offences	**SNPP 10 years** Drugs in freezer for 3 months but claimed ignorant as to content – claimed kept on behalf of friend – low culpability – low purity of drug in lower part of range. Health issues
12.	**Barkho** (26) [2005] NSWCCA 211	Supply comm qty methylamphet Sched: Possess	623 g	PG (15%)	6y NPP 4y (backdated 6½ months)	AA 5y 3m NPP 3y 6m	possession	Sale to undercover operative Assyrian background - some employment – supportive family – heavy marijuana use
13.	**Mendez** (22) (2005) 155 A Crim R 241 [2005] NSWCCA 246	Supply comm qty methylamphet	478.8g (84% pure)	VG	4y NPP 3y	Crown AA 8y NPP 5y 6m	Nil	**SNPP 10 years** Found in possession of methylamphetamine – more than courier – involved in number of aspects of drug business Prospects of rehabilitation – drug addiction
14.	**Hockey** [2006] NSWCCA 146	Supply comm qty methylamphet Supply less comm qty methylamphet Sched: Supply indict qty methylamphet	Approx 560g over 2 weeks	PG (50-60%)	2y 6m NPP 1y FT 1y Total: 3y 6m NPP 2y	AD		**SNPP 10 years** Female – regular supplier – addiction – some element of commercial dealing Confession of unknown guilt – suffering depression and PTSD

	NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
15.	**Sauer** [2006] NSWCCA 81	Supply comm qty methylamphet Sched: Supply ecstasy	321.4g 87 tabs	PG (10%)	6y NPP 4y	AD		Intermediate step in distribution of drug into community – high grade drug
16.	**Mulato** [2006] NSWCCA 282	Supply comm qty methylamphet Sched: Supply ecstasy	520.1g	PG (20%)	9y 7m 5d NPP 6y	AA 8y NPP 5y	Minor – not relevant.	**SNPP 10 years** Drugs discovered by resort staff – police contacted – appellant observed to collect drugs – apprehended and further drugs found in possession – admitted drugs were for supply to club patrons in Western Sydney area. Remorse – good rehabilitation prospects.
17.	**Do** [2008] NSWCCA 34	Supply comm qty methylamphet	497.4g	PG (20%)	7y NPP 4y	AA 6y 6m NPP 3y 6m	Nil relevant	**SNPP 10 years** Under surveillance supplied drugs to T who supplied to undercover operative. Appeal allowed on parity ground.
18.	**Martinelli** [2009] NSWCCA 175	Supply comm qty amphetamine Sched: Supply Possess		PG (25%)	10y 6m NPP 7y	AD	Keeper of gaming house; drug supply	**SNPP 10 years** Operated drug supply business with brother Oct 2006 - Sept 2007 - supplied to street users and other suppliers - extremely active, extensive and sophisticated business – use of complex phone arrangements to avoid detection - mid to higher level drug supplier – supply for profit.
19.	**S** (43) [2008] NSWCCA 186	Supply comm qty methylamphet Unauth possess proh firearm Sched: 3 offences		PG (combined 65%)	6y 6m NPP 4y FT 18m <u>Total</u>: 7y NPP 4y	AD	Drug offences	**SNPP 10 years (drug) / 3 years (firearm)** 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

	NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
20.	**Parkinson** (26) [2010] NSWCCA 89	Supply comm qty methylamphet 2 x Unauth supply pistol: s.51(1A) *Firearms Act* Sched: 4 offences	563.3g	PG (25%)	6y NPP 2y 9m FT 3y / 2y Total: 7y NPP 3y 9m	Crown AA 8y NPP 6y 7y 6m NPP 4y 6m Total: 9y 6m NPP 6y 6m	Significant although no drugs or full time custody – breached conditional liberty	**SNPP 10 years (drugs and firearms)** Over three months sold drugs 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
21.	**Sellars** (51) [2010] NSWCCA 133	Supply comm qty amphetamine Sched: 4 drug offences		PG (25%)	6y NPP 3y	Crown AA 8y NPP 5y	Long history – breached bail	**SNPP 10 years** Operated drug supply business over four months – sold amphetamines and other drugs – 7 days a week and long hours Dysfunctional childhood – partner with significant mental health problems
22.	**Radi** [2010] NSWCCA 265 [2013] NSWCCA 278	Supply comm qty methylamphet	991g	VG	10y NPP 7y	Conviction AD Sentence AD	Not indicated	**SNPP 10 years** Police surveillance witnessed handing of drugs to offender – police found drugs in offender's car – street value between $198,200 and $495,000.
23.	**Alliston** (18) [2011] NSWCCA 281	Supply comm qty methylamphet	1,102.8g	VG	7y NPP 3y 6m	AD	Nil	**SNPP 10 years** Drugs found in car offender travelling in with partner – limited role and not part of planning – assisted in packaging drugs – significantly below mid-range Difficult and chaotic childhood – mental health issues – good prospects of rehabilitation
24.	**Paredes** [2012] NSWCCA 4	Knowingly take part in supply comm qty methylamphet	Approx 1kg	PG (late)	7y 6m NPP 4y 6m	AD	Record	**SNPP 10 years** Involved in arrangements made to supply approximately 1kg to undercover officer – financial problems Good prospects of rehabilitation – drug and alcohol abuse

	NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
25.	**Lawson** [2012] NSWCCA 56	Supply comm qty methylamphet Supply comm qty ecstasy Sched: Proh weapon Proceeds of crime	907.5g 128g	PG	9y NPP 5y 6m 5y NPP 3y 6m (concurrent)	AD	Breached home detention	**SNPP 10 years** Drugs found in home of offender – 907.5g methamphetamines – 128g ecstasy - drug dealer – mid-level seriousness
26.	**Anderson** [2012] NSWCCA 175	Supply comm qty methylamphet	350-400g	PG (12.5%)	3y 4m NPP 9m 15d	Crown AD	nil	**SNPP 10 years** Female – part of drug syndicate - role was to sell drugs supplied by DE to others and to act on DE's instructions about further supply - role included washing drug to improve its poor quality and depositing money into bank accounts of DE and others - ongoing course of conduct representing three transactions over 2 month period - knowledgeable role in syndicate - quantity towards bottom of range. Prior good character - drug addiction – rehabilitation
27.	**Jeffery** (33) [2012] NSWCCA 36	Knowingly take part in supply comm qty methylamphet Knowingly deal with proceeds of crime s.166 Certificate: 2 x Driving off	513.9g	PG	8y NPP 5y 3y NPP 1y 10m FT 6m (all concurrent)	AD	Record – breached bond	**SNPP 10 years** Drugs found in liquid form in bottle in storage shed – offender observed by police dealing with bottle – $46,700 found at home of offender Member of bikie gang
28.	**Boyd** [2013] NSWCCA 52	Supply comm qty methylamphet	893g	VG	7y 6m NPP 4y	Conviction AD. AA Only to backdate sentence		**SNPP 10 years** Supplied drugs to H – under police surveillance

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29.	**Abbas** **Bodiotis** **Amoun** [2013] NSWCCA 115	2 x Supply comm qty methylamphet Sched: 4 offences 2 x Aid and abet supply comm qty methylamphet Sched: 3 offences 2 x Supply comm qty methylamphet Sched: 3 offences	500g 372g 284g 182g 995g 2,5000 tabs E	PG (25%) PG (25%) PG (35% plea and assist on app)	8y NPP 5y 9y 3m NPP 6y 3m 9y 6m NPP 6y 6m	AD AD AA 8y 2m NPP 5y 7m	Minor Breached suspended sentence	**SNPP 10 years** Abbas and Amoun involved in drug syndicate run by Amoun's brother from prison – large amounts of drugs sourced and supplied in both NSW and Victoria – Bodiotis purchased drugs from syndicate Abbas – independent middleman with significant role – remorse and prospects of rehabilitation – suffering schizophrenia Bodiotis – purchased drugs for financial gain, personal use and gambling addiction Amoun – element of duress - assistance
30.	**AB** (52) [2013] NSWCCA 160	Supply comm qty methylamphet Supply less comm qty methylamphet Sched: 6 drug offences	296.9g (79%) 192g (80%)	PG (35% plea and assist)	7y 6m NPP 5y 5m FT 2y Total: 8y 3m NPP 6y 2m	AA To make minor adjustment for PSC	Old drug offences	**SNPP 10 years** In business of supplying drugs over period of time – supplied drugs to police informant – commercial quantity of drugs found in premises – also found in possession of money connected to drug offending *Muldrock* error but no lesser sentence warranted
31.	**Orchard** (54) [2013] NSWCCA 342	Supply comm qty methylamphet	612g	VG	15y 6m NPP 10y 5m	AD	yes	**SNPP 10 years** Business run by offender to a regular network of clients – sourced drugs from particular persons. Difficult childhood – drug abuse – mental health

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32.	**Cao** (32) [2013] NSWCCA 321	Ongoing supply methylamphet Supply comm qty methylamphet 2 x Unauth possess proh weapon Unauth possess pistol Unauth possess proh firearm Sched: 3 offences	127g 749g	PG	3y NPP 18m 6y NPP 3y 3y NPP 18m 3y NPP 18m 3y NPP 18m Total: 8y 6m NPP 5y 6m	AD	Minor offences	**SNPP 10 years (drug) / 3 years (firearm / weapon)** 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
33.	**Tran** (41) [2014] NSWCCA 85	Supply comm qty methylamphet 2 x Unauth possess proh firearm Sched: 3 Drug offences	977.7g	PG (42.5% combined)	Indicative: 6y 10m NPP 4y 9m 3y NPP 2y Aggregate: 8y NPP 5y 9m	AD		**SNPP 10 years (drug) / 3 years (firearm)** Travelled to Sydney to transport drugs to Perth – detained at airport with co-offender carrying drugs 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
34.	**Sinkovich** (54) [2014] NSWCCA 97	Supply comm qty methylamphet Knowingly take part in supply less comm qty methylamphet	443.8g 27.2g	VG	13y NPP 9y 4y NPP 2y Total: 14y NPP 10y	AA 10y NPP 7y 6m 4y NPP 2y Total: 11y NPP 8y 6m	Nil significant	**SNPP 10 years** Arranged for supply of drugs to co-offender who sold drugs to undercover officer – slightly above co-offender in hierarchy – business of drug dealing Muldrock error

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35.	**Kemp** (47) [2014] NSWCCA 153	Supply comm qty methylamphet Agree supply less comm qty methylamphet Supply less comm qty methylamphet 2 related offences Sched: Supply Proceeds of crime	446.7g 140g 3.24g	PG 10%	9y NPP 6y 2y 8m NPP 18m 2y 8m NPP 18m <u>Total</u>: 11y NPP 8y	AA 5y NPP 3y 2y 8m NPP 18m 2y 8m NPP 18m <u>Total</u>: 7y NPP 5y	Some priors – not serious	**SNPP 10 years** Supplied drugs to co-offender who supplied to undercover police officer – on appeal rejected argument that appellant's role more serious – not linear relationship Destitute
36.	**Hamzy** (54) [2014] NSWCCA 223	Supply comm qty methylamphet Supply comm qty methylamphet Sched: 5 related offences	372g 995g	PG (30% plea and assist)	6y NPP 4y 8y 6m NPP 6y <u>Total</u> 9y 6m NPP 7y	AD	Supply large commercial qty heroin	**SNPP 10 years** Part of criminal organisation run by son who was prisoner in Lithgow Gaol – sourced drugs for supply on two occasions – helped in arranging delivery to Melbourne and recouping money – involved for limited time
37.	**Sant** [2014] NSWCCA 261	Supply comm qty methylamphet	500g	PG	9y NPP 6y	AD	Drug offences	**SNPP 10 years** Supplied on 9 occasions - undercover police operation - more than 500g supplied to undercover officer for total sum of $210,500 - purity ranged from 27 to 72 per cent. Ill-health

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38.	**Lowe** (37) [2015] NSWCCA 46	Ongoing supply methylamphet Supply comm qty methylamphet Supply comm qty methylamphet Cultivate comm qty cannabis – enhanced indoor Unauth possess proh firearm Possess unreg firearm Unauth possess proh weapon Sched: 7 offences	31.8g / 65.7g / 98.5g / 66g 512.8g 479.6g 18 plants	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	**SNPP 10 years (drug) / 3 years (firearm / weapon)** 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
39.	**Nguyen** (32) [2015] NSWCCA 209	Supply comm qty methylamphet Supply comm qty methylamphet Supply pseudoephedrine	392.9g 977g 89.3g	PG (17.5% plea and assist on appeal)	7y 6m NPP 5y 9y NPP 6y FT 2y <u>Aggregate</u> 11y 4m NPP 8y	AA <u>Agg</u> 10y 9m NPP 7y 7m		**SNPP 10 years** Involved in supplies of drugs from Perth to Sydney – major drug dealer of reasonably large quantities Female — born in Vietnam mother to three children – remorse – reasonable prospects of rehabilitation Error in discount for guilty plea

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40.	**B** (41) [2015] NSWCCA 314	Supply comm qty methylamphet	999.6g	PG (60% plea and assist)	3y 6m NPP 2y	AD	Fraud, driving	**SNPP 10 years** Supply to undercover police officer – essential conduit between purchaser and supplier – motivated by desire to help out person he thought was a friend Remorse
41.	**Williams** [2016] NSWCCA 68	Supply comm qty methylamphet Offer to supply comm qty methylamphet Larceny alcohol Sched: Destroy MV by fire	432.9g 453g	PG (25%) VG PG (25%)	Indicative 6y NPP 4y 7y NPP 3y 6m 3y Aggregate 8y 6m NPP 5y	AD	Record – no detail	**SNPP 10 years** Supplied drugs to police source on five separate occasions over several weeks – agreed to supply drugs on later occasions – set fire to car of male acquaintance in retaliation for assistance given to estranged partner
42.	**Kennedy** (41) [2016] NSWCCA 187	Supply comm qty methylamphet	337g	PG (25%)	5y NPP 3y 9m	AA 5y NPP 3y 4m	Driving, possess drugs	**SNPP 10 years** Supplied drugs to undercover police officer – part of controlled operation. CCA – special circumstances - rehabilitation
43.	**Leffley** [2016] NSWCCA 243	Supply comm qty methylamphet Supply comm qty amphetamine s.166 Cert: 3 x Possess drugs	250g 922.9g	PG (25%)	6y NPP 3y 8y 6m NPP 4y 6m Total 8y 6m NPP 4y 6m	AD	Nil	**SNPP 10 years** Drugs located during police search of offender's car – role well above street-level courier - played important role in distribution of significant quantity of drugs - courier motivated by habit and drug debt, rather than purely for profit - offences below mid-range. Rehabilitation - remorse

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44.	**Kremisis** (49) [2016] NSWCCA 257	Supply comm qty Methylamphet Supply comm qty methylamphet Supply comm qty methylamphet Sched: 7 offences	325.45g 677.7g 566g	PG (25%)	9y 9m NPP 5y 8m 12y 6m NPP 7y 5m 10y 6m NPP 6y 3m <u>Total</u> 13y 6m NPP 8y 5m	AA 7y 6m NPP 4y 6m 9y 9m NPP 5y 8m 8y 5m NPP 5y <u>Total</u> 10y 9m NPP 6y 9m	Minor	**SNPP 10 years** Involved in business of supplying drugs in NSW and ACT over 7 months – far beyond street level – slightly above mid-range Parity on appeal – poor health – evidence of rehabilitation efforts in gaol
45.	**Giang** [2017] NSWCCA 25	Supply comm qty methylamphet Supply less comm qty methylamphet Sched: 3 x supply	1kg 139.6g	PG	8y NPP 5y FT 2y <u>Total</u> 9y NPP 6y	AD		**SNPP 10 years** Undercover operation over several months – provided three samples of drugs – large quantities sold on two separate occasions – high levels of purity (85% and 81.5%) – mid level drug dealer Involvement in dealing arose out of level of duress
46.	**Owen** (51) [2017] NSWCCA 54	Supply comm qty methylamphet Supply comm qty methylamphet Supply firearm Sched: 2 offences	269.1g 496.1g	PG (25%)	7y 10m NPP 5y 9y NPP 5y 2m 2y 10m NPP 1y 10m <u>Total</u>: 10y 6m NPP 6y 8m	AD	Lengthy – breached bail – no drug or firearms offences	**SNPP 10 years** Undercover operation investigating drug supplies around Blacktown – mid-high level supply of crystalline methamphetamine – offender receiving regular supplies then on selling in smaller amounts – supplied total of 169.1g over two months – supplied larger amount in bulk to undercover agent – planning exceeded norm – element of financial gain Difficult childhood leading to early drug and alcohol addiction – support of five adult children

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47.	**Why** [2017] NSWCCA 101	Supply comm qty methylamphet Supply cocaine Sched: Recruit person to be involved in supply	Comm qty 17.5g	PG (10%)	8y NPP 5y 6m 3y Aggregate 8y 9m NPP 5y 6m	AD	Supply offences – small amounts	**SNPP 10 years** Involved in drug distribution as member of motor cycle gang – supply of cocaine below mid-range - regular supplier of amphetamines over several months – mid-range - recruited and trained son to supply drugs – wholesale distributor of drugs Some remorse – prospects of rehabilitation
48.	**Munday** (41) [2017] NSWCCA 95	Supply comm qty methylamphet s.166 certificate Possess	982.4g 0.24g	PG (25%)	7y 6m NPP 4y 6m FT 6m (concurrent)	AD	Minor record	**SNPP 10 years** Found driving hire car with drugs in case on back seat – courier – transporting drugs to discharge debt for son – otherwise uninvolved in drug trade – no financial – reward Remorse – suffering depression
49.	**Kurniawan** [2017] NSWCCA 171	Supply comm qty methylamphet Supply methylamphet Supply 1,4 Butanediol Sched: Possess Supply ketamine	373.5g 9.75g 479.8g 7.57g	PG (25%)	5y 6m NPP 3y 3m FT 1y 6m FT 1y Total: 6y 3m NPP 4y	AD	Drug offences – breached Griffith Remand	**SNPP 10 years** Found outside home in possession of 373.5g methylamphetamines and 1,4 Butanediol in bag – intermediate level of dealing – offence just below mid-range
50.	**Yeung** [2018] NSWCCA 52	Knowingly take part in supply comm qty methylamphet Sched: Knowingly take part in supply comm qty methylamphet	282g 279.29g	PG (25%)	5y 6m NPP 3y 9m	AD		**SNPP 10 years** Involved in the supply of drugs by a Sydney syndicate – sourced drugs that were subsequently supplied on two occasions to female buyer

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51.	**Zhang** (22) [2018] NSWCCA 82	Knowingly take part in supply comm qty methylamphet Sched: Participate in criminal group	1996.9g	PG (25%)	9y NPP 6y 9m	AD	breached parole for drug offence	**SNPP 10 years** Involved in supply of drugs in car park with several co-offenders – significant role giving direction to the operation – at least mid-range Regular drug user On appeal found that sentencing judge had given appropriate discount for plea despite failure to quantify
52.	**Kandemir** (26) [2018] NSWCCA 154	Knowingly take part in supply comm qty methylamphet Knowingly take part in supply comm qty MDMA	4.96kg 8.66kg	PG (15%)	4y 6m NPP 2y 10m 4y 6m NPP 2y 10m Total: 5y 6m NPP 3y 10m	AD	Assault, AOABH, resist police.	**SNPP 10 years** With co-offenders part of drug operation – lesser role than co-offender - role in travelling to Perth, arranging accommodation and car hire, and maintaining communications to receive consignment and pass it on to another - over 2 week period Drug abuse – gambling - good rehabilitation prospects - re-offending low
53.	**LS** (30) [2018] NSWCCA 222	Supply comm qty amphetamine Participate in criminal group Intimidate Common assault Shorten firearm Possess more than 3 unreg firearms Sched: 10 related offences	296.88g	PG (combined 50%)	Indicative: 5y 6m NPP 4y 1m 1y 10m 1y 10m 9m 9m 2y NPP 1y 6m Aggregate: 7y NPP 5y 3m	AD	Serious	**SNPP 10 years** Over 7 month period involved with Rebel Motorcycle gang in drug supply activities – on two separate occasions involved in drug supply – trusted middleman – motived by drug use and drug debt – lower end of mid-range - cannabis plants, ammunition and firearms found on property – firearms dangerous, in working order, self-loading and for protection – mid range – criminal group an example of most dangerous – upper range – multiple domestic violence incidents involving weapons and threats recorded on electronic surveillance – upper range Assistance to authorities resulting in harsh custodial conditions and risk to family – childhood of violence and exposure to alcohol abuse – relatively good prospects of rehabilitation On appeal: no error in assessment of objective gravity, assistance or parity – aggregate sentence within range

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54.	**Malouf** (43) [2019] NSWCCA 307	Supply comm qty methylamphet Supply comm qty amphetamine Possess proh weapon Allow premises to be used as drug premises Sched: 3 offences	366.54 g 305.69 g	PG (25%)	Indicative 9y 9m NPP 7y 3m 7y NPP 5y 3m 6m 6m Aggregate: 9y 9m NPP 7y 3m 23d	AA Indicative 7y 10m NPP 5y 10m 6y 9m NPP 5y 3m 3m Aggregate: 8y 9m NPP 6y 6m	B&E, dishonesty, drug possession, influence witness	**SNPP 10 years** Supplied to undercover police operative – over period of 2 months. Drug use CCA: error as to quantity of drugs
55.	**Borg** (33) **Gray** (55) [2020] NSWCCA 67	Supply comm qty methylamphet Supply comm qty methylamphet	250g 250g	VG VG	4y 6m NPP 2y 8m 5y NPP 3y	AD AD	Supply drugs, driving illicit drugs Possess drugs, supply drugs. On bond.	**SNPP 10 years** Same criminal enterprise – each obtained drugs from co-offender on number of occasions. B: extensive drug use - reasonable prospects of rehabilitation G: Aboriginal male Each: deprived upbringing – powerful *Bugmy* considerations
56.	**Bond** (57) [2020] NSWCCA 277	Supply comm qty methylamphet Sched: Agree to supply comm qty Possess	361.22g 481.9g	PG (25%)	5y NPP 2y 9m	AD	Drug possession	**SNPP 10 years** Arranged for supply of drugs to undercover officer on four occasions over five weeks – total of 361.22g supplied – agreed to supply further 17 ounces – contact person not supplier – funding drug use and drug debt – below mid-range Chronic drug user since death of brothers in plane crash – genuine remorse – health problems On appeal: found no disparity with sentence imposed on co-offender for ongoing supply offence

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57.	**Dawson (a pseudonym)** (26) [2021] NSWCCA 33	Supply comm qty methylamphet Knowingly take part in supply comm qty methylamphet Supply methylamphet Supply methylamphet Possess unauth firearm Possess unauth prohib firearm Sched: 3 x supply Breach s.12 bond s.166 – Possess ammunition	284g 284g 170.4g 198.8g 142g 56.8g 14.2g	PG (combined 45%)	Indicative: 5y 6m NPP 3y 9m 3y 3m NPP 2y 3m 2y 2m 2y 5m 1y 1m 2y 2m NPP 1y 6m Aggregate: 8y NPP 5y 4m 18m NPP 1y No further action	AD	Domestic violence – driving – drug supply – breached conditional liberty for drug offence	**SNPP 10 years** Over two weeks purchased total of 864g methamphetamine for purpose of supply – supplied some drugs to undercover agent – firearms found in search of house - 6mm colt air soft self-loading pistol not in working order - .22 automatic calibre keyring pistol – 13 rounds of ammunition not suitable for firearms found – clearly part of significant drug supply operation Drug user – prospects of rehabilitation guarded – mental health issues – importance of personal deterrence and community protection in view of number of drug offences On appeal: sentences not unjust or excessive – no disparity issue

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58.	**Griffiths** (23) [2021] NSWCCA 226	Supply comm qty methylamphet Supply comm qty methylamphet Attempt manuf comm qty methylamphet Ongoing supply methylamphet Sched: 5 offences	499g 490g 490g 125g	PG (25%)	Indicative 9y NPP 4y 6y 9m NPP 4y 3m 7y 6m NPP 4y 6m 3y 9m NPP 2y 3m Aggregate 11y 9m NPP 6y 9m	AA Indicative 9y NPP 4y 4m 6y 9m NPP 4y 7y 6m NPP 4y 3y 9m NPP 2y 3m Aggregate: 10y 8m NPP 5y 8m	Stalking, assault, AOABH, possess drugs, possess explosives, possess proh weapon.	**SNPP 10 years** With 2 co-offenders – purchased 499g ice from W for $82K - 490g of ice purchased from upline supplier via third party – offender intended to supply and make money - attempt to have W make or refine 490g of ice supplied because of very low quality – ongoing supply of 16 transactions of ice – offender intended to supply drugs, once acquired, paid $50K and was to make money. Good prospects rehabilitation – low risk recidivism. CCA: Parity - sentence erroneously determined by reference to co-offender sentenced for more serious offences.
59.	**Hitchen** (47) [2021] NSWCCA 293	Supply comm qty methylamphet Possess firearm	1386.54g	PG (10%)	Indicative 5y 10m NPP 3y 9m 6m Aggregate 6y NPP 3y 10m	AD	Possession and self-administration of prohibited drug, trafficking drug of dependence	**SNPP 10 years** Junior member of a partnership with his brother to supply drugs – at home, police located two bottles containing methylamphetamine in liquid form; two more bottles containing a further amount of the drug in solid form; and a plastic bag with more solid methylamphetamine. Substance abuse - poor prospects of rehabilitation

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60.	**Qin** [2022] NSWCCA 137	Manufacture lge comm qty methylamphet Supply comm qty methylamphet Sched: Participate criminal group	11.58kg 497g	PG (10%)	Indicative 14y 4m NPP 9y 7m 9y NPP 6y Aggregate 16y NPP 10y 8m	AA To backdate sentence 3 years	Manufacture drugs, import drugs. In custody serving sentence for drug offences.	**SNPP 15 years / 10 years** Drugs and manufacturing materials found in residential apartment where applicant lived with co-offender – role was not principal but more than mere labourer – had key to unit but did not have possession of key to internally locked door in laboratory unit – participated in manufacture - conducted significant and sophisticated research concerning manufacturing process. CCA: Sentence backdated to commence 3 years earlier - sentencing judge's finding of special circumstances not reflected in sentence – resulted in manifestly excessive sentence – where already serving custodial sentence for other drug matters.
61.	**Labban** (33) [2022] NSWCCA 275	Supply comm qty amphetamine Supply comm qty cocaine Sched: 3 offences	284.89g 366.14g	PG (25%)	Aggregate: 7y NPP 5y 3m	AD	Breached ICO for drug offence – other drug offences on record	**SNPP 10 years** Involved in supply of drugs to undercover police officer with two co-offenders – drugs supplied in seven transactions over six weeks – dealt directly with officer – equal culpability – mid-range Supporting drug addiction – little insight – poor prospects of rehabilitation On appeal: dismissed parity ground
62.	**Lowe** (61) [2023] NSWCCA 169	Supply comm qty methylamphet Proceeds of crime: s.193C(1)	257.25g $200,750	PG (25%) (30% combined on appeal)	Indicative (undiscounted) 4y 6m NPP 3y 12m NPP 6m Aggregate: 3y 9m NPP 2y 3m	AD Indicative (discounted) 3y 4m NPP 2y 2m 8m NPP 4m Aggregate: 3y 9m NPP 2y 3m	nil	**SNPP 10 years** Pharmacist assisted co-offender by storing drugs and cash and sometimes obtaining drugs – cash found in home of offender's father – willing and active participant above level of street dealer - slightly below mid-range Prior good character – positive prospects of rehabilitation – remorse – unlikely to re-offend – loss of occupation On appeal: failed to take into account discount for assistance in relation to proceeds offence – erroneously applied plea discount to aggregate sentence – no lesser sentence warranted

	NAME (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
63.	**Neale** (46) [2024] NSWCCA 159	Supply comm qty methylamphet	295.95g	PG (25%)	4y 3m NPP 2y 4m	AD	Driving offence – breached bail for this offence by drug related driving offence	**SNPP 10 years** Rolled up charge over 2m - collected drug on two occasions from larger dealer and carried it to syndicate - also acted as direct dealer "couriering and supplying" drugs on 13 separate occasions for cash or other payment, amounts up to 7 grams - sufficiently involved to co-ordinate payment and knew price list – financial gain Little insight or remorse – guarded prospects of rehabilitation On appeal: rejected parity argument
64.	**Wilson** [2025] NSWCCA 86	Supply comm qty methylamphet s.166 certificate Proceeds of crime: s.193C(2)	409.9g	PG (25%)	Indicative 1y 10m 4m Aggregate 2y NPP 1y 2m	AD	AOABH, intimidation, agg enter dwelling, breach ADVO - on parole.	**SNPP 10 years** Offender given drugs by criminal organisation which then retrieved drugs back after suspecting offender consuming drugs – offender claimed no intention of selling drugs but kept for personal consumption - no evidence of actual supply nor financial reward – bottom of supply chain. Addiction - some prospects rehabilitation, though guarded. On appeal: no error as to backdating – sentence based on personal consumption inconsistent with guilt – culpability based on intent to supply raised no question of disparity in sentences to co-accused
65.	**Testici** (46) [2025] NSWCCA 88	Supply comm qty methylamphet Possess prohibited weapon Supply prohibited drug Sched: 3 offences	284g 12.73g cocaine	PG (25%)	Indicative: 2y 10m 1m 14m Aggregate: 3y 2m NPP 20m	AD	Minor offences	**SNPP 10 years** Offender found in possession of drugs, indicia of supply, knuckledusters, ammunition and $2,500 case – recorded discussing supplies - commercial supply just below mid-range – other offences low range Some insight – low-medium risk of re-offending – remorse – mental and physical health issues – onerous bail conditions On appeal: no error in taking into account onerous bail conditions as part of instinctive synthesis – sentence not excessive

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66.	**Tsoumbanellis** (68) [2025] NSWCCA 107	Knowingly supply comm qty methylamphet Proceeds of crime: s.193B(2) Sched: 2 offences	386.54g $24,950	PG (25% on appeal)	Indicative: 4y NPP 2y 6m 2y NPP 1y 6m Aggregate: 4y 6m NPP 3y	AA Indicative: 3y 9m NPP 2y 3m 2y 3m NPP 1y 6m Aggregate: 4y NPP 2y 6m	Breached parole – recent similar drug related offences	**SNPP 10 years** Drugs and cash found in home offender shared with partner and two young children – admitted selling drugs to support addiction and for profit – presence of children an aggravating factor – not sophisticated – below mid-range Remorse – age will impact incarceration – prospects of rehabilitation guarded – became involved in drugs after medical retirement and breakdown in marriage On appeal: failed to make clear guilty plea discount applied

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