

The defendant, Jacqueline Pauline Fiala now aged 50, has pleaded guilty to two counts of trafficking in controlled substances, the first involving trafficking in methylamphetamine, cocaine and ketamine between 23 November 2019 and 29 May 2021 and the second, notably while she was on bail for the first, involved trafficking in methylamphetamine and cocaine between 6 December 2021 and 9 December 2021. At those times, her ordinary place of residence was 144 Rio Vista Boulevard, Broadbeach Waters, Queensland.

In December 2020, Tasmania Police with the support of the Australian Federal Police, established an operation codenamed Operation Carnegie to investigate the importation of methylamphetamine (ICE) into Tasmania by high level drug traffickers. The primary focus of the investigation was the defendant, who directed a syndicate and would engage couriers to import the methylamphetamine into Tasmania via the Spirit of Tasmania, distribute it to purchasers and then take the cash obtained to her boss in either New South Wales or Queensland. The defendant would also travel to Tasmania to oversee the trafficking business.

The defendant reported to Frank Andrew Ward. She referred to Ward as "boss". From the proceeds of the drugs sales, a payment of \$5,000-\$20,000 was made to the courier for the trip (the money would be divided if there was more than one courier), the defendant received some money for her services (she says \$15,000 each three weeks with some payments missed and with one payment of \$30,000 for one trip alone in April 2021) and that Ward received the balance.

The defendant recruited vulnerable associates to courier the drugs and cash; sourced, weighed, packaged and concealed them; counted, packaged and concealed the money from their sale; delivered them; collected money from their sale and acted as a go between for Ward and his purchaser's in Tasmania. The defendant would communicate with Ward, the couriers and the purchasers in code names on encrypted mobile phones and/or encrypted applications to try to avoid detection.

The defendant engaged couriers Michelle Durban, Fred Fiala, Brook Willats, Alfred Pique, Rhiannon Lannen, Annabel Becerevic, Patrick Bain and Shane Taylor. These eight couriers were not intercepted by law enforcement agencies. The defendant also engaged couriers Kylie Ann Durban and MC, Meafou Sipili and Dllana Purcell aka Candice Tapatuetoa and Christopher Reece Galvin. These five couriers were intercepted by law enforcement agencies.

On 23 November 2019, the defendant travelled to Tasmania with Michelle Durban on the Spirit of Tasmania. The defendant had concealed in their vehicle 2 kilograms of methylamphetamine. They distributed the drugs and then counted and packaged the cash from the sale of the drugs and left on the Spirit of Tasmania with the cash six days later.

On 20 December 2019, the defendant again travelled on the Spirit of Tasmania, this time with her eldest son Fred Fiala Motu. The defendant had concealed in the vehicle 2 kilograms of methylamphetamine. They distributed the drugs and then counted and packaged the cash from the sale of the drugs and left on the Spirit of Tasmania with the cash three days later.

On 17 January 2020, the defendant's friend Brook Willats travelled to Tasmania on the Spirit of Tasmania. The defendant had concealed in the vehicle 2 kilograms of methylamphetamine. These drugs were distributed at the defendant's direction and Willats left Devonport on the Spirit of Tasmania with the cash three days later. The cash was delivered to the defendant.

On 28 January 2020, the defendant's associate Alfred Pique, travelled to Tasmania on the Spirit of Tasmania. The defendant had concealed in the vehicle 2 kilograms of methylamphetamine. The drugs were distributed at the defendant's direction and Pique left Devonport on the Spirit of Tasmania with the cash eight days later. The cash was delivered to the defendant.

On 5 November 2020, the defendant travelled with Rhiannon Lannen on the Spirit of Tasmania. The defendant had concealed in the vehicle 2 kilograms of methylamphetamine. They distributed the drugs and then counted and packaged the cash from the sale of the drugs. On 18 November 2020 the defendant flew to Queensland on a Jetstar flight.

On 5 January 2021, Fred Fiala-Motu and Annabel Becerivic travelled to Tasmania on the Spirit of Tasmania. The defendant had concealed in the vehicle 2 kilograms of methylamphetamine. On 7 January 2021 the defendant flew to Hobart on a Jetstar flight. The defendant remained in Tasmania distributing the drugs and counting and packaging the cash from their sale until 24 January 2021 when she flew to Queensland.

On 27 March 2021 Patrick Bain and Shane Taylor travelled to Tasmania on the Spirit of Tasmania. The defendant had concealed in the vehicle 2 kilograms of methylamphetamine. The drugs were distributed at the defendant's direction. On 1 April 2021, Bain and Taylor left Devonport on the Spirit of Tasmania. The cash was delivered to the defendant.

Kylie Durban and MC travelled on the Spirit of Tasmania from Melbourne to Tasmania overnight on 22/23 February 2021. At the same time the defendant travelled from the Gold Coast to Hobart, where she was collected by Durban. They were placed under surveillance and on 3 March 2021, lawfully intercepted telephone conversations confirmed that Durban and MC were to board the Spirit of Tasmania in Devonport for the overnight sailing at 7:30pm.

At 5:00pm on 3 March 2021, a high visibility roadside alcohol and drug testing operation on the Bass Highway at Deloraine intercepted their vehicle and Durban returned a positive result to an oral fluid test. A drug detection dog gave positive reactions when the vehicle was screened. The vehicle was searched and cash and drugs were seized. There was a total of \$762,465 cash and a total of 1,297.4 grams of methylamphetamine.

On 29 May 2021 the defendant's residence in Queensland was searched. A diary was seized, which included details of the values that methylamphetamine was commonly being sold at. They were:

0.1 gram- \$100
 1.0 gram- \$1,000
 14 grams- \$4,700
 28 grams- \$9,000

Therefore, if the 1,297.4 grams was sold in 0.1 gram deals, there was potential to make \$1,297,400 (from 12,974 deals). If the 1,297.4 grams was sold in 28 gram (ounce) deals, there was potential to make \$417,021 (from 46.3 deals).

Meafou Sipili and Candice Tapatuetoa made four trips to Tasmania for the defendant between 16 January and 22 May 2021. On each occasion they generally travelled from Queensland to Melbourne and then from Melbourne to Hobart on the Spirit of Tasmania and return. Between 16 January and 23 January 2021, Sipili and Tapatuetoa were in Tasmania arriving and departing on the Spirit of Tasmania. The State asserts that on this trip, Sipili and Tapatuetoa transported cash for the defendant following drug transactions taking place.

On 7 February 2021 the defendant flew out of Queensland to Tasmania, hired a car and travelled to the northern suburbs of Hobart, and then on to Launceston before flying to and from Sydney to Hobart and back to Queensland on 18 February.

On 7 February 2021 Sipili and Tapatuetoa travelled to Tasmania on the Spirit of Tasmania and travelled around, leaving the same way on the 17th, and going directly to the defendant in Queensland.

Following Sipili's arrest on 22 May 2021, his phone was analysed and revealed photos of a large amount of cash (approximately \$250,000) being counted and packaged inside their apartment room in Hobart on 16 February 2021. Visible in the photos were Sipili, Tapatuetoa and the defendant.

On 2 April 2021, whilst Sipili and Tapatuetoa were occupying a cabin on board the Spirit of Tasmania, police covertly searched an unlocked toolbox attached to their utility. They located bags of methylamphetamine with a total weight 1.99 kilograms.

On 9 April 2021, Sipili and Tapatuetoa travelled from Tasmania on the Spirit of Tasmania and police again covertly searched the unlocked toolbox attached to their vehicle. They located a travel case with a total amount of cash, as indicated by the black writing on them, of \$594,000.

On 22 May 2021, Sipili and Tapatuetoa's vehicle searched when it disembarked the Spirit of Tasmania. Four packages were examined. The packages contained 642 grams of cocaine and 17.5 grams of ketamine.

If the 1,990 grams of methylamphetamine was sold in 0.1 gram (point) deals, there was potential to make \$1,990,000 (from 19,900 deals at \$100). If the 1,990 grams of methylamphetamine was sold in 28 grams (ounce) deals, there was potential to make \$639,000 (from 71 deals at \$9,000). A trafficable quantity is 25 grams, so there was more than 79 times the trafficable quantity.

Cocaine is commonly sold as follows:

0.1 gram - \$50

1.0 gram - \$300 - \$500

3.5 grams - \$1,000 - \$1,200

28 grams - \$7,000 - \$9000

If the 642 grams of cocaine was sold in 1.0 gram deals, there was potential to make \$192,600 (from 642 deals at \$300) – \$321,000 (from 642 deals at \$500). A trafficable quantity is 25 grams, so there was more than 25 times the trafficable quantity.

Ketamine is commonly sold as follows:

1.0 gram- \$50 - \$360

If the 17.5 grams or 18 deals of ketamine was sold in 1.0 gram deals, there was potential to make \$900 (from 18 deals at \$50) - \$6,480 (from 18 deals at \$360). There is no trafficable quantity for ketamine.

To summarise, the State asserts that Sipili and Tapatuetoa were involved with cash from drug transactions of around \$844,000 (\$250,000 plus \$594,000).

Christopher Galvin boarded the Spirit of Tasmania in Melbourne on 14 April 2021 and disembarked in Tasmania on 15 April 2021. He distributed drugs and collect \$220,200 in cash. He was also found in possession of a total of 415.10 grams of methlyamphetamine. Galvin was likely to collect approximately \$133,425 if the 415.10 grams (14.8 ounces) of methamphetamine was sold, as it was packed, in ounce amounts, at \$9,000 an ounce.

The \$220,200 is indicative of a further 24 ounces of methylamphetamine having been sold, at \$9,000 an ounce.

Given other similar packages Galvin admits to dropping off contained the same approximately 415 grams, then Galvin would have possessed for sale a total of 2,075 grams of methylamphetamine during his time in Tasmania. If that was sold in ounce amounts, at \$9,000 an ounce, Galvin had the potential to collect \$666,964. However, the State cannot quantify the exact amount possessed or sold beyond the possession of 415.10 grams and \$220,200.

On 29 May 2021 when the defendant's residence, in Queensland was searched, police located and seized, amongst other things, \$148,840 in cash and a total of 336 grams of cocaine and 3000 grams of methylamphetamine. The amount of cash has not been included by the State in its assessment of the pecuniary penalty it seeks in this case.

The defendant was arrested and extradited to Tasmania. She was on bail from 20 July 2021 until she reoffended on 9 December 2021.

When interviewed, she told police, amongst other things, that around 14 February 2021 she delivered a kilogram of cocaine to Mitchell Campbell in Hobart and that when she travelled from Hobart to Sydney she took maybe \$100,000 - \$200,000 cash with her,

From what the defendant told police elsewhere in her interview the State asserts in conclusion that there were 13 trips of approximately 2 kilograms of illicit drugs per trip, which is a total of 26 kilograms. And that 13 trips returning between, on the defendant's estimate, \$120,000 to \$350,000 is between \$1,560,000 and \$4,550,000. However, the State says that this should be considered in the context of the amounts of money located with Durban and MC (\$762,465), Sipili and Tapatuetoa (\$594,000) and Galvin \$220,200 mid trip) so it is likely, the State says, to be an underestimate.

Looked at another way 26 kilograms of methylamphetamine, although it was not solely that drug that was imported, has a street value of between \$8,357,142 (\$9,000 per 28 grams- 928 deals) and \$26,000,000 (\$100 per 0.1 gram- 260,000 deals).

The State seek forfeiture, pursuant to s 38 of the *Misuse of Drugs Act* 2001 as follows:

Sipili and Tapatuetoa

(a) As set out in the crown statement of facts.

Galvin

(b) As set out in the crown statement of facts.

I make those orders.

The \$762,465 seized from Durban and MC and the \$220,200 seized from Galvin were the subject of unexplained wealth declarations and consent orders forfeiting the cash to satisfy the unexplained wealth liability.

The State seek forfeiture, pursuant to ss 11(1)(a) and 16(1)(a) of the *Crime (Confiscation of Profits) Act* 1993 (hereafter "the Act") of the \$148,840 seized from the defendant's house. I make that order, given the circumstances in which it was found and despite the defendant's explanation that she was holding it for another person. I have already noted that that amount has not been included in the States assessment of the pecuniary penalty order it seeks.

The State seeks the costs of analysis, pursuant to s 36B of the *Misuse of Drugs Act* 2001:

- (c) \$1,969 (Duran and MC)
- (d) \$7,473 (Sipili and Tapatuetoa)
- (e) \$2,685 (Galvin)

I so order.

The State seeks a pecuniary penalty order equal to the value of the benefit it says was derived by the defendant, pursuant to ss 11(1)(b) and 21(1) of the *Crime (Confiscation of Profits) Act* 1993.

The State does not accept that the defendant did not profit from the enterprise. The State cannot prove the exact amount profited, however it relies on the unchallenged facts in paragraphs 77 and 78 of the crown statement of facts which refer to cash labelled "M" for "Mumma" and involve amounts of \$549,000 and \$286,800 as being indicative of it being far greater than the \$5,000 each week asserted by her.

The State seeks a pecuniary penalty equal to the value benefit of the drug trafficking asserted by it, pursuant to ss 11(1)(b) and 21(1)(b) of the Act. However, the value of the benefit is to be reduced by the value of the amounts forfeited, pursuant to s 21(2) of the Act. Thus the State's assessment is, \$2,678,515 – \$4,288,515 minus \$1,143,355 which results in a range of \$1,535,160 - \$3,145,160.

Because there was a conflict between the States' assertion that I should infer from grandiose statements made by the defendant had made about her role in text messages, and that the package marked "M" was so marked to indicate that it was her share given she used the name

"Mumma" and the defendant's statements to police as to the amount she received, I heard evidence from Ms Fiala.

She maintained in evidence that which she had told police, namely that she was to be paid \$5,000 each week but that 90 % of the time, she would have to take that five thousand and drop that to suppliers as well, because Frank was always short and stressing about getting the suppliers paid in full. She denied that the package marked "M" was "her share" and she denied that large amounts of cash collected by couriers each trip were also her share.

The defendant was rigorously cross-examined by counsel for the State but nothing was elicited in my view which could give me any confidence in drawing the inferences the State asks me to and then extrapolating from those inferred facts.

The defendant gave the impression of a truthful witness, she was confident, did not make unrealistic denials, and showed no hesitation in answering questions or of hesitating to consider her answers. I accept her evidence without hesitation. Whilst I accept that State's submission that the business of trafficking in drugs would be a nonsense if couriers were receiving more money than the second in charge, the defendant's evidence that she got involved to help her son repay a modest drug debt and subsequently was unable to extricate herself from the drug boss and his associates, had a very real ring of verisimilitude about it. This was particularly so when there was absolutely no evidence in this case of any unexplained wealth accumulated by the defendant.

Using a broad brush, and assuming that ultimately the defendant received a substantial proportion of her promised wages, although not always on time, and taking into account particularly the single payment of \$30,000 in April 2021 as most likely by way of payment of past wages due, I assess the benefit to the defendant for the purposes of the Act in the sum of \$300,000 and I make a pecuniary penalty order in that sum.

The defendant has also pleaded guilty to a second count of trafficking and I have also agreed pursuant to s 385A of the *Criminal Code* to deal with charge 1 on complaint number 9797/21 a charge of possess a controlled plant or its products and I have accepted a plea of guilty through counsel.

On 20 July 2021 the defendant was granted Supreme Court bail in relation to one count of trafficking in a controlled substance.

On 9 December 2021 Tasmania Police identified her driving a black jeep in Colebrook Road, Campania and intercepted the vehicle. The defendant indicated that there were illicit drugs in her handbag, which was on the front passenger seat.

The defendant's handbag was searched and police located and seized a total of 107.4 grams of methylamphetamine packaged in approximately one ounce amounts. A trafficable quantity of methamphetamine is 25 grams. The defendant had in excess of four times the trafficable quantity in her possession.

The defendant was arrested and cautioned and at 12:30pm the same day, police executed a search warrant at 76 Native Road, Campania where the defendant had been residing in a caravan on the property. Amongst other things police located and seized a total of 130.7 grams of methylamphetamine mostly packaged in one ounce bags.

If the 238.1 grams (107.4 + 130.7) grams of methylamphetamine was sold the defendant had potential to make the following \$238,000 if 2,380 0.1 gram (point) deals were sold for \$100 a deal.

The State assert however that given the way the methylamphetamine was packaged, it was intended to be sold in ounce deals. The defendant said in her interview that she intended to sell it in ounce deals, so for \$10,000 a deal so she had potential to make \$85,000.

A tick sheet located by police indicated the sale of a total 103.5 grams of cocaine (valued at \$41,400 if sold by the gram for \$400 a gram) and the sale of a total 28 grams of methylamphetamine (valued at \$9,000 if sold by the ounce or \$28,000 if sold by the gram for \$1,000 a gram)

The defendant was arrested and conveyed to the Hobart Police Station where she participated in a record of interview over two days. Amongst many other things she said that she had received three other express post packages containing drugs over the past three to four days and that a Woolworths bag found by police in her caravan contained \$11,550 from sales of methylamphetamine from the other packages. Another amount of \$300 was also seized.

The State seeks forfeiture of the items set out in in the crown statement of facts pursuant to s 38(1) of the *Misuse of Drugs Act* 2001 in respect of property seizure receipt 186360. I so order.

The State also seeks forfeiture of items contained on property seizure records 186361 and 186362 set out in the crown statement of facts, pursuant to s 38(1) of the *Misuse of Drugs Act* 2001. I so order.

The State further seeks forfeiture of the \$11,850, pursuant to ss 11(1)(a) and 16 of the *Crime (Confiscation of Profits) Act* 1993. I order accordingly.

Finally the State seeks the costs of analysis in the sum of \$2,167, pursuant to s 36B of the *Misuse of Drugs Act* 2001. I order accordingly

The defendant was charged and was remanded in custody on 9 December 2021 and she has been in custody since that date. She made substantial admissions to police. And whether or not her plea was an early plea it avoided the need for a lengthy and costly trial. It is conceded by the defendant that the scale of trafficking was extensive and at a very high level in terms of previous trafficking cases which have come before this Court. It is also conceded that, offending in the manner in which the defendant did, while on bail is an aggravating feature of consequence.

I am told that the offending occurred in the context of the defendant becoming embroiled in activities involving her son on the Gold Coast. She felt as though she had no choice but to comply with the demands of the man named Frank. She became consumed with protecting her son and was using drugs heavily herself.

Whilst it is conceded that the defendant played a critical role in the trafficking operation there is no evidence of her profiting from it in the financial sense in the way suggested by the Crown—the money made from the operation generally flowed back to Frank. There is no evidence of an opulent lifestyle on her part.

With respect to the first count of trafficking I take into account, as well as the defendant's plea of guilty, the amount of the pecuniary penalty ordered.

I accept the submission made on the defendant's behalf that the amount of the reward received or anticipated is relevant to the gravity of the offence. The underlying proposition being that the greater the reward of criminal conduct such as this, which inflicts such harm on the community, the higher the offender's moral culpability.

The defendant is 50 and has two children, aged 19 and 26. She has one grandchild. She does not have family or friends in Tasmania.

Her father passed away when she was seven and her mother died when she was ten years of age. She has one brother who currently resides in Sydney. Following the death of both her parents, she was taken in by her grandparents. She attended Moriah College in Sydney from Kindergarten to year nine. She then attended Vaucluse High School for year nine and ten. She was overweight and bullied at school. She rebelled at approximately the age of 13 and began to associate with an anti-social crowd. This included use of drugs. She would spend days at a time out on the streets, with her grandparents unaware of where she was and who she was associating with.

She was married at 18, and was the subject of persistent family violence by her husband. He would constantly berate her for her weight, and he would regularly physically assault her, and on one occasion she was rendered unconscious. She suffered multiple physical injuries as a result, including multiple black eyes. The cycle of abuse continued over the course of her marriage. She said that it went on for approximately 17 years.

After her husband was deported to New Zealand in 1999, she nonetheless followed him so her children could be close to their father. They all moved to Samoa for approximately 11 years. She subsequently left Samoa and resettled in Sydney with her children in 2009. She has worked in real estate, in a barber shop, in nail salons and in sports promotions. She worked in any employment necessary in order to provide for her children.

Around Christmas in 2014 she sold her property in Sydney and moved to the Gold Coast, in Queensland. She owns a property on the Gold Coast which will shortly be sold. Proceeds of that sale will go in part in payment of the pecuniary penalty order.

The defendant has suffered very poor health between 2016 and the present as a result of gastric bypass surgery complications. She was self-medicating using drugs, including Ice, up until the time of her arrest.

She states that during period of offending, she was consuming cocaine, cannabis and methylamphetamine on a daily basis. She struggled to function without cocaine or methylamphetamine.

The defendant lives with Post-Traumatic Stress Disorder of some severity. Her psychologist Sameer Albassit is of the view that, "according to the DSM-V criteria used for the diagnosis of Post-Traumatic Stress Disorder [she] meets the criteria almost exclusively." This is because of the constant family violence she endured over 17 years. She requires ongoing psychiatric and psychological treatment. She is currently prescribed Venlafaxine for alleviating her moods, Mirtazapine to assist with her sleep and on Minipress for her nightmares and tremors.

Mr Albassit is of the view that the defendant will require intensive trauma therapy and states that "gaols are inherently violent places where incarcerated people (often with their own histories of victimisation and trauma) are frequently exposed to violence with disastrous consequences."

It is well accepted that the existence of an impairment at the time of sentencing, or its reasonably foreseeable reoccurrence, may mean that a specific sentence may weigh more heavily on the offender than it would on a person in normal health. I am unable to say however, that there is a *serious* risk that imprisonment will have a significantly adverse impact on the defendant's mental health.

I have seen a number of references from individuals who have known the defendant for some time. These references attest to their shock at discovering that she was involved in trafficking of drugs. Her commitment to her family, despite the considerable difficulties she has experienced, is also a feature of these references. As is often the case however with drug related offending the defendant has no relevant prior convictions and she also has realistic prospects of rehabilitation.

I accept the submission made on behalf of the defendant that the fact that she has no relevant prior criminal history, her mental health issues, her prospects for rehabilitation and that she will serve her sentence away from family and support mechanisms, are all relevant to setting the non-parole period.

The State submits that the law is clear that the pressuring by drug bosses of persons involved in drug importation is an unremarkable feature of such offences. Heavy sentences are imposed to deter them from succumbing to such pressure.

The State is critical of Mr Albassit's report, however I am content to rely on it for the limited purpose of finding that the defendant's mental health may mean that a sentence of imprisonment may weigh more heavily on her than it would on a person in normal health. Having said that I have no reason to doubt that her mental health can be successfully monitored and treated within the prison system. The State does however accept that the defendant will find prison more onerous given the separation from her family, in particular her two sons.

The trafficking in this case was very significant by any standards, not just those of this State. The defendant offended over a period of 18 months involving 26 kilograms of controlled drugs, primarily methylamphetamine, but also cocaine and ketamine. It was a sophisticated operation aimed at avoiding interception by police, primarily by concealing the illicit drugs in car tyres. The value of the drugs involved, combined with the cash found demonstrates that this was an operation aimed at generating a very significant profit. As to that, count 1 involved 26 kilograms (of predominately methylamphetamine) valued at between \$8,357,142 if sold by the ounce for \$9,000 and \$26,000,000 if sold by the point for \$100. Count 2 involved 238.1 grams of methylamphetamine valued at between \$76,500 if sold by the ounce for \$9,000 and \$238,000 if sold by the point for \$100.

The defendant's role in the trafficking was also very significant. She recruited vulnerable couriers, sourced, weighed, packaged and concealed the drugs, collected the cash proceeds of sale and liaised between the couriers and her "boss". As the State submits, she was an integral link in the chain of distribution in a significant commercial operation and was knowingly involved in an operation aimed at the generation of large profits. Those in control of the

operation and who benefit through profits attract more severe penalties than the "workers": *Director of Public Prosecutions v Kobelke* [2020] TASCCA 10, Martin AJ at [39].

To my own certain knowledge cases coming before this Court involving seizures of this magnitude have increased over the past ten years and there is potential for the drugs to result in untold deleterious consequences. General deterrence is therefore of primary importance in sentencing.

I adopt what I said in *Farhat v Tasmania* [2017] TASCCA 20 at [24], taken from the comments of the learned sentencing judge, that the detection and prosecution of trafficking of this nature demands, as this case demonstrates, the allocation of significant police and State resources. Ice is a pernicious drug. Those who traffic in it deserve harsh punishment. It is highly addictive and damaging to health. It causes great harm to those who become addicted to it and the people around them. Its use and trade generates a great deal of other criminal activity, especially serious crimes of dishonesty and violence.

As Porter AJ said in *Upston v State of Tasmania* [2018] TASCCA 4, "*sentences for serious cases of trafficking have been increasing as a proportionate response to an escalation in the level of criminal activity and as a response to the increased prevalence in trafficking. Such circumstances are resulting in the giving of greater weight to general deterrence and denunciation.*"

In this case, personal deterrence is also of importance. The defendant was arrested and charged with large scale drug trafficking and was granted bail. She then committed further large scale drug trafficking 4 ½ months later.

While it cannot be said that there is a sentencing tariff for such cases and that comparable cases are only a yardstick, the closest case to the present was considered by this Court in *State of Tasmania v Stebbins* [2016] TASCCA 6.

Stebbins trafficked in controlled substances over a period of 19 months. He trafficked in amphetamine, cocaine, cannabis and MDMA. There were nine police interceptions involving 5.7 kilogram of amphetamine, 25 grams of cocaine and 1 kilogram of MDMA. Significant sum of cash were also found i.e. \$18,000 and a tick sheet showing \$40,000 worth of sales. There were extensive telephone records indicative of sales of amphetamine and cannabis. There was also an unquantifiable amount of drugs sold. The drugs that the police intercepted had a street value of approximately 11 million dollars. Stebbins was sentenced to 12 years and 6 months' imprisonment, with a non-parole period of 7 years.

In that case on the Court of Criminal Appeal I noted that comparison with mainland jurisdictions is difficult due to a number of different factors, however authorities do show that extremely lengthy sentences are given for similar conduct. Sentences were as varied as 15 years through to life imprisonment. I reviewed many of them, in particular the Western Australian cases, in *Stebbins*. The maximum penalty in Tasmania is 21 years imprisonment.

Taking into account all of the matters to which I have referred, the defendant is convicted of each of the offences to which she has pleaded guilty and I impose a single sentence of 15 years' imprisonment backdated to 9 December 2021. The defendant is not to be eligible for parole until she has served 7 ½ years of that term.