

Murder: 2013

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)

	NAME (age if known)	PLEA	SENTENCE	APPEAL	SUMMARY OF RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
1.	MAGLOVSKI (No.2) (60) [2013] NSWSC 16 Beech-Jones J [2014] NSWCCA 238	VG	20y NPP 16y	AD	Nil	Stabbed Intent to kill	SNPP 20 years Stabbed and punched wife when she told offender she wanted to leave him – gave evidence victim spat at him – Macedonian background – evidence regarding “honour killing” in Macedonian culture - humiliation – provocation rejected by jury. Prior good character – unlikely to reoffend
2.	KAEWKLOM No.3 (18) [2013] NSWSC 59 Johnson J [2013] NSWSC 504 Johnson J	PG (25%) Murder Recklessly cause GBH	20y NPP 13y 6m 3y 9m NPP 2y 9m <u>Total:</u> 22y NPP 15y 6m		Nil	Assault Intent GBH	SNPP 20 years Attacked and killed 69y fellow prisoner in courthouse cell - kicked and stomped – four days earlier had assaulted 15y former girlfriend - kicked and stomped on victim due to rejection. Matter brought back to correct sentence for s.35 offence

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3.	HUDD [2013] NSWCCA 57 Co-offender: BROWN [2006]	VG Murder 2 x AR s.33 Agg AOABH	27y NPP 20y 3m 10y NPP 7y 6m 5y NPP 3y 9m 2y NPP 18m <u>Total:</u> 28y 6m NPP 21y 9m	AD		Shooting Felony Murder	(2002) Two offenders involved in planned armed robbery of electrical store – three employees tied up – one employee shot dead by offender in pursuit Fresh evidence as to ill health
4.	BARLOW (24) [2013] NSWSC 217 Harrison J	PG (10%)	23y NPP 17y		Priors including violence	Stabbing Intent GBH	SNPP 20 years Physical altercation with victim outside hotel – returned short time later with two friends – stabbed victim in chest four times without warning – degree of pre-meditation – element of provocation – intoxication – revenge – mid-range Aboriginal male – deprived childhood – drug and alcohol addiction – genuine remorse and contrition
5.	MEYN (No.6) (34) [2013] NSWSC 243 Beech-Jones J	VG	22y NPP 16y 6m		Nil	Assault and strangulation Intent to kill	SNPP 20 years Killed ex-wife and mother of their two young children – offender cruelly needed victim then killed following argument - unplanned Some evidence of rehabilitation
6.	DUNN (27) [2013] NSWSC 237 Adamson J	PG (25%) Murder AR	19y 6m NPP 12y 6m FT 3y <u>Total:</u> 20y NPP 13y		Breached bond – lengthy record	Assault Intent to kill	SNPP 20 years Robbed takeaway shop armed with tomahawk axe – killed prostitute by striking her on head with axe – attempted to dispose of body in bushland reserve – unplanned assault Deprived childhood – drug abuser since 9y – diminished capacity to reason and respond appropriately due to intellectual impairment and anti-social personality traits – no family support – assaulted in custody

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7.	AQUILINA (27) [2013] NSWSC 525 Bellew J Co-offenders: COMBER [2012] DAWSON [2012]	VG	28y NPP 21y		No significant history	Strangulation Joint criminal enterprise Intent to kill	SNPP 20 years With mother (D) and friend assaulted and killed D's neighbour – relationship between victim and D had become strained – D complained about behaviour of victim – offender made preparations including recruiting C and taking knife and iron bar to ambush victim – struck victim with iron bar from behind - victim subjected to violence by offenders over several hours - act of strangling victim extended over period of time - offender actively involved in pulling rope causing death - cash taken and victim's bicycle sold – assisted in disposal of body - motivated by vengeance - acting as "executioner" - above mid-range No remorse - depressive illness – some rehabilitation prospects.
8.	HARDING (57) [2013] NSWSC 513 Garling J	PG (25%)	27y NPP 20y 3m		Record for violence against women – breached bail	Set alight Intent GBH	SNPP 20 years Poured 250ml bottle methylated spirits over female lover confined to wheelchair and set her alight with cigarette lighter – spent afternoon with victim drinking wine – possibly motivated by jealousy - gratuitous cruelty in leaving house – spontaneous offence – criminality very high Long history of alcohol abuse – acquired brain injury
9.	STANI-REGINALD (21) [2013] NSWSC 567 Price J	PG (no discount) Murder Agg sexual assault Sched: s.61J	45y NPP 30y 15y NPP 10y (concurrent)		Armed rob, assault with intent to rob, stalking, damage property by fire	Strangulation Intent to kill	SNPP 20 years Lived in neighbouring unit to victim (female aged 24y) – raped and strangled victim – placed body in suitcase then called taxi and took ride to outer area dumping suitcase in stormwater canal – had undertaken extensive internet searches of websites regarding rape, murder and serial offenders prior to committing offence – offence planned well before murder – worst case category Difficult upbringing – father in jail for murdering offender's mother when he was young – no evidence of psychiatric illness - youth
10.	SJAHADI [2013] NSWSC 540 McCallum J	PG Murder Breach AVO	19y NPP 14y 9m <u>Total:</u> 19y NPP 14y 9m		Breached AVO – earlier attack on victim – no other prior convictions	Stabbing Intent to kill	SNPP 20 years Stabbed sister-in-law to death in sustained attack in home – 16 wounds - sharing home with brother and victim in breach of AVO – spontaneous offence - difficult relationship with victim Attempted suicide after killing strong evidence of remorse – discount for guilty plea 'towards higher end'

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11.	<p>SUTCLIFFE (40)</p> <p>HOSKINS (39)</p> <p>MOULDS (30)</p> <p>[2013] NSWSC 715 Grove AJ</p> <p>(Sutcliffe) [2014] NSWCCA 208</p> <p>(Hoskins) [2014] NSWCCA 207</p> <p>(Hoskins) [2016] NSWCCA 157</p>	VG	<p>16y NPP 12y</p> <p>12y NPP 9y</p> <p>10y NPP 7y 6m</p>	<p>Conviction AD</p> <p>Conviction AD Sentence AD</p>	<p>Manslaughter</p> <p>Assault</p> <p>Minor</p>	<p>Stabbing</p> <p>Intent GBH</p> <p>Joint criminal enterprise</p>	<p>SNPP 20 years Joint criminal enterprise - confrontation over victim's belief that offenders were responsible for damaging prized motor vehicles – victim arrived armed with gun and discharged shots – all three offenders chased and assaulted victim - S inflicted stab wound – H armed with baseball bat and intended to inflict serious injury – neither H or M aware of knife - provocation S: family – young child H: poor health – protection M: developmental disability – rehabilitation prospects. Fourth offender Brown convicted of manslaughter</p>
12.	<p>RAY (32) [2013] NSWSC 767 RA Hulme J</p>	VG	<p>24y NPP 18y</p>		<p>Violence, assault – breached parole and apprehended violence order.</p>	<p>Assault</p> <p>Intent GBH</p>	<p>SNPP 20 years Brutal assault of female aged 37y – argued over offender not paying rent Offence committed 2 months after release on parole for brutal assault of another female - significant history of violence against females – protection of community significant consideration</p>

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13.	NADEN (40) [2013] NSWSC 759 Price J	PG Murder (20%) Murder Shoot w/i murder Agg ind assault BES 15 x BES	28y NPP 21y Life 16y NPP 6y 4y NPP 2y 3y 6m NPP 1y FT 2y – 3y 6m		Offensive language, high- range PCA.	Strangulation Intent to kill	SNPP 20 years Indecently assaulted 12y daughter of acquaintance Murdered female cousin after she raised allegation offender had indecently assault 12y female - strangled victim then dismembered and buried body. 5 months later strangled female neighbour – had sexual intercourse with body – cold blooded, merciless and sexually motivated killing On run from police for 7 years and committed multiple break and enter offences to survive – shot at police officers who approached camp Long standing low-grade depression and severe personality disorder – poor rehabilitation prospects – Aboriginal male
14.	KING (27) [2013] NSWSC 801 Bellew J [2015] NSWCCA 99	VG Murder PG s 35(2) s 59(1)	32y NPP 24y FT 2y 6 FT 9m Total: 33y 6m NPP 25y 6m	AD	Supply drug, possess firearm – breached bond	Assault Intent to kill	SNPP 20 years Bashed 18y ex-girlfriend - volatile and violent relationship – offender took ice and drank alcohol prior to offence – vicious, unprovoked and inhumane attack – victim suffered severe injuries – above mid-range Rehabilitation – remorse.
15.	BOLT (26) [2013] NSWSC 895 Rothman J	PG (highest discount)	18y NPP 12y		Assault, drugs, BES, previous violence in domestic setting – breached bond - no previous imprisonment.	Assault Intent GBH	SNPP 20 years Assaulted de facto partner during argument - multiple injuries to head, thorax and abdomen - severe degree of force, from punching, kicking or stomping, and possibly being thrown against furniture or walls – both drinking and smoking cannabis – violence perpetrated by both throughout afternoon and evening - momentary and spontaneous intention – called emergency services - slightly below mid- range. Neglectful and abusive upbringing by mother – mother murdered by her partner – often cared for by relatives – drug and alcohol abuse from young age

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16.	ABRAHAMS (27) [2013] NSWSC 952 Harrison J	PG (10%) Murder Interference with body	21y 6m NPP 15y FT 18m <u>Total:</u> 22y 6m NPP 16y		Personal violence order against victim	Assault Intent GBH	SNPP 25 years Female - murder of 6y daughter – in 2010 reported daughter missing – in 2011 took police to gravesite with partner - victim suffered repeated injuries in months prior to death – fractured teeth just prior to death suggesting blunt force trauma and being punched in upward direction – offender and partner had placed body in suitcase then placed in hole in remote area – partner poured petrol over body and burnt it - mid-range objective seriousness. Aboriginal female - borderline disabled intellectual range – dysfunctional and disruptive upbringing – upbringing in violent household Partner sentenced for manslaughter - <i>Smith</i> [2013] NSWSC 796 per Latham J
17.	DEAN (37) [2013] NSWSC 1027 Latham J [2015] NSWCCA 307	PG 11 x Murder 8 x s.35(2) Larceny as a clerk	Life 8y NPP 6y FT 5y	AD	Nil	Arson Reckless indifference	SNPP 20 years Nurse lit two fires in aged care nursing home – lit fires to cover theft of painkiller medication to feed long-term drug addiction – while fire burning retrieved drug log books and destroyed them – deliberate actions in not alerting fire brigade to second fire or assisting residents to escape Personality disorder – poly substance abuse disorder.
18.	SAFETLI (46) [2013] NSWSC 1096 Latham J Co-offender: GATELLARI	PG (60% plea and assist) Murder Intimidation	9y NPP 6y 6m 6m <u>Total:</u> 9y 6m NPP 7y		nil	Shooting Intent to kill	SNPP 20 years Organised and present at shooting of male businessman in front yard of home in presence of 9y son – killing ordered and paid for by business associate of victim – after several months delay recruited and assisted 19y shooter – paid \$300,000 – several months later arranged for victim's wife to be threatened about payment of debts – active and direct role Significant assistance
19.	GATELLARI (63) [2013] NSWSC 1097 Latham J Co-offender: SAFETLI	PG (60% plea and assist)	10y NPP 7y 6m		nil	Shooting Intent to kill	SNPP 20 years Asked by close business associate to organise killing of male businessman – over many months recruited and made arrangements with S for killing – victim shot dead in front yard of home in presence of 9y son – played primary role but no evidence received financial benefit – acted out of misguided loyalty Significant assistance – prior good character

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20.	AHOLA (No.8) (50) [2013] NSWSC 1128 Button J	VG	24y NPP 18y		Firearms, driving offences	Assault Intent to kill	SNPP 20 years Bashed partner with wooden baton to head – unclear as to how argument started or motive – both intoxicated. Out of character – highly regarded by adult daughters and friends - good employment history – alcohol abuse – good rehabilitation
21.	SMITH (27) [2013] NSWSC 1159 Schmidt J Co-offenders: SMITH KENNEDY [2015]	PG (18%)	22y 11m NPP 17y 2m		Considerable record	Assault Intent GBH Joint criminal enterprise	SNPP 20 years Three men broke into home of 75y male occupant – severely assaulted in attempt to obtain access to safe – active participant in assault - left for nearly a day – joint criminal enterprise – moral culpability high Evidence of remorse - drug addicted – Aboriginal male – low intelligence – poor schooling
22.	DI CIANNI (66) [2013] NSWSC 1328 RS Hulme AJ [2015] NSWCCA 201	VG 2 x Murder	24y NPP 20y Total: 34y NPP 30y	AD	Nil relevant	Stabbing Intent to kill	SNPP 20 years Stabbed former business partner numerous times – victim had defrauded offender – also stabbed brother of victim living with victim and home at time - marginally above mid-range offences. <i>Wife Pintabona</i> sentenced for Accessory.
23.	HICKS [2013] NSWSC 1324 Adams J	PG (15%)	17y NPP 12y 9m		lengthy	Stabbing Intent GBH	SNPP 20 years Stabbed female partner during argument – some history of domestic violence and frequent arguments – both had been taking drugs – not planned offence Difficult childhood – borderline cognitive abilities
24.	BRETHERTON (38) [2013] NSWSC 1339 Harrison J	VG	21y NPP 15y 9m		Nil	Stabbing Intent GBH	SNPP 20 years Stabbed former female partner during argument – numerous stab wounds - ongoing argument over property settlement - slightly below mid-range – spontaneous uncontrolled offence. Substantial impairment rejected at trial but taken into account on sentence - depression – obsessive compulsive personality – autism spectrum – did not like victim to have contact with her family – difficult childhood

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25.	MBELE (22) [2013] NSWSC 1394 Latham J [2021] NSWCCA 182	VG	26y NPP 18y	AA 23y NPP 16y	Breached bond for assault	Stabbing Intent GBH	SNPP 25 years Stabbed 16y during confrontation at railway station in early evening – earlier confrontation with victim – members of opposing groups – angry – deliberately antagonised victim to provoke confrontation – single stab to chest – ‘cowardly, vicious, vengeful and premeditated attack’ On appeal found error in failing to consider impact of PTSD on custodial conditions On re-sentence – negative impact of PTSD and Covid on custodial conditions – limited treatment for PTSD – remorse – better prospects of rehabilitation – continued family support
26.	JACOBS (No.9) (49) [2013] NSWSC 1470 Button J	VG	Life		Lengthy - driving, multiple AR	Shooting Intent to kill	SNPP 25 years Shooting of police officer – victim followed offender in police vehicle suspecting offender driving disqualified – both stopped then offender shot victim in chest at close range (3 metres) – motive unable to be determined. Drug abuse – learning difficulties as child
27.	LOCKETT (27) [2013] NSWSC 1555 Price J Co-offender: BROWN	VG	18y NPP 13y		Drugs and weapons – breached conditional liberty – no violence	Shooting Intent GBH	SNPP 20 years Part of group of males who assaulted victim outside his home - given gun by B but thought it was a pole - struck victim on head with gun and it discharged killing victim – cowardly attack by group – no intent to kill – spontaneous offence – did not know weapon was a gun and did not know gun loaded – below middle of range – equal culpability to B Remorse – special circumstances: need for drug counselling – some prospects of rehabilitation. Co-offenders <u>Tuivaga</u> and <u>Barnes</u> sentenced for manslaughter
28.	BROWN (27) [2013] NSWSC 1557 Price J [2015] NSWCCA 11 Co-offender: LOCKETT	VG	19y NPP 13y 9m	AD	Reckless wounding in company – murder committed on bail for these offences	Shooting Joint criminal enterprise	SNPP 20 years Initiator of confrontation - gave loaded shotgun to L – with four offenders confronted male next door over sale of pistol – encouraged and participated in assault – threatened female - male struck over head with gun by L – L unaware loaded shotgun - gun discharged killing victim – cowardly attack by group – no intent to kill – spontaneous offence – equal culpability to L – below middle of range No remorse and no finding as to rehabilitation prospects – difficult family background Co-offenders <u>Tuivaga</u> and <u>Barnes</u> sentenced for manslaughter

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29.	SAVIC (28) [2013] NSWSC 1637 Johnson J	PG (10%)	21y 6m NPP 16y 3m		Record including assault – breached conditional liberty	Assault Intent to kill	SNPP 20 years Fatal assault on male acquaintance in victim's home – intermittent sexual partners – multiple fatal injuries – sustained and ferocious attack – trigger for attack unclear
30.	KEARNES (No.2) (52) [2013] NSWSC 1652 Button J Co-offender: PATON [2014]	VG	30y NPP 22y 6m		Dishonesty and violence offences including serious sexual offences	Shooting Intent to kill	SNPP 20 years Travelled to neighbouring town with co-offender to shoot male acquaintance in victim's home unit – not established who fired shots – murder instigated by offender – motive for shooting unclear Suffered violence as a child – drug and alcohol abuse
31.	SMITH (26) [2013] NSWSC 1723 Barr AJ Co-offenders: SMITH KENNEDY [2015]	PG Murder 2 x AR	20y NPP 14y 8y NPP 6y (each) <u>Total:</u> 23y NPP 17y		Property offences related to drug problem – breached parole	Assault Joint criminal enterprise	SNPP 20 years Involved in breaking into home of elderly victim - sustained assault on male occupant by co-offender – acted as lookout - left victim to die - on earlier occasion broke into home with two co-offenders and assaulted male occupant – forced female occupant to ATM to withdraw money – threats made Aboriginal male - difficult childhood – early drug and alcohol abuse – discount for plea at bottom of range

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32.	LOVERIDGE (18) AB (17) [2013] NSWSC 1591 Adams J (AB) [2014] NSWCCA 339	VG Murder PG s.112(3) s.96 Recruit child for crime Influence Witness PG Murder s.112(2) Intimidate Sched: Postal service off	45y NPP 30y 10y NPP 7y 6m 1y 8m NPP 1y 3m FT 3y FT 3y (all concurrent) 45y NPP 30y 7y 6m NPP 5y 6m FT 2y (all concurrent)	AD	Minor record – breached bond Lengthy and violent record – breached probation – violent record in custody	Stabbing Intent to kill	SNPP 20 years Broke into neighbouring house at night – assaulted 87y female occupant with walking stick – made threats – stole property Premeditated and unprovoked attack on three male strangers walking down the street – L slashed knife against neck of one male – knocked second male to ground – ‘cowardly, sadistic, pitiless, deadly attack, stabbing and cutting him repeatedly’ – left scene then returned to continue assault – attack included intent to torture – both represent danger to community – worst case AB threatened girlfriend – L threatened witness L – seriously deprived childhood affecting ability to make moral judgments – low intelligence – drug and alcohol abuse AB – severely deprived childhood including violence – limited education – drug and alcohol abuse – no discount for guilty plea for murder offence
33.	BRILLIANTES (21) [2013] NSWSC 1693 Adamson J	PG (25%)	18y NPP 13y 6m		Breached parole for break and enter offences – involved in affray ten days before murder	Stabbing Intent GBH	SNPP 20 years Stabbed male stranger during altercation on street at night – attended scene at request of female acquaintance anticipating punch up Difficult and neglected childhood

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34.	BELL (27) [2013] NSWSC 1838 Hall J	PG (10%) Murder s97(2) s33(1)(a)	25y 4m NPP 19y 5y NPP 3y 9m 10y NPP 7y 6m <u>Total:</u> 27y NPP 21y 6m		Rob in co, AOABH, drugs	Shooting Constructive murder	SNPP 20 years Home invasion with co-offender to obtain money and drugs – armed with firearms – during struggle accidentally shot in face by co-offender – offender discharged his firearm killing male aged 17y – co-offender shot and injured second male - intent to inflict injury for purpose of effecting escape - did not form intent to shoot until very shortly before fatal shot fired Left school Year 8 – learning difficulties - long standing personal problems including drug use and anti-social personality characteristics - no link established between anti-social personality disorder and any abusive or deprived upbringing
35.	KARIMI (22) [2013] NSWSC 1761 Johnson J Co-offenders: KHOURY MIR NATUBA [2012] TAMAPUA [2012] MA [2012] BYQUAR [2012] RAMOS [2012]	VG Murder Conspiracy AR s.112(3) 2 x AR Conspiracy to murder Possess firearm	24y NPP 17y 6y NPP 4y 8y NPP 6y 10y NPP 7y 12y NPP 9y 4y NPP 3y <u>Total:</u> 37y NPP 30y		Limited	Assault with meat cleavers Joint criminal enterprise Intent to kill	SNPP 20 years Home invasions committed over three-day period by young males armed with meat cleavers linked to drug dealing - occupant at one home seriously injured - occupant of another house killed with meat cleaver while resisting offenders – planned to engage subsequent fight to death Karimi significant role in organisation -Afghani

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36.	KHOURY (29) [2013] NSWSC 1761 Johnson J Co-offenders: KARIMI MIR NATUBA [2012] TAMAPUA [2012] MA [2012] BYQUAR [2012] RAMOS [2012]	VG Murder Consp AR Possess firearm s.112(3) Recruit to commit AR AR AR x 2 Conspiracy to murder	26y NPP 18y 6y NPP 4y 4y NPP 3y 10y NPP 7y FT 3y 10y NPP 7y 11y NPP 7y 12y NPP 9y <u>Total:</u> 40y NPP 32y		Minor	Assault with meat cleavers Joint criminal enterprise Intent to kill	SNPP 20 years Home invasions committed over three-day period by young males armed with meat cleavers linked to drug dealing - occupant at one home seriously injured - occupant of another house killed with meat cleaver while resisting offenders – planned to engage subsequent fight to death Khoury effective leader of organisation involved in drug dealing – continued to plan criminal activity after murder - Lebanese
37.	MIR (20) [2013] NSWSC 1761 Johnson J [2022] NSWCCA 132 Co-offenders: KARIMI KHOURY NATUBA [2012] TAMAPUA [2012] MA [2012] BYQUAR [2012] RAMOS [2012]	VG Murder AR AR	26y NPP 19y 10y NPP 7y 11y NPP 7y <u>Total:</u> 31y NPP 24y	AD (appeal against armed robbery sentences only)	Minor	Assault with meat cleavers Joint criminal enterprise Intent to kill	SNPP 20 years Home invasions committed over three-day period by young males armed with meat cleavers linked to drug dealing - occupant at one home seriously injured - occupant of another house killed with meat cleaver while resisting offenders – planned to engage subsequent fight to death Mir – foot soldiers – Afghani

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38.	KAINE (50) [2013] NSWSC 1824 RA Hulme J	VG	30y NPP 22y 6m		Violence, BES, damage property	Assault / stabbing Intent to kill	SNPP 20 years Mistakenly believed male aged 62 was paedophile – offender had suffered abuse as a child and had obsessive dislike for paedophiles – savage, sustained and unprovoked assault of disabled older man in his own home – small TV set smashed into victim’s face while lying in bed – numerous stab wounds – blunt force trauma to face and head - mistaken vigilantism - serious example of offence Some evidence of mental illness to slightly reduce importance of general deterrence - risk of future offending against other inmates
39.	KAYE (33) [2013] NSWSC 1812 Price J	PG (12.5%)	21y NPP 14y 6m		AOABH, resist police, steal mv	Stabbing / assault Intent GBH	SNPP 20 years Entered home of elderly male stranger living alone - armed self with 2 steak knives - stabbed victim in neck and assaulted him – cause of death was combined effects of blunt force injury and pre-existing medical conditions - injuries inflicted by offender a substantial cause of death - stole various items Alcohol abuse – difficult upbringing – rehabilitation prospects remain uncertain – long term need for psychiatric and alcohol counselling
40.	LANE (25) [2013] NSWSC 1808 Hidden J	PG (10%)	22y 6m NPP 17y		Nil	Shooting Intent to kill	SNPP 20 years Female - shot male at close range – had commenced secret lesbian relationship with victim’s female partner – planned to kill victim so could pursue relationship without interference Difficult upbringing – mental health issues – good rehabilitation prospects Co-offender <i>Burns</i> sentenced for accessory after fact.
41.	ISHERWOOD (30) [2013] NSWSC 1868 Latham J	PG (15%)	17y NPP 11y		Drugs, assault – breached conditional liberty	Assault Constructive murder	SNPP 20 years Assault and rob on 76y homeless man on train - co-offender convicted of manslaughter - offender played principal role – victim punched and smashed over head with broken pane of glass – died of head injury - just below middle range Relative youth - first time in custody

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42.	STENBERG [2013] NSWSC 1858 Schmidt J	PG (18%)	25y 4m NPP 19y		Nil	Shooting Intent to kill	SNPP 20 years Single gunshot to victim head – victim decapitated - attempted destruction of evidence, including body, by unsuccessful attempt to set fire to victim premises – animosity between offender and victim who were neighbours over cutting down of tree – brutal, callous act committed out of anger. Some mental illness
43.	GIERCZYNSKI (58) [2013] NSWSC 1870 Adamson J	VG Murder s.33	28y NPP 21y 4m 3y NPP 2y 3m Total: 28y 6m NPP 21y 10m		Assault on first wife in Poland	Stabbing Intent to kill	SNPP 20 years Physically and emotionally abused wife throughout long marriage – domineering and hypocritical husband - stabbed wife to death during argument – multiple stab wounds – stabbed son who came to defend mother – spontaneous offence – above mid-range Suffering from morbid jealousy
44.	FILIHIA (22) [2013] NSWSC 1871 Adamson J	PG (35% plea and assist) Murder s.98	14y 3m NPP 10y 8m 6y 6m NPP 4y 10m (concurrent)		Record – breached conditional liberty	Stabbing Intent GBH	SNPP 20 years Fatal stabbing of male receptionist during robbery of brothel – single stab wound – robbery planned by co-offender – stabbed victim in panic Genuine remorse – needed cash for drug addiction – good prospects of rehabilitation
45.	KENNEDY (24) [2013] NSWSC 1940 Bellew J	PG (12.5%) Murder	23y 4m NPP 17y 6m		violence and alcohol related offences	Assault Intent GBH	SNPP 20 years Attacked female partner following argument – relationship marked by violence – injuries consistent with multiple blows by offender's fists Difficult upbringing – alcohol abuse - bipolar and other mental health conditions

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