Murder: Fire

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)

offences committed on or after 24.11.2025 and where victim was an intimate partner of the offender

	NAME (age if known)	PLEA	SENTENCE	APPEAL	SUMMARY OF RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
1.	**RICHARDSON** (28) NSWSC 28.3.1994 Finlay J	PG (after voir dire)	MT 20y AT Life		lengthy - manslaughter, sexual assault on woman & young boys	assault / burning	Broke into house and raped 29y old female acquaintance in front of her young children, abducted her, bashed her with piece of wood then set fire to her body.
2.	**EVERETT** NSWCCA 13.12.1995	VG	MT 18y AT 6y	AA MT 16y AT 5y	nil	burning intent GBH	Set wife on fire with petrol On appeal found original sentence at high end for "relationship" murder.
3.	**BARTON** (47) [2007] NSWSC 651 Buddin J [2009] NSWCCA 164	VG Murder Manslaughter Att Murder	37y NPP 30y FT 5y FT 13y Total: 42y NPP 35y	AD	Old offence involving fire	Fire Intent to kill	**SNPP 20 years** Shot male acquaintance in back of head during argument – manslaughter by provocation – victim a violent man blackmailing offender over many years – genuine fear for safety – cared for victim's children during following day – dosed children with methadone and set fire to house – intent to cover killing of male – 3y girl killed in fire (murder) – 5y boy rescued by offender (att murder) – significant element of planning – relationship between manslaughter and subsequent offences – murder objectively worst case Ill health – protective custody – personality deficits exacerbated by victim's behaviour and death of mother

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

	NAME (age if known)	PLEA	SENTENCE	APPEAL	SUMMARY OF RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
4.	**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
5.	**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.
6.	**EVANS** (41) **RAWLINSON** (42) [2014] NSWSC 979 Harrison J Co-offender: PROUD SPICER	PG (25%) VG	24y NPP 18y 36y NPP 27y		Nil Nil	Arson Joint criminal enterprise Intent to kill	**SNPP 20 years** R was principal and driving force behind plot to kill victim – R in relationship with victim – R also in secret relationship with E and manipulated E to believe they could not be together unless victim was killed – E and co-offender S set victim's home alight causing death R: above mid-range objective seriousness – calculated planned offence – not present at fire E: Aboriginal female – depression – purchase of items to start fire – planned
7.	**SPICER** [2015] NSWSC 519 Harrison J Co-offenders: PROUD RAWLINSON EVANS	VG	32y NPP 24y		AOABH	Arson Joint criminal enterprise Intent to kill	**SNPP 20 years** S and E set fire to victim's home throwing petrol while victim asleep – part of plan by co-offenders R and E to kill victim – S recruited - considerable planning. Dysfunctional upbringing.

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8.	**DROUDIS (No.16)** (33) [2017] NSWSC 20 Johnson J [2020] NSWCCA 322	VG	44y NPP 33y	AA 35y NPP 26y 3m	Breached bail Subsequently sentenced for offensive use of postal service	Stabbing and set on fire Intent to kill	**SNPP 20 years** Female - at instigation of partner stabbed partner's ex-wife in stairwell of units 18 times – set victim alight without knowing if already dead and creating danger to other residents – carefully planned – desire to secure custody of partner's two children circumventing court order - partner a violent extremist who subsequently died in café siege – highly unusual and influential relationship but no reduction in culpability Attempt made to deflect police investigation showing lack of remorse – prospects of rehabilitation fair – some credit for cooperation during trial On appeal: error in assessment of death of offender's partner on risk of re-offending and rehabilitation prospects
9.	**PROUD** (29) [2017] NSWSC 286 Harrison J Co-offenders: EVANS RAWLINSON SPICER	PG (10%)	10y NPP 6y		Nil significant	Arson Accessory (before the fact)	Female introduced partner to friend aware really serious harm could be caused to victim – did not encourage offence – victim murdered in fatal house fire caused by co-offenders – minor and largely passive involvement – low to moderate end of scale Difficult and abusive personal life – mental illness – mother to three children – relationship with partner abusive – prior good character – genuine remorse – prospects of rehabilitation where no drug use Originally convicted and sentenced for murder – conviction quashed on appeal – offence changed from joint criminal enterprise to accessory before fact – reference to difference in criminal culpability at [31]-[32]
10.	**AKB (No.8)** (45) [2018] NSWSC 1628 Davies J	VG	36y NPP 27y		nil	Fire Intent to kill	**SNPP 20 years** Set fire to bedroom and prevented wife from leaving – also stopped son opening door for wife - angered that victim intended to leave marriage – committed in front of children in home of victim – gratuitous cruelty – some planning – risk of injury to boys in adjacent bedroom Born in Afghanistan – refugee

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11.	**STONE (a pseudonym)** (37) [2020] NSWSC 1485 R A Hulme J Co-offender: MCCOSKER	PG (35% combined)	23y 4m NPP 17y 6m		Poor – breached bond	Petrol fire Intent to Kill	**SNPP 20 years** Met up with victim in remote area to refuel bike with petrol purchased by victim at request of offender – in spontaneous and deliberate act splashed victim with petrol who then caught fire – left victim screaming – returned one hour later with co-offender – made decision to finish off victim who had crawled 250 metres to road – returned again with petrol and set victim further alight – victim found two hours later but died in transit to hospital – no motive – brazen act of extreme, cruel and sadistic violence – upper range of seriousness Disadvantaged childhood – exposed to parental incarceration, drug use, neglect and anti-social influences – poor education and early drug use – chronic drug user – genuine remorse – assistance – difficult custodial conditions
12.	**McCOSKER** (49) [2020] NSWSC 1822 RA Hulme J [2022] NSWCCA 127 Co-offender: STONE	VG	36y NPP 27y	AD	Lengthy although mostly Local Court – breached bond imposed 3 weeks earlier for possess prohibited weapon	Petrol fire Intent to kill Accessory	**SNPP 20 years** Contacted by co-offender who had just set fire to male victim in isolated area – returned with co-offender and found victim on side of road – accepted decision of co-offender to finish off victim and drove to obtain more fuel – upon return co-offender doused victim with more fuel and set alight – victim found two hours later but died in transit to hospital – sadistic and callous killing – history of animosity between offender and victim – supported and assisted co-offender's idea to kill victim – offence easily in upper range – same culpability as co-offender Long-term drug user

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13.	**DOBLE** (42) [2026] NSWSC 469 Lonergan J	PG (25%) Murder AOABH Sched: Arson Possess unauthorised pistol	Indicative: 22y 6m 6m Aggregate: 22y 9m NPP 16y 11m		Minor offences dealt with by fines and bonds	Burned by fire Intent to kill	**SNPP 20 years** After argument with mother over petrol bashed her repeatedly on head with large jerry can containing petrol - set fire to her house - poured petrol on mother and set her on fire saying "You're going to burn bitch" – pushed young person attempting to stop him away – poured more petrol on victim while young person attempted to hose her with water - drove away – young person suffered burns to legs – spontaneous offence – aggravating factors: in presence of child, in home of victim – significant objective seriousness No remorse – Bugmy applied: emotional and physical abuse as a child comprised adverse childhood experiences and deprivation reducing moral culpability although not specific deterrence – mental health issues including cannabis use disorder, personality disorder and complex PTSD – reasonable prospects of rehabilitation

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