

Murder: Guilty Plea
s.25F(2) *Crimes (Sentencing Procedure) Act*

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

s.25F(2) *Crimes (Sentencing Procedure) Act*

Commenced 30.4.2018

Exception to application of discount—level of culpability

(2) The court may determine not to apply the sentencing discount, or to apply a reduced sentencing discount, if the court determines, on its own motion or on the application of the prosecution, that the discount should not be applied or should be reduced because the level of culpability in the commission of the offence is so extreme that the community interest in retribution, punishment, community protection and deterrence can be met only by imposition of a penalty with no allowance for, or a reduction of, that discount.

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
1.	NEY (20) [2021] NSWSC 529 Johnson J [2023] NSWCCA 252	PG (10% - s.25F(2) CSPA) Murder s.33 Sched: Assault Possess	<u>Indicative:</u> 40y NPP 30y 8y NPP 6y <u>Aggregate:</u> 44y NPP 33y	AA <u>Indicative:</u> 36y NPP 27y 8y NPP 6y <u>Aggregate:</u> 40y NPP 30y	Limited – breached conditional liberty – subsequent custodial offences	Stabbed Intent to kill	SNPP 20 years Travelled from home suburb to city with intent to kill - booked escort and upon arrival at unit fatally stabbed female victim, filmed scene and sent footage to friends – donned balaclava to engender fear and ran through city streets brandishing knife – attempted to stab one female then stabbed second female in shoulder – subdued by civilians – several days earlier had assaulted sister in family home during argument Turkish / Cypriot background – mental health issues since 14y but treatment resistant – at time of offending suffering mental disorder which did not impede capacity – no major depressive illness – obsessed with mass killings and violent, interactive fantasy games - dangerous man – importance of community protection – expressed desire to die at hands of police of limited mitigating value Declined to impose life sentence because of mental health issues – no double counting in setting determinate term On appeal: error found in failure to consider impact of mental health issues on custodial conditions
2.	KOVALEFF (19) [2023] NSWSC 302 Rothman J [2026] NSWCCA 56	PG (25%) Murder Wound with intent cause GBH	34y NPP 24y 6y 9m NPP 4y 9m <u>Total:</u> 36y NPP 26y	AA 27y NPP 19y 6y NPP 4y 6m <u>Total:</u> 29y NPP 21y		Stabbed Intent to kill	SNPP 25 years Stabbed 17y female and wounded 17y girlfriend – previously told girlfriend he wanted to kill her – attended hotel room with both victims intending to kill girlfriend – premeditated and planned two murders – wrapped girlfriend with her clothing and duct tape to keep her alive so as to have sex with her – rang and told father he had stabbed victims Motive elusive - feigned psychiatric illness for two years - impossible to find offender suffers personality disorder - no psychosis or sexual disorder – pathological interest in Ted Bundy, serial killer - borderline intellectual capacity CCA: Sentence manifestly excessive. s.25F(2) applied at first instance to reduce discount to 15% - not applied on re-sentence where full discount of 25% given

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	NAME (age if known)	PLEA	SENTENCE	APPEAL	SUMMARY OF RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
3.	SIMON (57) [2025] NSWSC 309 McNaughton J	PG (10% - s.25F(2) <i>CSPA</i>)	31y NPP 22y		Limited	Shot Intent to kill	SNPP 20 years Lured future son-in-law to property – shot him multiple times in house before final shooting in head – upset over property dispute with victim and daughter – formed settled plan to kill two days prior – killing took place in future home of victim – aware impact killing would have on daughter and grandchildren – callous nature of killing – well above mid-range PTSD resulting from abuse in army – ongoing personality disorders – explains disproportionate response to dispute – diminishes moral culpability to limited extent – hardship in custody – no remorse – perverse pride
4.	BILLINGS (28) [2026] NSWSC 1088 N Adams J	PG (20% - s.25F(2) <i>CSPA</i>) Murder Sched: Act of cruelty on animal, 2 x damage property, contravene AVO	28y NPP 20y		Nil. On bail.	Stabbed	SNPP 20 years Multiple stabbing of former partner after victim made allegations of sexual assault and domestic violence to police – stab wounds to body, cheek and neck – motive of retribution for police report – ‘loose’ plan to kill – broke into victim’s home by smashing window before stabbing victim - objective seriousness high end of range. Depressive illness - adverse childhood – remorse - reasonable prospects of rehabilitation – mental health – special circumstances.

Last updated Sept 2026

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