



# CDPP

*Australia's Federal Prosecution Service*

**Commonwealth Director  
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## MEDIA RELEASE

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### **TRIO CONVICTED OF SMUGGLING METHAMPHETAMINE IN CERAMIC TILES**

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**Date:** 7 November 2014

Prosecution by the Commonwealth Director of Public Prosecutions (CDPP) sees three men gaoled for a total of 30 years and 6 months for smuggling methamphetamines into Western Australia.

The defendants, Michael Quoc Hong LY, Jacky LEE, Tuan Anh PHUNG were found guilty by a jury in the Supreme Court of Western Australia on 3 July 2014 and sentenced on 17 October 2014.

LY received a sentence of 14 years imprisonment with a non-parole period of 9 years 6 months for entering into an agreement to import a commercial quantity of methamphetamine.

LEE received a sentence of 7 years imprisonment with a non-parole period of 4 years 3 months for entering into a joint agreement to possess an unlawfully imported commercial quantity of methamphetamine. PHUNG was found guilty of the same offence and received a sentence of 9 years 6 months imprisonment with a non-parole period of 6 years.

"The sentencing outcome of this matter indicates the serious nature of the offending" said CDPP Deputy Director, David Adsett.

"Serious drug offences, particularly importations, are rarely committed by one person on their own and we often need to use the broader scope of legal provisions such as conspiracy, joint commission or accessorial liability to aid the prosecution of these matters" Mr Adsett concluded.

The 28,509.4 grams of pure methamphetamine, worth an estimated \$25 million to \$34 million, was found concealed in ceramic tiles in a shipping container sent from China via Singapore. Officers of the Australian Customs and Border Protection Service and Australian Federal Police intercepted the shipment and removed the drug as part of Operation Kamino, a multi-agency investigation. The shipment was reconstructed and the shipping container was eventually delivered to a location where many of the tiles were smashed in an attempt to retrieve the drug. LEE and PHUNG were arrested as they stood inside the shed near broken tiles and a claw hammer.

A fourth accused, Rico Tam, had earlier pleaded guilty to two charges and was sentenced on 19 December 2013 to 10 years and 6 months imprisonment with a non-parole period of 6 years and 4 months. A fifth person, Li Chung HUANG was found not guilty.

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## **Background**

**Michael Quoc Hong LY** was convicted of entering into an agreement to import a border controlled drug, namely methamphetamine, and the quantity being a commercial quantity contrary to sections 11.2A(1) and 307.1 of the *Criminal Code* (Cth).

**Jacky LEE** convicted of entering into a joint agreement in that they, attempted to possess a border controlled drug, namely methamphetamine, reasonably suspected of having been unlawfully imported and the amount imported being a commercial quantity contrary to section 11.1(1) section 11.2A(1) and section 307.8 of the *Criminal Code* (Cth).

**Tuan Anh PHUNG** convicted of entering into a joint agreement in that they, attempted to possess a border controlled drug, namely methamphetamine, reasonably suspected of having been unlawfully imported and the amount imported being a commercial quantity contrary to section 11.1(1) section 11.2A(1) and section 307.8 of the *Criminal Code* (Cth).

**Rico TAM** pleaded guilty to entering into an agreement with other persons for the importation of a substance, the substance being a border controlled drug, namely methamphetamine, and the amount being imported being a commercial quantity contrary to section 11.2A(1) and section 307.1(1) of the *Criminal Code* (Cth). Tam was also found guilty of trafficking in a substance, the substance being a controlled drug, namely methamphetamine, and the quantity trafficked being a commercial quantity, contrary to section 302.2(1) of the *Criminal Code* (Cth).

## **About the CDPP – Australia’s Federal Prosecution Service**

The Office of the Commonwealth Director of Public Prosecutions (CDPP) is an independent prosecution service established by Parliament to prosecute alleged offences against Commonwealth law.

Drug importation offences play a major significant role in the CDPP’s overall practice and attract some of the highest penalties imposed by courts.

Further information about the crimes prosecuted by the CDPP is available at <http://www.cdpp.gov.au/crimes-we-prosecute/>.