

Murder: 1998

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

	NAME (age if known)	PLEA	SENTENCE	APPEAL	SUMMARY OF RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
1.	NGUYEN NSWCCA 20.3.1998	VG Murder PG 2 x mal wound	MT 9y AT 5y	Conviction AD	AVO	Stabbing	Angered when wife planned to move with children - splashed acid in face of daughter and friend - stabbed wife six times - stabbed daughter and friend Diminished responsibility rejected
2.	FADEL (46) NSWCCA 1.5.1998	VG	MT 14y AT 4y	AD	nil	Shooting Intent to kill	Drive-by shooting - shot victim after pulling up beside car - motive unclear - pre-meditated.
3.	GLASBY (41) NSWSC Sully J 11.6.1998 (2000) 115 A Crim R 465 [2000] NSWCCA 83	VG	Life	AD	very bad, including robbery and armed robbery with wound	Shooting Intent kill	Contracted with victim's wife to do murder - deliberate killing for reward - planned with care - implemented with both care and persistence
4.	WHITMORE (66) NSWCCA 24.7.1998	VG	MT 15y AT 10y	AD	AOABH	Shooting Intent kill	Shot dead lover when she threatened to leave - some element of premeditation.
5.	HAS (17y 7m) NSWCCA 13.8.1998	PG	MT 12y AT 5y	AA MT 10y 6m AT 6y 6m	nil	Stabbing Intent kill	Stabbed and assaulted 69y acquaintance - no pre-meditation. Aboriginal youth - deprived childhood - suffering significant brain damage and alcohol abuse - good rehabilitation.

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6.	SMITH (53) NSWSC Simpson J 10.9.1998 [2000] NSWCCA 202	VG	Life	AD	lengthy, including murder	Shooting Intent kill	Drove victim to Botany Bay, shot and buried him - took large amount of money from victim - cold-blooded and deliberate killing for significant financial gain - protecting prisoner's extensive criminal empire - victim threatening offender's corrupt relationship with police - victim become a nuisance and a pest to prisoner - carefully planned and executed with precision - involved third person who would have felt threatened
7.	GRAFF (20) NSWSC Barr J 25.9.1998 [2001] NSWCCA 3 LEAITUALES (19) NSWSC Barr J 25.9.1998 RT (17) NSWSC Barr J 25.9.1998	PG Murder Rob in Co Sched: AOABH Mal inflict gbh PG Murder Rob in Co PG Murder Rob in Co	MT 18y AT 5y MT 10y AT 6y MT 11y AT 6y	AD	minor record - on bail at time of offending no significant history	Assault	Punched and kicked taxi driver in the head and body - stripped and whipped him with his belt - drove off in taxi - no reason for attack - equal culpability. Robbery of taxi driver nine days earlier - took taxi and money. G: History of alcohol and violence - low intellectual functioning - considered leader of group. L: Difficult background - previously stabbed - alcohol addiction - low intellectual functioning and depression lessened criminal responsibility
8.	MHN (17y 10m at offence – 20 at sentence) NSWSC Kirby J 29.10.1998 Co-offender: TNT [2002]	PG	MT 16y AT 6y		Breached probation for AOABH – subsequent offences for violence	Cut throat with knife Intent kill	Part of group of four youths who took 17y male acquaintance to park area and assaulted causing serious injury –strangled, stabbed and throat cut – body dumped at building site – brutal crime – seeking to eliminate witness to earlier offence Vietnamese – suffering depression – Evidence of explosive temper Subsequently sentenced to concurrent sentence for manslaughter (<i>MHN</i> NSWSC 20.11.1998)

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9.	BALDACCHINO NSWCCA 3.11.1998	PG	MT 8y AT 8y	AD	nil relevant	Shooting Intent kill	(1985) Killed lover's ex-husband - manipulated by lover - confessed in 1997 after becoming a Jehovah's Witness.
10.	KINGI (31) NSWSC Hidden J 18.12.1998	PG	MT 10y AT 4y		minor and irrelevant	Stabbing	Argued with estranged wife - she threatened to injure daughter - obtained knife and iron bar from home and returned to kill wife - dropped child at brother's house and went to police - moved by 'anger and frustration' not 'revenge and hatred'. Good rehabilitation prospects.

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