SUPREME COURT OF QUEENSLAND

CITATION:	*R v Williams* [2026] QCA 145
PARTIES:	**R** **v** **WILLIAMS, Mitchell Paul** (applicant)
FILE NO/S:	CA No 200 of 2025 DC No 522 of 2024
DIVISION:	Court of Appeal
PROCEEDING:	Sentence Application
ORIGINATING COURT:	District Court at Southport – Date of Sentence: 25 July 2025 (Rosengren DCJ)
DELIVERED ON:	4 August 2026
DELIVERED AT:	Brisbane
HEARING DATE:	29 July 2026
JUDGES:	Mullins P, Bond JA, Bradley JA
ORDER:	**Leave to appeal against sentence refused.**
CATCHWORDS:	CRIMINAL LAW – PARTICULAR OFFENCES – PROPERTY OFFENCES – PROCEEDS OF CRIME, MONEY LAUNDERING AND RELATED OFFENCES – where the applicant was convicted on his own plea of guilty of two counts of dealing with money or other property reckless as to it being the proceeds of crime – where the offences involved the facilitation of 92 cash deposits totalling $2,344,080 into bank accounts set up by a criminal syndicate in which the applicant participated with a level of responsibility, including by recruiting and supervising couriers – where a sentence of three years' imprisonment was imposed with a parole release date after serving 18 months, upon giving security by recognisance of $2,000, conditioned on being of good behaviour for three years – where there were a number of mitigating factors, including an early plea of guilty, cooperation with the administration of justice, genuine remorse, lack of relevant criminal history, pro-social life since the offending, and family responsibilities – whether the sentence was manifestly excessive in all the circumstances *Criminal Code* (Cth), s 400.3, s 400.4 *Kim v The Queen* [2016] VSCA 238, cited *R v FF* [2023] NSWCCA 186, considered *R v McRae* [2023] NSWCCA 55, considered

COUNSEL:	The applicant appeared on his own behalf K T Bryson for the respondent
SOLICITORS:	The applicant appeared on his own behalf Director of Public Prosecutions (Commonwealth) for the respondent

[1] **MULLINS P:** I agree with Bradley JA.

[2] **BOND JA:** I agree with the reasons for judgment of Bradley JA and with the order proposed by his Honour.

[3] **BRADLEY JA:** The applicant seeks leave to appeal his sentence imposed on 25 July 2025 in the District Court, on the ground that it is manifestly excessive. On his own early guilty pleas, he was convicted of two counts of dealing with money or other property reckless as to it being the proceeds of crime. The more serious offence (**count 1**) involved 85 deposits totalling $2,131,430 between 14 August 2020 and 16 February 2021.[1] It attracted a maximum penalty of imprisonment for 12 years. The less serious offence (**count 2**) involved seven deposits totalling $212,650 between 17 February and 8 March 2021.[2] It attracted a maximum penalty of imprisonment for 10 years.

[4] The applicant was sentenced to imprisonment for three years on count 1 and two years and six months on count 2. He was ordered to serve both sentences concurrently and to be released after serving 18 months' imprisonment, upon giving security by recognisance of $2,000, conditioned on him being of good behaviour for three years.

[5] The sentence proceeded on an agreed statement of facts, which the applicant did not challenge in any way, and may be summarised in this way.

[6] The applicant was recruited by one of two controllers of a criminal syndicate which operated in Queensland and New South Wales. The applicant recruited couriers to open multiple bank accounts in the names of "shell" companies registered by the syndicate. He used a cash counting machine, which he stored at his premises, to count cash supplied to the syndicate by its customers. He put the counted cash into envelopes, recording deposit instructions on the front of each envelope in his own handwriting. He organised the couriers to receive the cash and instructions and to make cash deposits into the bank accounts as he instructed. He provided the cash and written instructions to couriers at gyms he owned and operated in Tweed Heads and at a location known as the "jewellery shop". He had the detailed supervision of the couriers and provided instructions and other communications to them by an encrypted messaging application, using a false name. Between 14 August 2020 and 8 March 2021, he facilitated 92 cash deposits totalling $2,344,080 into bank accounts set up by the syndicate.

[7] The syndicate used the money deposited into the bank accounts to purchase digital currency on behalf of its customers in return for a negotiated commission.

[8] The applicant was aware of the operating mode of the syndicate. He dealt with the bank accounts and cash in accordance with that mode. He was reckless as to the fact

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1 *Criminal Code* (Cth), s 400.3(2)(a), (b)(i), (c) and (d).

2 *Criminal Code* (Cth), s 400.4(2)(a), (b)(i), (c) and (d).

that the money with which he dealt was the proceeds of crime, including the proceeds of indictable crime from 16 February 2021.

[9] Over time, his recklessness grew. In about February 2021, the applicant met with one of the controllers of the syndicate, another syndicate member, and an intermediary between the syndicate and customers whose money the syndicate laundered. The meeting was to negotiate the money laundering activity of the syndicate on the Gold Coast.

[10] At the sentence hearing, it was accepted that one of the controllers initially manipulated the applicant into becoming involved in the operations of the syndicate. In a letter to the court below, the applicant frankly admitted that, as time went on, he "realised that everything was not above board, but [he] ignored those warning signals." Before the learned primary judge, there was no evidence of the remuneration he received. It was reasonable to infer he was paid a significant sum of money over the six-to-seven-month period of his offending. The applicant voluntarily ceased his role with the syndicate about eight months before police gave him a notice to appear.

[11] The applicant was aged 28 and 29 when he committed the offences. He was 31 when sentenced.

[12] In addition to the agreed statement of facts, the Commonwealth prosecutor provided the primary judge with the applicant's Queensland criminal history. He had been fined, with no conviction recorded, for a public nuisance in 2010, when he was aged 18, and for being drunk and disorderly in licenced premises on Australia Day 2012, when he was 20. This criminal history was irrelevant to the offences before the primary judge.

[13] The prosecutor also tendered the sentencing remarks for two of the couriers the applicant had recruited to work for the syndicate.

[14] The applicant submitted a letter of apology to the primary judge, stating his remorse for the offending. He had not reoffended between voluntarily stopping work with the syndicate, in about March 2021, and his imprisonment following the sentence hearing on 25 July 2025. There had been a significant delay in finalising the matter. He tendered references from his partner and friends who attested to his pro-social life. He was the primary source of income for his family, which includes his partner and two young children. His imprisonment was expected to impact on them.

[15] The applicant was represented by counsel at the sentence hearing. His counsel below accepted that his offending was less serious that the offender in *R v FF* [2023] NSWCCA 186, but more serious than that of the two couriers he recruited, instructed and supervised.

[16] In *FF*, the Court of Criminal Appeal imposed an aggregate sentence of four years' imprisonment, with a non-parole period of two years and six months, for one offence of dealing with about $4.8 million suspected to be the proceeds of crime and two offences of recklessly dealing with $990,000 which was the proceeds of crime.

[17] The two couriers had been dealt with by the District Court. One was sentenced to 21 months' imprisonment for three counts of aiding and abetting dealing with property worth more than $100,000 reasonably suspected of being the proceeds of crime and three counts of dealing with such property. The other courier was

sentenced to 18 months' imprisonment for two counts of aiding and abetting dealing with property worth more than $100,000, two counts of dealing with property worth less than $100,000, and one count of dealing with property worth more than $100,000 reasonably suspected of being the proceeds of crime. Each courier was to be released on parole after serving seven months, on a recognisance of $5,000, to be of good behaviour for three years.

[18] The prosecutor also referred to *R v McRae* [2023] NSWCCA 55, which involved a young offender dealing in $883,500 cash reasonably suspected of being the proceeds of crime and $188,000 cash, reckless as to whether it was the proceeds of crime. In that matter, the Court of Criminal Appeal held that a term of imprisonment of three years and six months with a non-parole period of one year and nine months was not manifestly excessive.

[19] The applicant's counsel had suggested to the primary judge that the starting point for considering an appropriate sentence for the applicant was imprisonment for three to three and a half years, to serve about two years before parole. Counsel had submitted that the primary judge should reduce the actual sentence from that starting point to take account of the applicant's mitigating factors, including his early plea of guilty, cooperation with the administration of justice, genuine remorse, lack of relevant criminal history, pro-social life since the offending, and family responsibilities. The applicant's counsel's ultimate submission was a sentence in the order of three years with release after 12 to 18 months. Her Honour accepted that submission, imposing the sentence of three years' imprisonment with parole release after 18 months.

[20] In this Court, representing himself, the applicant submitted that the sentences imposed on two other couriers who worked in the syndicate "ought to be considered on a parity basis" with the appropriate sentence for his offending. These other couriers were sentenced after the applicant. This submission should be rejected. The applicant worked for the syndicate in a higher, more responsible position. He recruited and supervised couriers. They were not charged with the more serious offences for which he was sentenced. It would be unjust to punish him as if the criminality of his offending were on a par with theirs.

[21] The applicant also submitted that the primary judge had given undue weight to the fact that the applicant kept the money counting machine that he used in his work for the syndicate at his premises. Her Honour did not give that undue weight. Rather, her Honour mentioned the location and use of the machine in summarising the circumstances of what the applicant did for the syndicate and the actions that constituted his dealing with the money. It was appropriate for the primary judge to focus attention on the applicant's actions.[3]

[22] The applicant also contended that the primary judge was misinformed about the applicant's role at the February 2021 meeting or the timing of the meeting. This is not borne out by the agreed statement of facts nor by her Honour's sentencing remarks.

[23] The sentence imposed on the applicant was comfortably within the yardsticks identified at the sentencing hearing and in this Court. It was less punitive than the sentences in *FF* and *McRae*. It was appropriately more punitive than the sentences imposed on the couriers.

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3 *Kim v The Queen* [2016] VSCA 238, [61].

[24] The primary judge located the applicant's two offences in the range of offences under s 400 of the *Criminal Code*. Her Honour identified the circumstances of the applicant's offending and the actions that constituted his dealing for the purpose of the two offences, including his role in the syndicate's operations, the number of transactions, and the amounts involved. There is no basis to conclude that the primary judge misapplied sentencing principles relevant to money laundering offences. On the contrary, the applicant's sentence is consistent with those principles.

[25] Leave to appeal the sentence should be refused.