Supply Cocaine

Large Commercial Quantity

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

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

Large Commercial Quantity: **1 kg**

Maximum Penalty: **Life – s.33(3)**

Standard Non-Parole Period: **15 years (offence committed on or after 1.2.2003)**

	CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
1.	**Cook** (39) [2002] NSWCCA 216	Supply lge comm qty	2.003kg	PG	6y 4m NPP 4y 9m	AD	Minor drug offences	Found in possession of cocaine in car – difficult to ascertain role but not a principal Good work record – good prospects of rehabilitation – serious consequences of bike accident
2.	**Do** (25) [2005] NSWCCA 209	Supply lge comm qty Supply lge comm qty heroin	1.5kg 6kg heroin	VG	Total 12y NPP 9y	AD	Nil	Bought drugs in pure form, mixed with sugar and resold through runners – sought to downplay role in operation Vietnamese – Wife and child in Vietnam – drug use – gambling habit of $3,000 per day – some remorse – good character
3.	**Attallah** (50) [2005] NSWCCA 277	Supply lge comm qty Supply lge comm qty heroin	Over 8kg Over 3kg heroin	VG	Life Life	24y NPP 18y 24y NPP 18y (concurrent)	Drug offences	Conducted unlicenced brothel – supplied prostitutes with small amount of heroin and cocaine over long period of time – commercial supply
4.	**Coetzee** (44) [2007] NSWCCA 12	Supply lge comm qty	24.4kg	PG (15%)	9y 3m NPP 6y 9m	AA To allow 9d backdate only	nil	Cocaine imported and stored in storage units arranged by applicant – participation vital to operation Motivated by greed – rehabilitation

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

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

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

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

	CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
18.	**Battersby** (30) [2018] NSWCCA 141	Supply lge comm qty ecstasy Supply lge comm qty Proceeds of crime: s.193B	23.85kg 2.23kg	PG (25%)	Indicative: 12y NPP 7y 6m 5y NPP 3y 5y Aggregate 15y 6m NPP 10y	AA Indicative: 10y NPP 6y 6m 5y NPP 3y 3y Aggregate 12y NPP 8y	nil	**SNPP 15 years** Observed giving suitcase containing drugs to co-offender waiting in car - money found in search of house – not involved in financing or organising offence – delivered drugs on behalf of friend – chose to be involved although aware criminal activity – element of fear and obligation after receiving 5mths free rent – limited role but still well above lowest rung in hierarchy – drug offences somewhat below mid-range – proceeds offence mid-range Good character – genuine remorse – evidence of rehabilitation – cannabis drug user
19.	**Lee** (38) [2019] NSWCCA 106	Supply lge comm qty	665.05g 334.98g	PG (25%)	7y 6m NPP 5y	AA 6y NPP 4y		**SNPP 15 years** Part of sophisticated drug supply operation - offender supplied drivers as instructed by H - drivers directed by H or G to meet and supply cocaine to customers - offender supplied 1,414 bags - Police located 681 resealable bags at offender's premises - motivation solely for financial gain. Progress towards rehabilitation - subjective case compelling – good character – special circumstances On appeal found error in assessment of role of offender

	CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
20.	**Zahed** (29 / 36) [2019] NSWCCA 102	Knowingly take part in supply lge comm qty methylamphet Knowingly take part in manufacture lge comm qty methylamphet Supply lge comm qty cocaine Sched: Supply drugs 3 x firearm offences	1087.7g 1000g	PG (discount - see facts)	7y NPP 5y 4m 3y 3m NPP 2y 2m 6y 9m NPP 4y 6m Aggregate 11y NPP 7y 4m	AA 5y 6m NPP 3y 10m 3y 3m NPP 2y 2m 6y 9m NPP 4y 6m Aggregate 10y NPP 6y 6m	Aggravated BE - malicious wounding - robbery in company - demand with menaces – firearms - proceeds of crime. On bond - on bail when supply cocaine offence committed.	**SNPP 15 years** Methylamphetamine located at offender's home by police - with co-offenders operated laboratory supervising part of process, providing some of precursor drug and participating in manufacturing process - supplied cocaine: to undercover operative for $235k Difficult background. Note: judgment has been redacted - total discount is not apparent On appeal – error in supply methylamphetamine count by mistaking threshold quantity as 500g not 1kg
21.	**Khoury** (36) [2020] NSWCCA 190	Supply lge comm qty Supply cocaine s 25(1) s.166 certificate 3 offences	2,376.2g 27.9g	PG (25%)	3y 6m NPP 2y 1y 6m 3m Total: 4y 3m NPP 2y 9m	AD	Possess loaded firearm in public place, possess drug, proceeds crime, demand property with menaces. On parole and bond.	**SNPP 15 years** Drug rip-off – not real cocaine - with co-offender supplied fake blocks of powder represented / pretending to be cocaine to undercover police operative – second offence was actual supply of 27.9g. Drug abuse. Lowest sentence recorded for this class of offence in sentencing statistics held by the Judicial Commission of NSW: at [89].

	CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
22.	**Hadler** (37) [2020] NSWCCA 305	Supply lge comm qty cocaine Supply lge comm qty methlyamphet Supply cannabis s.166 certificate 4 x possess Sched: s.193B proceeds of crime	2.547kg 996.4g 9.195kg $34,800	PG (25%)	Indicative 7y 6m 7y 6m 2y 3m s.10A Aggregate: 10y 6m NPP 6y 3m	AD		**SNPP 15 years** With co-offender (cousin) observed packing drugs into filing cabinet and into ute – further drugs and cash located in premises – misplaced desire to assist cousin with debts and to make some money himself Drug addict – difficult but not deprived childhood – strong prospects of rehabilitation – family On appeal: error in applying discount for plea to aggregate not indicative sentences – no lesser sentence warranted
23.	**Parkinson** (28) [2021] NSWCCA 98	Supply lge comm qty cocaine s.166 certificate Possess cocaine Sched: Supply cocaine	2,405.1g 2.2g 138.1g	PG (12.5%)	7y NPP 4y 6m No penalty	AD	nil	**SNPP 15 years** Observed by police to be involved in organised drug supply over several weeks – 138.01g supplied to under cover operant collected by co-offender from home of offender – observed using car found to have sophisticated secret compartment and 2,406.1g cocaine – below mid-range Prospects of rehabilitation On appeal: no factual errors or parity issues

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24.	**Rodriego (a pseudonym)** [2021] NSWCCA 237	Supply lge comm qty Unlawfully sell firearms three or more times: s.51B(1) *Firearms Act* Sched: 4 offences	Over 3kg 110g	PG (combined 45% - increased on appeal to 50%)	Indicative 6y 6m 5y 5m Aggregate: 10y NPP 7y 6m	AA Indicative 6y 8m NPP 5y 4y NPP 3y Aggregate: 8y NPP 6y	AR; supply; conspiracy to cultivate; dishonesty offences	**SNPP 15 years** 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
25.	**Blakeney** [2022] NSWCCA 277	Supply lge comm qty	1.74kg	PG (25%)	3y 6m NPP 1y 9m	AD	Supply drugs, goods in custody	**SNPP 15 years** With co-offenders operated drug supply from garage – offender attended garage 16 times – extracted cocaine from larger block and bagged smaller quantities - total of 4kg prepared for supply by participants in joint criminal enterprise. Drugs from aged 15 – complex mental health – low risk reoffending - impressive employment history – tertiary educated.
26.	**Hassoun** (late 20s) [2023] NSWCCA 5	Supply lge comm qty	1.47kg	PG (25%)	7y 6m NPP 4y 6m	AD	Fine for assault police	**SNPP 15 years** Involved with drug syndicate supplying drugs over Sydney for 5 months - responsible for day-to-day running of syndicate and directing drug runners – approaching mid-range Good character – some evidence of remorse – unlikely to re-offend On appeal: No disparity to sentences of co-offenders established

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

	CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
29.	**Moreno** (28) **Gomez** (50) [2023] NSWCCA 149	Supply lge comm qty Sched: Supply Possess Supply lge comm qty Proceeds of crime: s.193C Sched: Supply Poss knife	15kg 3.1g 4.5g 15kg $340,950 3.1g	PG (25%) PG (25%)	5y 3m NPP 3y 4m Indicative: 6y 4m 18m Aggregate: 6y 9m NPP 4y 4m	AD	Low range PCA nil	**SNPP 15 years** Arranged for supply of 15kg of cocaine to undercover operative – rip off – supplied sugar and wood – sought financial gain to pay off debts – G uncle of M and principal – offence for M just below mid-range – offence for G mid-range Colombian nationals – prior good character – excellent prospects of rehabilitation – unlikely to re-offend – remorse On appeal: no error in assessment of seriousness of offence
30.	**Taybah** [2024] NSWCCA 182	Supply lge comm qty 3 x Supply comm qty 2 x Proceeds crime Sched: 2 offences	10.3472kg	PG (not indicated)	Aggregate: 11y NPP 7y	AD		**SNPP 15 years** Involved in supply with drug network - search of offender's premises – money totalling $1,315,170 which applicant knew was proceeds of crime – cocaine located in sport bag in ten packaged "bricks" – items for preparation and packaging of cocaine, including scales and resealable bags - delivered cocaine to network – entrusted to store a significant quantity of cocaine and cash - acting on behalf of others' directions – did not have ownership of cocaine or cash - difficult to determine role, however, significant and integral role - form of intermediate supplier of wholesale quantities of cocaine to two unrelated persons. Moral culpability reduced but not to any significant extent where not motivated purely by greed but also by cocaine addiction.

	CASE (AGE IF KNOWN)	OFFENCE	AMOUNT	PLEA	SENTENCE	APPEAL	RECORD	FACTS
31.	**Bojcevski** (31) [2026] NSWCCA 52 Co-Accused: Birkic	2 x Supply lge comm qty Manufacture lge comm qty Supply lge comm qty methamph Sched: Proceeds crime, Participate criminal group	21.760kg 14.0221kg	PG (25%)	Indicative 9y 9m NPP 7y 3m 6y NPP 4y 6m 5y 3m NPP 3y 11m 7y 6m NPP 5y 7m Aggregate: 12y NPP 9y	AD	Minor drug possession, mid-range PCA.	**SNPP 15 years** With 6 others engaged in manufacture and supply of cocaine and methylamphetamine – involved in acquisition and transport of raw materials and transporting drugs for supply for financial gain – aware of chemicals, access to storage units – daily participation in operation - classic low-level courier or warehouse man - motivated by gambling and drug debts, but also motivation to "make significant amount" of profit - estimated street value $28m and $4.6-$6.4m. Duration of offending diminished mitigatory effect of good character - cautiously reasonable prospects rehabilitation.
32.	**Birkic** (31) [2026] NSWCCA 53 Co-Accused: Bojcevski	3 x Supply lge comm qty Manufacture lge comm qty Supply lge comm qty methamph Sched: Participate criminal group	14.0221kg 60.951kg 2.892kg	PG (25%)	Indicative 6y 9m NPP 5y 9y 9m NPP 7y 3m 3y 9m NPP 2y 9m 5y 3m NPP 3y 11m 7y 6m NPP 5y 7m Aggregate 14y NPP 10y 6m	AA Indicative As imposed by SJ Aggregate 13y NPP 8y 6m	Limited	**SNPP 15 years** With 6 others engaged in manufacture and supply of cocaine and methylamphetamine – involved in acquisition and transport of raw materials and transporting drugs for supply for financial gain – aware of quantity of drugs stored, of unrefined drug, of chemicals and use; control over syndicate's narrative to other parties and some power to direct others; profiting from involvement; participating in hands-on aspects of operation - estimated street value $28m, $1.3m and $4.6-$6.4m. Drugs, gambling – prior good character – remorse. CCA: SJ fail take into account onerous custody conditions / solitary confinement arising from COVID-19. Good prospects rehabilitation – special circumstances.

Last updated: May 2026