



VICTORIA POLICE

Police v Toreq BAYEH, Akl HAMMOUD

This document does not purport to summarise all of the relevant evidence in this case. It is only provided as an aid to the Prosecutor and DOES NOT form part of the evidence or the Hand-Up Brief.

Statement of Material Facts

At the time of the investigation and his subsequent arrest Toreq BAYEH was 35 years old and ran a personal training business. He resided on his own in Brunswick.

Akl HAMMOUD was 27 years old. He was unemployed and resided with his family in Coburg.

On 23rd March 2006 BAYEH hired a silver Nissan X-Trail, registration TTR 065 from Network Car and Truck Rental. On 10th April 2006 BAYEH was observed by police to be driving the vehicle for several hours. The following day, being the 11th April 2006 the Nissan X-Trail was parked at the BP Service Station at 142 Dawson Street, Brunswick.

At 1.45p.m. BAYEH drove to the service station in another vehicle. At 1.46p.m. BAYEH contacted HAMMOUD via mobile telephone and asked him to attend at the service station. At approximately 2.10p.m. HAMMOUD attended at the service station in a silver Mitsubishi Lancer coupe, registration QMK 128. HAMMOUD and BAYEH spoke briefly before they left the service station. BAYEH was driving the Nissan X-Trail and HAMMOUD followed in convoy in his Mitsubishi Lancer.

At approximately 2.11p.m. both vehicles drove into a laneway running south of Munro Street, Brunswick in order to avoid suspicion. At this location BAYEH removed from the Nissan X-Trail a number of chemicals and items used in the manufacture of amphetamines. BAYEH used two black jackets to handle the items to avoid leaving fingerprints. He then placed them into the boot of HAMMOUD's Mitsubishi Lancer. BAYEH and HAMMOUD then separated with HAMMOUD driving north in Sydney Road towards Coburg.

At 2.18p.m. HAMMOUD was intercepted driving the Mitsubishi Lancer, QMK 128 at a Caltex Service Station in Sydney Road, Coburg. HAMMOUD was the only occupant. A search of the boot of the vehicle located the chemicals and other items. HAMMOUD was arrested and conveyed to the Brunswick police station along with his vehicle. Police and forensic chemists from the Clandestine Laboratory Unit conducted a thorough search of the vehicle and located the following items:

- Two red containers of approximately 13.5 litres of Phenyl 2 Propanone (P2P)
- A 25 litre drum of Methylamine

- A box containing two porcelain Buchner funnels and a packet of filter papers
- Two black jackets
- \$400 cash

A search warrant was then executed at HAMMOUD's home address of 50A Barrow Street, Coburg. Located in HAMMOUD's bedroom was \$3000 cash. HAMMOUD was then interviewed and answered 'no comment' to questions relating to the items seized from his boot. HAMMOUD was then released pending further investigation.

On 26th April 2006 a search warrant was executed at BAYEH's home address of 1/444A Sydney Road, Brunswick. BAYEH was arrested and conveyed to the St Kilda Road police complex. BAYEH made a 'no comment' interview. He was charged and remanded in custody.

On 2nd May 2006 HAMMOUD was arrested, charged and remanded in custody. HAMMOUD was granted bail on 11th May 2006.

Phenyl 2 Propanone is commonly known as P2P. It is a drug of dependence and is listed in Schedule 11 of the Drugs, Poisons and Controlled Substances Act. A Commercial Quantity of P2P is 2 kilograms. There is no Large Commercial Quantity.

P2P is not produced in Australia for legitimate business and is a prohibited import. It must be made here or imported illegally. P2P is used in clandestine laboratories to produce methylamphetamine. Methylamphetamine can be produced using either P2P or pseudoephedrine. P2P is harder to obtain, however it is the preferred method to produce methylamphetamine as it is capable of producing much larger amounts of methylamphetamine and with higher yields.

Methylamine is a chemical used to convert P2P into liquid amphetamine.

Porcelain Buchner funnels are used along with filter papers to convert liquid amphetamine into methylamphetamine.

13.5 litres of P2P is valued on the black market between \$300,000 and \$500,000. The P2P was capable of producing approximately 30 pounds of methylamphetamine worth between \$1.2 million and \$2.1 million.