

STATE OF TASMANIA v SJQ
COMMENTS ON PASSING SENTENCE

14 AUGUST 2025
JAGO J

SJQ, you have pleaded guilty to one count of trafficking in methylamphetamine. Between October 2021 and January 2022, you were part of a syndicate that was responsible for the importation of significant quantities of methylamphetamine into this State, and the on-selling of that drug to consumers in various quantities. The head of the syndicate was a person by the name of "L". Other participants within the syndicate were L's partner, whom I shall refer to as "E", and a courier, whom I shall refer to as "M". L and E are yet to be sentenced for their involvement in the trafficking business. I sentenced M for his involvement in July 2023 to a 5-year period of imprisonment. Parity will have some limited relevance to the sentence imposed upon you, but it is also important to recognise the different roles played by the various members of the syndicate. You are to be sentenced for what you did, but of course, when a syndicate of this nature operates it is not always possible to clearly delineate what role each person played. That said, the role each of you played directly contributed to the successful operation of the business and allowed the business to bring into Tasmania at least 1.5 kilograms, but potentially up to 3.5 kilograms, of methyl-amphetamine. All participants, in my assessment, were involved to varying degrees in what was a relatively sophisticated and continuous business.

The State accept your role within the syndicate was less than the others and limited to assisting in transporting the courier M to and from the airport on two occasions (M undertook seven trips in total), knowing that the purpose of his trips was to source methylamphetamine. You were also personally responsible for on-selling some of the drugs sourced to various purchasers throughout the period you were involved. Further, the State allege you unlawfully sourced money from the tax office, in the form of false GST claims, and then provided a substantial portion of that money to L so he could fund the purchase of further drugs. You dispute this aspect and I heard evidence about it. I will return to this factual dispute.

The business involved L sourcing and controlling the purchase of the methylamphetamine from an individual in Queensland. M would go and collect it and return to Tasmania with the product. The arrangements for the trips and the finance to purchase the product was primarily arranged by L and E. You, and the others in the syndicate would then sell it to various end users. As noted, on two of M's trips (trips five and seven), you transported M to and from the airport. It was also planned that on the seventh trip, being on 9 January 2022, you would collect the bag that M had returned to Tasmania with, from the luggage carousel at the airport, knowing it contained methylamphetamine. You had been provided with identifying features of the bag. As it transpired, police intercepted M at the airport for the purpose of searching him. The bag with his name on it was retrieved from the luggage carousel by police and you did not take possession of it. Subsequent examination of the bag revealed 498 grams of methylamphetamine. Both you and M were arrested for trafficking on this day.

You were subsequently interviewed by police. During that interview, you told police that you had known L for a period of six to seven years. You described him as a good friend. You denied that you obtained methylamphetamine from L for your own personal use, although you did describe to police a significant methylamphetamine addiction. You suggested to police that you obtained your methylamphetamine for personal use from M. You admitted to police that you had assisted in transporting M to and from the airport on two occasions, but you claimed to police that you believed M was travelling for legitimate work purposes. This was obviously a lie. You also denied you sold methylamphetamine for L. You now admit that you

knew that you were transporting M to and from the airport for the purpose of him undertaking trips to source methylamphetamine, and you also admit that you sold methylamphetamine on behalf of L, and would transfer money into his bank account following those sales.

As noted, the State assert that part of your role was to submit false GST claims, so as to unlawfully obtain refunds from the tax office, to assist in funding the purchase of drugs. You admitted to making false GST claims, but dispute it was for the purpose of helping L to fund the purchase of drugs. You claimed you were doing this to fund the purchase of drugs for your own personal use, and to service other debts, and that it was purely coincidental that other members of the syndicate were also doing it at around the same time.

I received evidence in respect to this dispute on the sentencing hearing, including hearing evidence from you. The State tendered a series of documents which established that between 14 July 2021 and 29 July 2022 you received over \$89,000 in refunds from the Australian Taxation Office to which you were not entitled. At no time during this period were you running a business which would have entitled you to claim GST returns. Of this amount, you transferred approximately half to L's bank account. There is also a pattern disclosed within the documentation tendered from the Australian Taxation Office which reveals that it was initially L who commenced making these false GST claims, you then took over making them for a period, before E also started making such claims. The amounts claimed by all three of you were similar, usually between \$6,000 and \$10,000. Having heard your evidence in this matter, without hesitation, I conclude that your behaviour in obtaining the false GST returns was part of your involvement in this drug trafficking syndicate. In my view, it is entirely improbable that you would just happen upon this scheme, at the same time as L and E happened upon the scheme, and then individually make the claims in very similar ways, and then for reasons unrelated to the syndicate, transfer half the money that you had obtained by way of these false returns to L. I am satisfied that the false GST claims were clearly part of the manner in which the syndicate funded the purchase of drugs and to the extent your evidence suggested otherwise, I reject it. I am satisfied you were intimately involved in this aspect, and this strongly suggests you were more involved in the drug trafficking syndicate than you have been prepared to acknowledge. It is an aggravating feature that money was being unlawfully obtained from the tax office in order to purchase the drugs.

The documents tendered by the State also establish that, during the relevant period, you transferred to L \$33,957, and transferred to his partner E \$10,500. You also withdrew over \$62,000 in cash from your account. The transfer of these monies is consistent with you selling drugs on behalf of L. These transactions obviously involved considerable amounts of money. At the relevant time your only source of income was a Centrelink benefit. I am satisfied the money you were transferring was from drug sales that you were transacting on L's behalf. This gives some indication as to the level of drug sales in which you were involved. The bank documents tendered also establish that \$29,532.57 was transferred into your account by various people using pay ID. The amounts they transferred were relatively small and again consistent with being end-user drug sales. These amounts are also indicative of the extent to which you were involved in the sale of drugs.

I will sentence on the basis that whilst your involvement in the drug trafficking was certainly less than that of L and M, and probably also E, it was to a greater extent than you have been prepared to acknowledge. That is concerning and raises questions about your claims of reform. In summary then, I am satisfied you were engaged in the business of trafficking methylamphetamine in multiple ways: firstly, transporting M to and from the airport on two

occasions; secondly, selling methylamphetamine on behalf of L; and thirdly, making false GST claims and then providing half of that money to L to enable him to continue to finance the trafficking business. Understandably, the prosecution cannot quantify the exact quantities of illicit drugs that were sold by you over the indictment period, nor the precise amount of money you personally made as a consequence of your trafficking activities, but I am satisfied that your involvement was not at the periphery as you claimed. Indeed, the fact it was planned for you to collect the bag which contained half a kilogram of methylamphetamine from the baggage carousel on that last occasion, is evidence, in my view, that you were a trusted and integral part of the syndicate.

The trafficking activity that you were involved in was a relatively sophisticated one. It involved the wholesale importation and distribution of large quantities of illicit drugs into Tasmania. The potential commercial returns were significant, potentially up to \$3.5million, if it is accepted that 3.5 kilograms of methylamphetamine had been imported over the various trips. These estimations are also, of course, subject to the way in which the methylamphetamine was then on-sold to users. On any view, however, and on any calculation, this was a large scale and serious operation.

I accept that when you became involved in this, you were in the grips of a substantial addiction and L preyed upon that. You were, during your involvement in this matter, acting on his direction, and I am satisfied that the main of the financial benefit fell to him. It is likely that the financial benefit received by you was modest, although, of course, your involvement in the trafficking business also gave you direct access to methylamphetamine which you used to service your own addiction.

You are 47 years of age. Up until 2018, you had lived a relatively law-abiding lifestyle and you were engaged in employment. By way of prior convictions, before 2018 there is very little. In 2018, you were made redundant. This came on top of your mother having passed away from cancer in 2016. You were still struggling to come to terms with that. Your mental health deteriorated. I am told you began to use drugs to feel better about things. You quickly developed an addiction, and you spent all the money you had received from your redundancy on drugs. You also began to sell off assets you had acquired during your working life. I am told that your drug addiction spiralled to the extent that in 2020, there was a suicide attempt, and you spent a period in Spencer Clinic. Your long-term relationship came to an end around the same time because of your drug addiction. By the end of 2021, you had sold all your assets and had essentially "lost everything". You found yourself homeless, and many of your friends and family had deserted you because of your drug use. The development of your drug addiction is reflected in your prior criminal history. From mid-2020 matters consistent with your personal use of illicit substances begin to appear. Then, in November 2022, you were dealt with in the Magistrates Court for offences of selling methylamphetamine and cannabis between November 2019 and June 2020, and also using and possessing those products. You also have prior convictions under the *Road Safety (Alcohol and Drugs) Act* consistent with your drug use.

It was around this time that you became involved with L. Initially, your involvement was motivated by the fact it provided you with a constant source of methyl amphetamine but as you became more involved, it became more difficult to say no to him. I am told you feared L and did not know how to extract yourself from the business.

Following your arrest for this matter, there was another suicide attempt but once you had stabilised your mental health, you realised, apparently, that the arrest was the catalyst you

needed to sort yourself out. Since then, you have worked hard at addressing your drug addiction. You have participated in the Salvation Army Bridge Programme, both on an in-patient and out-patient basis. You have undertaken counselling with YFCC, and completed the EQUIPS addiction programme. You have re-engaged with family and with community groups. You have new employment and are now leading a drug free, stable life. You have not used drugs for well over 12 months now. You have severed connections with people in the drug world and you have a network of friends and family who support you and assist you in maintaining abstinence from drugs. You say through your counsel that you have "learnt your lesson" in terms of understanding the adverse consequences your drug addiction had for you. I have received letters of support from friends and family members, and your current employer, which attest to the significant and positive changes that you have made.

I acknowledge the constructive and beneficial changes you have made. They are, of course, relevant to sentence, and you deserve credit for the rehabilitative endeavours you have made. If you can remain abstinent from drugs it must be of benefit, not only to you, but to the community at large. Your rehabilitation, however, must be balanced against several other sentencing considerations. It still troubles me that you did not fully accept your involvement in this matter. A plea of not guilty was maintained for a long time, although I accept there were some disclosure complications associated with this matter. But, even following the plea of guilty, you still refused to admit the full extent of your involvement in the trafficking, even though the documentary evidence, in the form of the bank statements and the material from the Australian Taxation Office, was compelling. You either do not have a full appreciation of just how serious your involvement in this matter was, or you are not being honest about it. On either assessment, specific deterrence remains a relevant sentencing consideration, despite your apparent rehabilitation. The plea of guilty retains some utilitarian value as proof of your guilt would have involved a relatively complex and lengthy trial.

The reasons that drug trafficking is so serious have been explained by courts on many occasions. Methylamphetamine is a prevalent drug and its use and trade causes grave damage to not only the health of users, but to the broader community generally. Its link to further crime is seen daily in these courts. You should have an intimate appreciation of the harm it causes, given the effect addiction has had upon you, yet you were still willing to become involved in bringing into Tasmania a drug which causes so much harm. I accept that your motivation was grounded in addiction, and generally, sale motivated purely by profit is regarded as more serious than trafficking to fund addiction. Irrespective of its genesis, however, the damage caused by your trafficking is the same.

Your involvement in this trafficking enterprise has a very high degree of objective seriousness. I am minded, of course, that your role was limited to what I have described, but it is also noteworthy that your involvement only came to an end when you were detected by police. Even given your lesser role within the organisation, you must have appreciated that what you were a part of, involved a large-scale operation and a substantial quantity of illicit drugs. A period of imprisonment is warranted. The only question is to what extent, if any, there is justification to suspend the period of imprisonment imposed, given the changes you have made.

As I have indicated, I accept there are some strong indications that you have addressed your drug addiction and made positive changes to your lifestyle. Your counsel submits those changes are sufficiently compelling to warrant the suspension of the whole of the period of imprisonment that must be imposed for a crime of this nature. Such a submission might be accepted if rehabilitation was the only sentencing principle to which I must be minded. That,

however, is not so. General deterrence and denunciation are the predominant sentencing considerations in a case of this type. Those who may be inclined to engage in the trafficking of illicit drugs for profit or other benefit, such as supply for personal use, must balance the benefit of the returns with the knowledge that apprehension and conviction will result in severe sentences. Such is necessary to ensure that there is a very clear understanding within the community, that those who are unable to resist trafficking in a drug which fosters addiction in others and causes significant harm to the community, will be met by harsh penalty. Given that, in my view, it is necessary that a portion of the period of imprisonment that is warranted, be served; but there should also be recognition of the significant changes that you have made by an order for partial suspension.

I make the following orders. You are convicted of the crime of trafficking. I impose a sentence of two years' and six months' imprisonment. The last 12 months of that sentence of imprisonment will be suspended on condition that for a period of 18 months, you commit no offence punishable by imprisonment. I order that you not be eligible for parole until you have served one-half of the operative period of the sentence of imprisonment.