Murder: 2012

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

Standard non-parole period

20 years: all offences committed on or after 1.2.2003

25 years: offences committed on or after 1.2.2003 where victim was a police officer, emergency services worker, correctional officer, judicial officer, health worker, teacher, community worker, or other public official, exercising public or community functions and the offence arose because of the victim's occupation

offences where plea or conviction on or after 25.6.2006 and offence arose because of the victim's 'voluntary work'

offences where plea or conviction on or after 1.1.2008 and where victim was a child under 18 years of age

offences where the offence arose because of the victim's occupation as a council law enforcement officer (added 9.6.2009)

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1.	**COTTERILL** [2012] NSWSC 89 McCallum J	PG (15%) Murder Escape	22y NPP 16y FT 6m Total: 22y NPP 16y 6m		Offences of violence	Stabbing Intent to kill	**SNPP 20 years** Stabbed 19y female in her own home during day– prolonged attack - 27 stab wounds – confronted by victim after entering house with intention to steal – not premeditated Escaped from prison van several days after arrest by faking self-harm – ran six metres before shot in pelvic region and leg Dysfunctional childhood – severely disturbed as child and adolescent – violent and poor impulse control
2.	**FAHDA** (21) [2012] NSWSC 114 Harrison J [2013] NSWCCA 86	VG	20y NPP 14y	Crown AD	Nil significant	Shooting Intent to kill	**SNPP 20 years** Shot male acquaintance seven times while sitting in car at service station after chance encounter – part of feud – victim's brother charged at time of soliciting murder of offender's brother – degree of provocation – unpremeditated – offence committed in front of offender's wife and children – mid-range objective gravity Violent and difficult childhood with sexual abuse and family mental health issues – developed severe psychiatric illness after brother killed in context of very low intelligence – protective segregation

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3.	**LAMBERT** (29) [2012] NSWSC 94 Grove AJ	VG	24y NPP 18y		Nil relevant	Assault At least intent GBH	**SNPP 20 years** Assaulted flat-mate with drum kit – victim essentially defenceless – motive for and circumstances of offence not known - disposed of body and attempted to clean up scene
4.	**DEBS** (42 at offence) [2012] NSWSC 119 RS Hulme J	VG	Life		Lengthy – serving life sentences for subsequent murders in Victoria	Shot Intent to kill	(1995) Shot female prostitute in head after having sexual intercourse in remote area – no sign of struggle – demonstrated inhumanity and cold bloodedness – no normal or rational motive - an exercise of power or for some thrill or satisfaction Killed prostitute in similar circumstances in 1997: *Debs* [2007] VSC 220 / [2008] VSCA 240 Killed two police officers in 1998: *Debs* [2003] VSC 30
5.	**MARSH** (49) [2012] NSWSC 208 Price J [2015] NSWCCA 154	VG	Life	AD	Nil	Stabbing Intent to kill	**SNPP 20 years** Developed animosity towards victim when working under her supervision as a nurse in hospital – believed unable to obtain further work because victim did not provide helpful references – meticulously planned and practiced killing – turned off electricity and waited until victim returned home – grabbed victim from behind, slashed throat and stabbed in chest – cruel, sustained and brutal attack – left victim for dead – took steps to dispose of evidence US marine – concerned would be forced to leave country and be forced to return to America to pay child maintenance – history of traumatic brain injury had no causal connection to offence
6.	**NEAVE** (41) [2012] NSWSC 229 RS Hulme J	VG	17y NPP 13y		Nil relevant	Stabbing	**SNPP 20 years** During argument punched girlfriend in face and attacked her with knife – en route to hospital to treat hand wounds stabbed girlfriend multiple times – concealed body in shed – subsequent self-inflicted injuries – capacity to control self and understand events substantially impaired Long term sufferer of depression – offered to plead to manslaughter

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7.	**ISKANDAR** (19) [2012] NSWSC 149 Davies J [2013] NSWCCA 235 [2025] NSWCCA 33 Co-offender: ISKANDAR	VG	25y NPP 18y	AA To backdate sentence Conviction AD	nil	Stabbing Intent to kill	**SNPP 20 years** With father took action against mother's lover – together waited for victim to return home – victim attacked in street by offender with hammer and stabbed by father with knife – left home that evening with father intending to kill victim Father somewhat dominating and controlling
8.	**PERISH** (42) **LAWTON** [2012] NSWSC 355 Price J [2016] NSWCCA 89	VG Murder Conspiracy murder VG Murder Conspiracy murder	24y NPP 18y 14y NPP 10y 6m (concurrent) 20y NPP 15y 10y NPP 7y 6m (concurrent)	Conviction AD	Attempt dissuade witness from giving evidence; no violence Not significant	Died while in boot of car Intent to kill	(2001) victim killed and body dismembered - offenders believed victim killed grandparents of Perish brothers and was police informer against Motorcycle Club of which one offender a member - recruited others to abduct victim in vehicle and bring to location where victim would be killed by offenders - victim died en route - sentenced on basis victim already died before arrival at location P - mastermind behind elaborate plan - recruited others – co offenders followed his directions – motivated by revenge for killing of grandparents - lessens need for personal deterrence and protection of community – supportive family L - intention to kill and to participate in dismemberment of body – not engaged in planning of offence – supportive family Co-offender Perish sentenced for conspiracy to murder
9.	**HOBLOS** (27) [2012] NSWSC 454 Grove J [2014] NSWCCA 20	VG	28y NPP 21y	Conviction AD		Shooting Intent to kill	**SNPP 20 years** One of three offenders involved in shooting of male victim at party – two offenders entered party – one offender shot victim point blank range then both left in car driven by third offender – execution murder – unable to identify role of offender – equal culpability – motive unknown

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10.	**RICHARDSON** [2012] NSWSC 521 McCallum J [2013] NSWCCA 218	VG	28y NPP 21y	AD	Assault	Unknown Intent to kill	**SNPP 20 years** Killed girlfriend – circumstances of killing unknown – troubled relationship – prior assault – body dismembered into small parts with circular saw - body parts found 6 months later in garbage bags hidden under bush – forced victim to phone bank asking for new bank card so offender would have access to bank account after victim's death. Little remorse – little prospect rehabilitation – schizoid personality – depression – ill-health.
11.	**BROOKS** (48) [2012] NSWSC 505 Fullerton J Co-offenders : RYAN [2011] COULTER [2011]	VG	38y NPP 28y 6m		Minor	Shooting Intent to kill	**SNPP 20 years** Contract killing – paid $15,000 to kill husband of co-offender – shot victim in back at victim's farm at night – close but not worst category – not sophisticated – minimal planning - parity Drug use – psychiatric problems
12.	**DA-PRA** (48) [2012] NSWSC 607 RS Hulme J [2014] NSWCCA 211	VG Murder Attempt murder (Mansl at first instance)	15y NPP 10y 6y NPP 4y 6m 6y NPP 4y 6m <u>Total</u> 20y NPP 15y	Crown AA 20y NPP 13y 10y NPP 7y 6m <u>Total</u> 25y NPP 19y Mansl conviction quashed: mental illness	Nil	Stabbing	**SNPP 20 years / 25 years** Suffocated father (manslaughter) – believed bikies were after him causing argument with father - ran next door to neighbours' home - attacked 12y female cutting her throat (murder) – also attacked mother and cut her throat (attempt murder) - unclear why attacked neighbours – did not attend house with intent to kill Schizophrenia - chronic cannabis use – no prior violence – reliable employee – remorse – attempted suicide – no possibility of reoffending

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13.	**MILAT** (17) **KLEIN** (18) [2012] NSWSC 634 Mathews AJ [2014] NSWCCA 29	PG (No discount) PG (CCA – 25%)	43y NPP 30y 32y NPP 22y	AD AA 27y NPP 20y	Mid-range PCA No violence	Axe Intent to kill	**SNPP 25 years (for Klein only)** Offenders and another friend invited victim to accompany them to Belanglo Forest – M took double sided axe from vehicle and struck victim in torso and to back of head – killing recorded by K on mobile phone - "thrill kill" – planned and premeditated - in company - gratuitous cruelty. M - personality dysfunctions and lack of empathy - poses substantial risk of violent re-offending - serious potential danger to community – no remorse – worst case category murder K – impressionable and strongly influenced by M - no psych illness - prospects of rehabilitation at least moderate and more favourable – within serious range
14.	**MITCHELL** (37 at offence – 62 at sentence) [2012] NSWSC 694 Hidden J	PG (25%)	14y NPP 10y		nil	Strangulation and suffocation Reckless indifference	(1987) during argument with de facto wife strangled her with pantyhose and suffocated with pillow – spontaneous offence and out of character On the run until voluntarily attended police station in 2011 – genuine remorse – good prospects of rehabilitation
15.	**SHAMOUN** (24) [2012] NSWSC 716 Bellew J [2015] NSWCCA 246	VG Murder Mal wound	27y NPP 20y 12m NPP 9m Total: 27y NPP 20y 3m	AD	Nil significant	Stabbing Intent GBH	**SNPP 20 years** Broke into home at night and assaulted male victim in bed – wife injured in escape – victim stabbed in struggle – offence committed in response to request by co-offender to inflict serious injury on victim because of falling out over employment – not satisfied act committed for reward Iraqi – suffering brain injury
16.	**JK** (juvenile) [2012] NSWSC 710 Harrison J	PG (17.5%) Murder Attempted agg BES Sched: 6 offences	15y NPP 10y FT 2y Total: 15y 9m NPP 10y 9m		Breached parole – record for dishonesty and car theft	Car Constructive murder	With group of young men stole cars – attempted to break into service station – attacked male victim and his adult son standing near car – stole car and drove out of service station – struck male victim on road who was attempting to escape on foot – no intent to run over or inflict harm – affected by alcohol Difficult and traumatic childhood – low intelligence – limited education - early drug and alcohol abuse – mental illness – Aboriginal youth

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17.	**HENZON** (26) [2012] NSWSC 726 Hidden J	PG (25%) 2 x obt money by deception Sched: 2 x obt money by deception	18y NPP 13y FT 18m Total: 19y 6m NPP 14y 6m		nil	Suffocation Reckless indifference	**SNPP 20 years** Female bank teller stole $16,000 from account of husband and wife customers – subsequently stole $115,000 from account of 72y female bank customer – admitted to suffocating customer in home unit – circumstances of killing unclear Suffering long-term physical illness
18.	**GOUNDAR** (26) [2012] NSWCCA 154	PG (40%)	12y NPP 9y	AA 9y 6m NPP 7y 2m		Stabbing Accessory	**SNPP 20 years** Female - male victim commenced sexual relationship with offender – stabbed to death by offender's estranged husband – lured to house by offender at request of husband – assisted in masking offence and disposing of body. Assistance to authorities. Husband sentenced for manslaughter on basis of provocation
19.	**WILLMOTT** (35) [2012] NSWSC 824 Price J [2013] NSWCCA 244	PG (20%)	28y NPP 21y	AD	Assault offences – breached parole for GBH	Stabbing Intent to kill	**SNPP 20 years** Male victim became aggressive towards offender during drinking session with friends at cabin in caravan park – offender returned to mother's caravan and armed himself with two small steak knives – met up again with victim and angry confrontation broke out – frenzied and sustained stabbing attack – attempted to cut off head in front of witnesses - small degree of provocation – spontaneous Under influence of alcohol and ice
20.	**SHEDDEN** (34) [2012] NSWSC 854 Fullerton J	VG Murder Possess shortened firearm	27y NPP 20y FT 12m (concurrent)		lengthy	Shooting Intent to kill	**SNPP 20 years** Series of confrontations between two groups of youths led by offender and victim during night – planned and led attack - victim shot in chest by offender as he emerged from car – high level of gravity – disregard for public safety – offence committed in presence of two person under 18y Brother sentenced for manslaughter
21.	**TAHA** (20) [2012] NSWSC 903 Latham J	VG	22y NPP 16y		nil	Stabbing Intent GBH	**SNPP 20 years** Jealous and angry that girlfriend in car with victim and his girlfriend – armed with knives and gun – picked fight with victim who left car with intention to disarm offender – victim stabbed in heart - jury rejected self defence Offender intoxicated

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22.	**AMOS** (20) [2012] NSWSC 1021 Hall J [2014] NSWCCA 302	VG	28y NPP 21y	Conviction AD	Nil	Shooting Intent to kill	**SNPP 20 years** Involved in armed robbery with co-offender of male drug dealer who owed money – formed intent to kill and shot victim eight times – returned to house with co-offender and stole property – victim shot in own home – only robbery planned – high level of culpability – committed for financial gain Deprived and neglected childhood
23.	**BILLINGS** (37) [2012] NSWSC 1020 Barr AJ	VG Murder AR with wounding Agg SMV Shoot w/l murder AR	Indicative 32y NPP 24 12y NPP 9y 4y NPP 3y 12y NPP 9y FT 4y Aggregate 40y NPP 30y		Lengthy – at liberty for only two years of past twelve	Shooting Intent to kill	**SNPP 20 years** Robbed male taxi driver walking along street in early hours of morning with sawn off rifle – shot warning shots into footpath then shot victim in buttock causing permanent injury – threatened male driver with shot gun – stole car – shot at police officer who was pursuing offender for suspected drug dealing – fatally shot unsuspecting male victim with intention of robbery in presence of co-offender – fired three shots from point blank range – robbed business using gun – intent to kill formed immediately prior to shooting - murder just short of worst case Dangerous offender
24.	**DANNEVIG** (21) [2012] NSWSC 1013 Hall J	PG (25%) Murder Sched: 2 dishonesty offences	28y NPP 21y		Breached parole for kidnapping offence	Drowning Intent GBH	**SNPP 20 years** Lured 18y female into bush overnight through Facebook and fictitious identity – posed as WIRES employee offering employment and training – drowned victim in creek – unprovoked assault on victim during earlier meeting – sophisticated and protracted scheme Mild intellectual disability – assistance with investigation
25.	**KELLY** (53) [2012] NSWSC 1104 RA Hulme J	PG (25%) Murder	18y NPP 13y 6m		nil	Assault	**SNPP 20 years** Acted as financial advisor to victim and her husband after they won Lotto – during argument with about finances hit victim on head with mallet – precise reasons for killing unclear Prior good character – remorse.

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26.	**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.
27.	**LEE** (32) [2012] NSWSC 1240 Bellew J	PG (25%)	18y NPP 13y 6m		not relevant	Asphyxiation / strangulation Intent to kill	**SNPP 20 years** Mid-range objective seriousness - killed ex-girlfriend following argument about money - victim died from neck compression from belt tied around neck, gagging from sock in mouth and asphyxia due to plastic bag placed on head – planned to dispose of body but car broke down so left body to decompose in car boot – voluntary surrender to police – could not recall committing offence. No real explanation for actions.
28.	**JONES** (26) [2012] NSWSC 1433 Barr AJ	PG	18y 8m NPP 14y		violence and dishonesty offences – breached bail and bond	Stabbing Intent GBH	**SNPP 20 years** Stabbed friend, at party following heated argument – no evidence as to reason for argument – knife taken from kitchen Dysfunctional childhood – drug abuse – remorse – plea late and of minimal value
29.	**SHEE** (50) [2012] NSWSC 1422 Beech-Jones J	VG	20y NPP 15y		Older offences from 1980s - minor offences only in recent years.	Assault Intent GBH	**SNPP 20 years** Hit victim on head twice with piece of wood – friends with victim and victim's girlfriend – all drug abusers – argument after victim had stolen offender's mobile phone and money – dumped body in creek – impulsive attack – not premeditated. Dysfunctional childhood.

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30.	**GALL** (34) [2012] NSWSC 1432 Adamson J [2015] NSWCCA 69	VG Murder Discharge firearm w/i cause GBH Pervert course of justice Possess firearms	27y NPP 18y FT 8y FT 1y 10m 3y 7m NPP 2y 8m Total 33y NPP 24y	AD	Nil	Shot Intent to kill	**SNPP 20 years** Shot victim three times at close range – friendship deteriorated badly over drug matter – victim had some involvement with bikie gang – offender planned shooting to get rid of adversary – buried body in bush – mid-range
31.	**ISKANDAR** (55) [2012] NSWSC 1324 Davies J [2013] NSWCCA 256 Co-offender: ISKANDAR	VG (10% - see facts)	23y NPP 17y	Conviction AD	Bond for common assault	Stabbing Intent to kill	**SNPP 20 years** Ambushed wife's lover outside his home with 19y son - confronted and attacked victim in street with hammer – chased victim and stabbed him in chest and back – kicked female passer-by attempting to protect victim on ground – vicious and prolonged attack - a little above mid-range seriousness – significant pre-planning Genuine remorse – upset over relationship between victim and offender's wife – discount for offer to plead to manslaughter - provocation
32.	**DAWSON** (48) [2012] NSWSC 1497 Bellew J Co-offender: COMBER AQUILINA [2013]	VG	23y NPP 17y 3m		Dishonesty	Strangulation Joint criminal enterprise	**SNPP 20 years** Female - joint criminal enterprise to kill offender's neighbour – relationship between victim and offender had become strained – offender complained about behaviour of victim - with son (A) and friend (C) assaulted and killed victim – punched victim in face – co-offender tied noose around victim's neck and pulled it causing death – body taken and buried in bushland. Major depressive illness.

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33.	**COMBER** [2012] NSWSC 1502 Bellew J Co-offender: DAWSON AQUILINA [2013]	PG (10%) Murder 2 x Proceeds of crime Sched: 17 x Obt prop by deception	23y 4m NPP 17y 6m FT 6m Total 23y 7m NPP 17y 9m		Lengthy - on conditional liberty	Strangulation Joint criminal enterprise	**SNPP 20 years** Joint criminal enterprise to kill female co-offender's neighbour – relationship between victim and co-offender had become strained – co-offender complained about behaviour of victim – victim taken and assaulted – AQ tied noose around victim's neck and pulled it causing death - offender assisted pulling noose with limited force – stood by to assist and prevent victim from leaving – assisted in disposing of body
34.	**PURTILL** (39) [2012] NSWSC 1475 Harrison J [2016] NSWCCA 80	VG	28y NPP 21y	AD		Throat cut Intent to kill	**SNPP 20 years** Cut throat of victim following argument – businessman with whom offender acquainted – with brother drove body to remote location and buried in grave – unexplained crime – possibly drug transaction gone wrong Difficult childhood – drug and alcohol addiction – rehabilitation. Brother sentenced for accessory after fact
35.	**WHITE** (42) [2012] NSWSC 1573 RA Hulme J	VG	32y NPP 24y		Lengthy, violence, previous custody.	Assault Intent to kill	**SNPP 20 years** Planned killing of drug dealer – lured victim to caravan then bashed him, tied him with cable ties and taped mouth and nose – oversaw other persons in taking of drugs from car and dumping body in bush – fled to Victoria with girlfriend and lived off proceeds of stolen drugs Difficult childhood – drug abuse.

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36.	**SMITH** [2012] NSWSC 1565 Rothman J	VG Murder Destroy dwelling by fire	14y NPP 10y FT 2y Total: 14y 6m NPP 10y 6m		Domestic violence – breached conditional liberty	Assault Extended joint criminal enterprise	**SNPP 20 years** Suggested known drug dealer to co-offenders as subject for robbery – victim viciously kicked and assaulted and run over by car - present during offence but not involved in assault - contemplated co-offenders could form intention to inflict GBH – no agreement to kill or inflict GBH – provided jerry can for co-offenders who returned to scene and set fire to home incinerating body - objective criminality in lowest possible category - no intention, initially, of obtaining financial gain - motives not totally clear, but most probably included revenge for victim's treatment of offender's mother Drug abuse – difficult upbringing including sexual abuse – mental health issues and probably brain damage – some assistance Three co-offenders pleaded guilty to manslaughter - *McCulloch, Biffen and Biffen* [2013] NSWSC 894
37.	**WALSH** (34) [2012] NSWSC 1399 Bellew J [2014] NSWCCA 252	VG Murder s.86(3)	28y NPP 21y FT 8y (concurrent)	Conviction AD	Lengthy but much less serious	Unclear Constructive murder	**SNPP 20 years** Met with victim and female co-offender at park to discuss stolen property – victim taken to home of third person and detained in garage – victim killed by offender in altercation – body incinerated Long history of alcohol and drug abuse Co- offender sentenced for accessory after fact - *Batcheldor* [2015] NSWSC 1688

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38.	**MA** (17)	PG (25%) Murder Sp Agg BES AR Sched: Conspire rob AR	20y NPP 14y 5y 6m NPP 4y 5y 6m NPP 4y <u>Total</u>: 23y NPP 17y		on bond. Stalking, intimidation, assault w/i rob in co.	Assault with meat cleaver / machete Joint criminal enterprise	**SNPP 20 years** Home invasions committed over three-day period with number of other young males - armed with meat cleavers - occupant at one home seriously injured - occupant of another house killed while resisting offenders. MA – did not strike victim but present - remorse, rehabilitation, maturity B – struck victim - drug / alcohol abuse - remorse R – outside house assisting – remorse, rehabilitation
	BYQUAR (18)	PG (25%) Murder AR Sched: AR	23y NPP 16y 8y NPP 6y <u>Total</u>: 25y NPP 18y		AOABH, Rob in co.		
	RAMOS (18) [2012] NSWSC 1527 Johnson J (Ramos) [2015] NSWCCA 313 Co-Accused: NATUBA TAMAPUA KHOURY [2013] KARIMI [2013] MIR [2013]	PG (25%) Murder Sp Agg BES AR Sched: Conspire rob AR	17y NPP 12y 4y NPP 3y 5y 6m NPP 4y <u>Total</u>: 19y NPP 14y	AA 14y 3m NPP 10y 4y NPP 3y 5y 6m NPP 4y <u>Total</u>: 16y 3m NPP 12y	Nil		

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39.	**NATUBA** (19) **TAMAPUA** (20) [2012] NSWSC 1569 Johnson J Co-Offenders: MA BYQUAR RAMOS KHOURY [2013] KARIMI [2013] MIR [2013]	PG (50%) Murder AR Sched: Robbery PG (50%) Murder Sp Agg BES Poss Firearm Poss weapon Sched:- 3 x Robbery	14y NPP 10y 5y NPP 3y 9m <u>Total</u>: 15y NPP 11y 14y NPP 10y 4y NPP 3y 3y NPP 2y FT 2y <u>Total</u>: 15y 6m NPP 11y 6m		Agg robbery – breached bond. Robbery, assault, breach AVO - on bond	Assault with meat cleaver / machete Joint criminal enterprise	**SNPP 20 years** Home invasions committed over three-day period with number of other young males - armed with meat cleavers - occupant at one home seriously injured - occupant of another house killed while resisting offenders N – threatened victim with cleaver T - organisational role – did not enter homes Each received discount for assistance to authorities - undertaking to give evidence against co-accused - youth – drug and alcohol abuse