Murder: 2000

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

	NAME (age if known)	PLEA	SENTENCE	APPEAL	SUMMARY OF RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
1.	**DE GRUCHY** (2000) 110 A Crim R 271 [2000] NSWCCA 51	VG 3 x murder	MT 21y AT 7y (each – concurrent)	Conviction AD		Assaulted with heavy weapons	Killed mother, sister and brother in home - no motive for killings.
2.	**BOWHAY** (18) (2000) 111 A Crim R 271 [2000] NSWCCA 54	VG	MT 16y AT 7y	AD	custody	Assault and stabbing Intent to kill	Met victim in hotel earlier in evening - lured victim to park then strangled, stabbed and assaulted him - saw victim as easy target for aggression - decided to have fun at victim's expense. Youth – intoxicated - deprived childhood.
3.	**CROCKER** (27) [2000] NSWCCA 79	PG Murder Agg rob SMV Destroy MV by fire	MT 10y AT 5y MT 12y AT 3y FT 15m FT 15m Total: MT 22y AT 5y	AD	minor offences	Stabbing	Mugged male in park hitting him repeatedly with steering lock resulting in serious and permanent injuries. Ten days later murdered another intoxicated male in park, stabbing him with screwdriver around face and throat 47 times. Deprived background and drug addiction.
4.	**WALKER** [2000] NSWCCA 130	VG	MT 14y AT 5y	Conviction AD		Shooting Intent kill or GBH	Shot female taxi driver in back.

This table has been prepared by the Public Defenders as a guide. Individual cases should be read if they are to be relied upon.

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5.	**HILL** [2000] NSWSC 259 O'Keefe J [2003] NSWCCA 128	PG Murder Murder 2 x mal discharge firearm w/i to do GBH	MT 30y AT Life MT 25y AT Life MT 9y AT 3y (all concurrent)	AA 30y NPP 25y 25y NPP 23y MT 9y AT 3y (all concurrent)	prior convictions for weapons offences - offence committed while on bond	Shooting Intent kill	Angered by argument with neighbours shot two men working in nearby unit, killing one and injuring another - shot dead third man come to investigate noise then stalked and shot victim's wife. Not affected by alcohol or drugs - history of anger and violence - personality disorder, some prospects of rehabilitation.
6.	**HARRIS** (30) (2000) 111 A Crim R 415 [2000] NSWSC 285 Bell J (2000) 121 A Crim R 342 [2000] NSWCCA 469	PG 3 x Murder AR	40y NPP 25y	Crown AA Life	not serious	Strangulation Intent kill	Three killings committed in one month - strangled male suffering effects of stroke in victim's home - strangled intellectually disabled woman he befriended in her home - strangled male neighbour and disposed of body in country - second and third killings motivated by desire to kill –elderly, sick, or disadvantaged victims – betrayal of trust – two killings an exercise of power and to exact revenge on society On appeal: totality of offending called for life sentence
7.	**BURKE** (29) [2000] NSWSC 356 Greg James J	PG	MT 5y AT 4y		street offences	Stabbing Intent GBH	Female - stabbed de facto husband in chest while in car - spontaneous offence - intoxicated and arguing and seriously emotionally disturbed. Aboriginal mother of four - deprived and abused life resulting in alcoholism and intellectual impairment - some evidence of rehabilitation.
8.	**MCGRATH** (21) [2000] NSWSC 419 Grove J [2002] NSWCCA 207	PG	18y NPP 13y 6m	AD	not serious	Assault / suffocation Intent kill	Bashed then suffocated victim with wet tea towel after learning victim accused of sexual assault on friend's daughter - travelled to home of victim with intention to execute in vigilante type vengeance

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9.	**LEWIS** (62) NSWSC Ireland J 9.6.2000 [2001] NSWCCA 448 Co-offender: ROSE	VG 2 x murder	Life	AD	nil	Shooting and stabbing Intent to kill Felony murder	Participated in joint criminal enterprise with co-offender to kill offender's de facto partner – victim and employee killed by co-offender inside business premises - premises set on fire - contract killing - considerable planning - offender took active part by delivering de facto to her executioner - twice exhorted gunman to hurry - knowledge that victim's death would derive five children of their mother
10.	**P HELMHOUT** (31) **M HELMHOUT** (37) [2000] NSWSC 651 Bell J (2001) 125 A Crim R 257 [2001] NSWCCA 372 (M. Helmhout)	VG VG	18y NPP 13y 6m 18y NPP 13y 6m	Conviction AD	relatively minor - violence and alcohol related more serious including dangerous act causing death	Strangulation Intent kill	Strangulation of 47y male friend - offenders and victim under influence of alcohol and marijuana following funeral earlier that day for offender's brother - angered by victim's continued reference to deceased brother - perceived lack of sensitivity to Aboriginal culture - various acts of degradation performed on body after death and dumped in nearby bush.
11.	**DARGIN** (24) [2000] NSWSC 710 Ireland J	PG	19y NPP 14y		long history of dishonesty and violence - on bail at time of offence	Assault Intent GBH	Bashed 72y female to death in her home - brutal sexual assault - initial motivation was robbery. Aboriginal male.
12.	**LULHAM** (35) [2000] NSWSC 703 G.James J [2006] NSWCCA 262	PG	18y NPP 13y 6m	AD	on recog at time of offences - minor record	Shooting Intent kill	Co-accused shot sleeping male in head - vicious and cowardly killing - equal criminal responsibility - supplied gun and present during killing - history of resentment towards victim Severely intoxicated at time of offences - suffering brain dysfunction – need for drug and alcohol rehabilitation.

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13.	**SERRATORE** (22) [2000] NSWSC 696 Kirby J [2001] NSWCCA 123	VG	20y NPP 14y	Conviction AD	nil	Assault Intent kill	Convicted of killing or arranging killing of girlfriend after she indicated intention to break off relationship - body found several days after disappearance - violent relationship. Good prospects of rehabilitation
14.	**FORD** [2000] NSWSC 713 Barr J [2003] NSWCCA 5	VG	16y NPP 12y	AD	includes convictions for violence	Stabbing Intent kill	Stabbed male in fight - angered at racist jokes and armed himself with knife before provoking fight - pursued victim persistently, making threats.
15.	**LO** (29) (2000) 115 A Crim R 53 [2000] NSWSC 714 Barr J [2003] NSWCCA 313	PG Murder Conspiracy to murder	32y NPP 23y FT 18y Total: 36y NPP 27y	AD	nil	Shooting Intent kill	Contract killing of tow-truck driver to pay drug debt - assisted in attempted murder by luring victim to shooter's residence - deeply in debt over drug transactions - both offences fall into worst case category. Assistance to authorities only basis for reducing life sentence – combined 28% discount
16.	**PARK** (30) NSWSC Sperling J 3.8.2000 [2003] NSWCCA 203 [2003] NSWCCA 142	VG Murder Murder Murder	26y NPP 19y 6m FT 15y FT 15y (all concurrent)	Conviction AD Crown AD		Suffocation Intent kill	Suffocated wife and two infant children and dumped bodies in bushland - highly charged emotional state at time of killing. Some remorse - admissions shortened trial - protective custody
17.	**HERON** [2000] NSWCCA 312	VG	MT 14y AT 4y	AD	convictions for assault	Stabbing Intent GBH	Stabbed male during drunken pub brawl. Disadvantaged and troubled life - voluntarily surrendered to police.
18.	**OFFER** (35) [2000] NSWSC 839 G James J [2002] NSWCCA 341	PG Murder Att Murder Sched: 3 x solicit to murder	34y NPP 25y FT 10y (concurrent)	AD	of little relevance	Cross bow Intent kill	Attempt to kill three witnesses who were to give evidence against him in upcoming trial - offered friend money to take care of three persons - shot wife of one witness with cross bow when she answered door, causing permanent brain damage - shot dead another witness - "very highest criminality" - motivated by panic. Protective custody - family now in Ireland.

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19.	**HODGE** (18 at offence – 31 at sentence) [2000] NSWSC 897 Dunford J [2002] NSWCCA 10	VG	15y NPP 7y	Conviction AD	minor record subsequent to offence	Assault Intent GBH	(1988) Picked up hitch-hiking late at night and accompanied him home for drinks – bashed victim to death with mallet when woken up by homosexual advances. Contrition - married with young family - established successful life
20.	**TURK** (31) [2000] NSWSC 1071 Bell J [2001] NSWCCA 547	VG	18y NPP 14y	AD	poor	Stabbing Intent GBH	History of animosity and violence between offender and victim - three stab wounds to chest - angered by earlier assault committed by victim - sought him out, determined to get even. No remorse.
21.	**ROBINSON** (17) [2000] NSWSC 972 Adams J [2002] NSWCCA 359	PG	45y NPP 35y	AA 45y NPP 27y		Assault with bowling pin Intent kill	Accompanied stranger home with intention to at least assault and rob - bashed victim with bowling pin then stabbed and mutilated body. Boasted of killing to friends - extremely dangerous and disturbed person.
22.	**ELPHICK** [2000] NSWSC 977 G. James J [2002] NSWCCA 273	PG	15y NPP 12y	AD	minor	Stabbing Intent kill	Stabbed de facto with boning knife in paroxysm of frustration and rage - turbulent and violent relationship - angered by victim's refusal to give up drugs and prostitution. Egocentric with little contrition for consequences of act - hope for rehabilitation - good worker
23.	**NAISMITH** (31) [2000] NSWSC 1024 Dunford J	VG 2 x murder	33y NPP 25y (each – concurrent)		nil	Assault / shooting Intent kill	Killing of two men in relation to drug dealing – one man assaulted with baseball bat – second man shot - took victims to nearby sand hills and burnt bodies - both murders planned and premeditated – not worst case. No remorse or regret - some prospects of rehabilitation - previous good character –supportive family.
24.	**TON** (21) [2000] NSWSC 1023 Adams J	PG (20%)	22y NPP 14y			Stabbing Intent GBH	Stabbed male with pocket knife attempting to apprehend offender after robbery of young female in street - offender mistakenly thought victim was a police officer.

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25.	**KANE** (16 at offence - 26 at sentence) [2000] NSWSC 1061 Barr J [2001] NSWCCA 150	VG	10y 6m NPP 8y 8m	Crown AD	minor	Suffocation Intent kill	(1990) With co-offender bashed male school teacher in his home with baseball bat - victim suffocated after being tied up with plastic bag taped over head - believed co-offender had been raped by victim Retrial - return to prison particularly stressful
26.	**MCNELLEE** **TUCKER** (33) **DALLEY** (16) [2000] NSWSC 1154 Bell J (2002) 132 A Crim R 169 [2002] NSWCCA 284 (Dalley) Co-offender: BREWER [2001]	PG (25%) VG VG	14y NPP 10y 6m 13y NPP 9y 10y NPP 6y	Conviction AD	minor nil nil	Stabbing Common purpose robbery	Offenders involved in common purpose to rob victim of cannabis while armed with knives, mattock handle and machete - victim stabbed 21 times by fourth offender - all offenders played subsidiary role Good prospects of rehabilitation.
27.	**BOWEN** (33) NSWSC Howie J 15.12.2000	PG	18y NPP 13y 6m		minor criminal record - two assault offence related to mental condition	Assault Intent to kill	Beat caravan park manager to death with wooden baton and fire tongs in own home - requested money from victim and when met with resistance reacted with a frenzied attack - not premeditated to any significant extent. Effected by deteriorating mental state at time - depression - aggravated by drugs and alcohol

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28.	**NGUYEN** (22) [2000] NSWSC 1177 Whealy J	PG (15%) Murder Escape	18y NPP 9y 6m 18m NPP 6m Total: 19y 6m NPP 10y		history for violence - offence committed awaiting trial for murder and manslaughter	Stabbing Intent kill	Inmate stabbed to death by other inmates with scissors - over 60 wounds inflicted - spontaneous attack in retaliation for rape by victim perpetrated several weeks prior to killing. Unhappy and deprived childhood - chronic depression. Sentence partially concurrent to existing sentence NSWSC, Kirby J, 29.10.1998 (murder) NSWSC, Kirby J, 20.11.1998 (manslaughter) Total 30y NPP 21y
29.	**VALERA** (19) [2000] NSWSC 1220 Studdert J [2002] NSWCCA 50	VG 2 x murder	Life	AD	nil	Assault / strangulation Intent kill	Bashed to death 59y male in victim's home then mutilated body - two weeks later bashed and strangled 68y male in victim's home and mutilated body - savage attacks - random and utterly senseless killings – mutilation and treatment of bodies showed utter contempt for victims and exuded evil Physically and verbally abused by father throughout childhood - mother left home when offender aged 3y
30.	**O'GRADY** (16y 9m) [2000] NSWSC 1255 Hulme J	VG	15y NPP 10y		no significant record	Shooting	Led 15y male acquaintance into bush area and shot with rifle and silencer 9 times - voluntarily surrendered to police - no rational explanation for offence. Displayed genuine remorse and shame - long history of drug abuse - desensitised to violence but no actual history of violence - impulsive - degree of depersonalisation at time of offence - general deterrence limited value