

Murder

Killing of Parent

Maximum Penalty: Life (s.19A (NSW) Crimes Act)

Standard non-parole period (offences committed on or after 1.2.2003)

20 years

	NAME (age if known)	PLEA	SENTENCE	APPEAL	SUMMARY OF RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
1.	VERNEY (16) NSWCCA 23.3.1993	VG 2 x Murder	MT 13y AT 7y	AD	minor	shot	Shot mother and baby sister - claim of mercy killing Diminished responsibility rejected
2.	VICTORSEN (24) [1999] NSWSC 913 Hidden J	PG	MT 13y AT 5y		minor drug related charges	assault intent kill	Savage and unexplained attack on father with metal pipe Abnormal state of mind at time of offence due to drug and alcohol ingestion - drug addiction - prospects of rehabilitation - support from sister.
3.	DE GRUCHY (2000) 110 A Crim R 271 [2000] NSWCCA 51	VG 3 x murder	MT 21y AT 7y (concurrent)	Conviction AD		assaulted with heavy weapons	Killed mother, sister and brother in home - no motive for killings.
4.	RITCHIE (55) [2003] NSWSC 864 Barr J	VG	15y NPP 11y 9m		Nil relevant	Suffocation Intent to kill	Suffocated elderly mother – hid body in bush and claimed mother had wandered off – under stress of caring for dying mother – gross breach of trust – only issue at trial was mental health Good prospects of rehabilitation – ill health
5.	GONZALES (20) [2004] NSWSC 822 James J (2007) 178 A Crim R 232 [2007] NSWCCA 321	VG 3 x Murder	Life	AD	Nil	Stabbing - striking and strangling Intent to kill	Stabbed father, mother and 18y sister in their home - made it look like racially motivated attack – premeditated – tried to poison mother 10 days before murder - false alibi – no mitigation of objective seriousness of offence – no contrition

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6.	DOLAN (39) [2005] NSWSC 380 Kirby J	PG Murder (15%)	15y 4m NPP 10y 3m		Minor	Assault	Bludgeoned sleeping stepmother with axe – no history of dispute – little explanation for offence - overreaction to complainant's comments – spontaneous Deeply affected by father's recent death – contrition – suffering serious medical conditions – protective custody – limited life expectancy
7.	KRAMER (43) [2005] NSWSC 910 Buddin J	PG (20%) 2 x Murder	17y NPP 11y Total: 21y 6m NPP 15y 6m		Nil	Stabbing	Female - killed elderly parents during argument – hid bodies under house – spontaneous offence Schizophrenia and alcoholism – remorse
8.	WEIGHTMAN (20) [2005] NSWSC 1354 Hidden J	PG (combined 30%) 2 x Murder	25y NPP 19y Total: 28y NPP 22y		Minor	Asphyxiation Intent to kill	Killed adoptive parents for financial reasons – planned killing with co-offender – victims sedated in own home and smothered – bodies placed in car crash scene – co-offender killed mother – assisted in killing of father Early stages of mental illness at time of offences – influenced by drugs and co-offender – favourable prospects of rehabilitation
9.	PARKES [2006] NSWSC 331 James J	PG (20%)	18y NPP 13y		Armed robbery	Assault Intent to kill	SNPP 20 years Bashed 83y mother with water pipe – frustrated with caring for mother – premeditated Mental disorder affecting imprisonment
10.	OWENS (32) [2008] NSWSC 1375 McCallum J	PG (10%)	23y NPP 17y		Nil	Stabbing Intent to kill	SNPP 20 years Stabbed 69y mother in her bed – timing of premeditation and motive unclear – previously considered killing mother – no remorse – high end of mid-range Prospects of rehabilitation
11.	CLARK (21) [2007] NSWSC 954 Patten AJ [2012] NSWCCA 158 Co-offender CLARK	PG (15-20%)	20y NPP 14y		Nil	Shooting Intent to kill	SNPP 20 years Deliberately shot grandfather at his home after watching TV with victim – execution style killing – motive unclear – acting with father – premeditation – towards upper end of scale of seriousness Good character – prospects of rehabilitation

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12.	CLARK (42) [2008] NSWSC 795 Kirby J [2010] NSWCCA 94 Co-accused: CLARK	VG	30y NPP 24y	Conviction AD	Significant	Shooting Intent to kill – joint criminal enterprise	SNPP 20 years Recruited 21y son to shoot grandfather – son visited victim at home and shot him in head – financial motivation as well as other emotional issues – planning - above mid-range seriousness Suffering brain damage from motor vehicle accident and physical illnesses
13.	MJR (17) [2010] NSWSC 653 Johnson J	PG (15%)	16y 2m NPP 11y 1m			Shot Intent to kill	Shot father whilst asleep at close range to back of head – no real evidence of abuse by father - bottom of middle range of objective seriousness Mental health - juvenile bipolar disorder and depression, affected judgment and contributed to commission of offence - recommendation offender be detained in Forensic Hospital for as long as reasonably possible
14.	SHIELS (20) [2011] NSWSC 1177 Barr AJ	VG	20y NPP 13y		Bonds for assaults including assault on victim – committed while mentally ill	Stabbing Intent to kill	SNPP 20 years Stabbed father in temple during argument at party – both intoxicated - history of violent arguments with father – spontaneous offence – issue at trial was substantial impairment, provocation and self defence Suffering schizophrenia – regular user of marijuana and alcohol – voluntary surrender to police – remorse – prospects of rehabilitation
15.	HUON (26) [2012] NSWSC 1092 Hall J	PG (20%)	21y NPP 16y		malicious wounding	Stabbing Intent to kill	SNPP 20 years Adopted as a child – killed adoptive mother’s mother (aged 80) – stabbed victim in left cheek while victim sitting in chair – used victim’s credit cards – intent to kill formed after entering house Substance and alcohol abuse - psychiatric illness.

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16.	BREEN (26) [2015] NSWSC 1757 Mathews AJ	PG (no discount) Murder Murder Sched: 9 offences	34y NPP 26y 37y NPP 28y <u>Total</u> 42y NPP 33y		Prior record for violence offences although only bonds	Stabbing Intent to kill	SNPP 20 years Left home angry and intoxicated and armed with hunting knife – threatened and assaulted partner and several strangers with knife in attempt to obtain car – obtained two cars at knife point – drove to grandparents’ house with intent to kill but moved on – demanded gun from female friend at knife point – smashed way into father’s house and stabbed him repeatedly in presence of 12y half-brother – pursued and stabbed father’s partner multiple times in front of 7y daughter – police pursuit in car – trigger for offences unknown – previously expressed dark thoughts to mother – almost at top of objective seriousness but absence of pre-planning and prospects of rehabilitation Harboured deep-seated anger and resentment towards family – long history of anger and impulse control – substance abuse – significant impact on children who witnessed murder – genuine remorse
17.	BILJUH (42) [2015] NSWSC 1917 Button J	VG	30y NPP 22y 6m		Minor record – no violence	Strangulation Intent to kill	SNPP 20 years Broke into home of mother in early hours of morning – strangled her and dragged body to granny flat behind house – covered face with duct tape to ensure death – body left for brother to find - carefully planned – attempted to lay false trail – well above mid-range Difficult relationship with family – personal crisis
18.	RHODES (35) [2017] NSWSC 694 Campbell J	PG (25%) Murder Murder Assault Assault police Sched: 2 offences	<u>Indicative</u> 24y NPP 18y 30y NPP 22y 6m 14m 2y <u>Aggregate:</u> 40y NPP 30y		Violence against mother	Assault and stabbing Intent to kill	SNPP 20 years / SNPP 25 years Returned home after drinking and using drugs during day – ice-induced psychosis – chased mother out of house stabbing her multiple times then crushing skull with concrete statue – returned to house and stabbed young male relative in chest with knife – threw him against wall and chased him outside smashing his head with sandstone paver – sustained and persistent although spontaneous assaults – approached and threatened female stranger in her car – threatened male police officer with fibro-cement meter cover – offences conducted in presence of other young children – home of victims – abuse of trust – well above midrange offences Aboriginal with abusive father – long history of drug addictions – suffering ADHD and dyslexia resulting in easy recourse to violence when angry – some remorse

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19.	MARTIN (25) [2018] NSWSC 84 Hamill J	VG Murder s.27 s.33	<u>Indicative</u> 32y NPP 24y 15y NPP 11y 3m 8y NPP 6y <u>Aggregate</u> 37y NPP 27y 9m		No significant record	Stabbing Intent to kill	SNPP 20 years Killed father for insurance money / policy - took out three insurance policies over father's life unknown to father or family - initial attempt to kill unsuccessful – s.27 and s.33 offences committed in home of father and another victim – left two victims with life-threatening injuries – acted with at least one, and possibly two, other people in carrying out attack - murder committed shortly after father released from hospital – used samurai sword - substantially above mid-range – grave offences of violence – planned and premeditated attack Childhood neglect and abuse at hands of father - depressive illness
20.	MOTTRAM (19) [2018] NSWSC 873 Hidden AJ	PG (25%)	18y NPP 13y 6m		nil	stabbing Intent to kill	SNPP 20 years While staying with mother snapped – assaulted her with bottle then stabbed her multiple times including in face – suffering borderline personality disorder and substance induced psychosis – mother had history of mental illness resulting in difficult childhood and difficult relationship Remorse
21.	HARWOOD (19) [2019] NSWSC 1695 Walton J	PG (25%)	16y 6m NPP 12y		Nil	Stabbing Intent to kill	SNPP 20 years Stabbed grandmother in her home during argument – spontaneous and unplanned offence – grew up with victim after being abandoned by mother – heavily intoxicated and emotionally distressed – slightly below mid-range Suffering borderline personality and depressive disorder – reduction of moral culpability and deterrence - complex and difficult relationship with grandmother and mother – no history of personal violence – youth – intoxication may partly explain loss of control – remorse – accepted responsibility – reasonably good prospects of rehabilitation

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22.	CAMELO-GOMEZ (48) [2022] NSWSC 1559 Wilson J	VG	20y NPP 14y		Nil	Strangulation / stabbing Intent to kill	(2001) – Female - joint criminal enterprise with boyfriend CC - victim offender's mother (matricide) – financial motive – also motivated by wanting CC's love - plan to kill victim to take control of victim's assets for money to start business - offence committed in home of victim – not established whether offender or CC was assailant or whether both had role in inflicting fatal injuries - death by ligature strangulation from behind - when victim lay on floor, stabbed to neck – premeditated. Vulnerable to manipulation by CC – unstable personality – obsessed with CC. Delay - special circumstances – separation from children.
23.	AB (32) [2024] NSWSC 108 Weinstein J	PG (25%) Murder Sched: Damage property offence	16y 6m NPP 11y		Nil	Stabbing Intent to kill	SNPP 20 years Female drove to mother's home late at night and stabbed her in her own home – went to confront mother about identity of father – formed intent to kill after several minutes of conversation – multiple stab wounds – longstanding dysfunctional relationship with mother – offender mentally unwell in weeks prior to killing – place of killing an aggravating factor – below mid-range Mental health and dysfunctional childhood related issues and reduced moral culpability – background included physical, emotional and sexual abuse, exposure to violence and substance abuse, neglect, out of home care, homelessness and chronic self-harm from early age – borderline personality disorder and PTSD – developing remorse – prospects of rehabilitation guarded although unlikely to re-offend – custody more onerous due to vulnerabilities – impact of Covid

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