

## Murder

### Non-Parole Period Over 20 Years – Under 30 years Post Standard Non Parole Period

**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	RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
1.	<b>ASLETT</b> (33) <a href="#">[2004] NSWSC 1228</a> Wood CJ at CL  <a href="#">[2006] NSWCCA 360</a>	PG Murder  2 x s.61JA 8 x s.97(2) 2 x s.97(1) Sp agg kidnap Agg car jacking Att obtain \$ by deception 3 x LMV  Sched: 9 offences	Life  <u>Total other            offences:</u> 36y NPP 28y	AA 28y NPP 22y  <u>Total:</u> 42y NPP 36y	Lengthy and disturbing – almost continuous custody since 11 years old – recently sentenced for brutal home invasion and sexual assault on 16y female occupant	Gunshot  Felony murder	<b>SNPP 20 years</b> Murder involved attempted robbery of male proprietor of pharmacy – struggled with victim in car, took out loaded gun to threaten and gun discharged - other offences committed over 3 months – stole car with female occupant using knife and gun – sexually assaulted complainant twice – robberies of various retail premises using guns and knives Drug abuse – some remorse - finding of dangerousness – psychological profile suggests no hope of rehabilitation  <u>Reasons for life sentence at first instance:</u> would not qualify for life sentence standing alone but followed serious robbery and sexual assault offences – dangerousness and negligible prospects of rehabilitation <u>Reduction on appeal:</u> in view of McNaughton cannot use other offences as warranting imposition of a life sentence where offence standing alone would not warrant life sentence

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2.	<b>WILLARD</b> (48) <a href="#">[2005] NSWSC 402</a> Whealy J  Co-offender: WILKINSON TJA	VG  Sched: Supply drug	36y NPP 26y		Minor dishonesty	Shooting  Intent to kill	<b>SNPP 20 years</b> Arranged for friend's boyfriend to kill husband – victim shot while asleep on lounge – seeking insurance money – organiser and instigator
3.	<b>STEER</b> (40) <a href="#">[2006] NSWSC 1198</a> Whealy J  (2008) 191 A Crim R 435 <a href="#">[2008] NSWCCA 295</a>	VG Murder  AR	29y 4m NPP 22y  FT 4y  <u>Total</u> 31y 4m NPP 24y	AD	Lengthy	Stabbing  Intent to kill	<b>SNPP 20 years</b> Broke into home and stabbed male occupant in neck – set fire to house with body inside – angered at relationship between deceased and ex-girlfriend – above mid-range offences – intent formed after entry to house – on separate occasion robbed bank Single parent with 4 children
4.	<b>NORMAN</b> (50)   <b>OLIVIERI</b> (49)  <a href="#">[2007] NSWSC 142</a> Hidden J  (Olivieri) <a href="#">[2016] NSWCCA 165</a>	VG Murder  Fraud  VG	35y NPP 29y  FT 3y  <u>Total:</u> 37y NPP 31y  33y NPP 28y		Minor   Conviction AD	Shooting  Access before the fact	<b>SNPP 20 years</b> N accountant who defrauded victim – had victim shot by O to cover up fraud – O paid little more than expenses – carefully planned offence – victim shot at home office
5.	<b>McCALL</b> (32) <a href="#">[2007] NSWSC 1269</a> Barr J  <a href="#">[2010] NSWCCA 174</a>	VG	29y 4m NPP 22y	AD	Priors	Assault  Intent to kill	<b>SNPP 20 years</b> Victim lured to car park and kidnapped – with co-offender took victim to cliff area – became angry and pushed victim over cliff – carefully planned kidnapping for financial reward – no clear explanation for killing

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6.	<b>CLARK</b> (42) <a href="#">[2008] NSWSC 795</a> Kirby J  <a href="#">[2010] NSWCCA 94</a>  Co-accused: CLARK	VG	30y NPP 24y	Conviction AD	Significant	Shooting  Intent to kill – joint criminal enterprise	<b>SNPP 20 years</b> Recruited 21y son to shoot grandfather – son visited victim at home and shot him in head – financial motivation as well as other emotional issues – planning - above mid-range seriousness Suffering brain damage from motor vehicle accident and physical illnesses
7.	<b>AYTUGRUL</b> (40) <a href="#">[2009] NSWSC 275</a> RA Hulme J  (2010) 205 A Crim R 157 <a href="#">[2010] NSWCCA 272</a>  <a href="#">[2015] NSWCCA 139</a>	VG	28y NPP 21y	Conviction AD   Sentence AA 27y NPP 20y 3m	Nil	Stabbing  Intent to kill	<b>SNPP 20 years</b> Multiple stab wounds of ex-girlfriend in her home unit – prior stalking and obsessive behaviour – slightly above mid-range
8.	<b>WILKINSON (No.5)</b> (28) <a href="#">[2009] NSWSC 432</a> Johnson J	PG Murder  Arson	28y NPP 21y  6y NPP 4y 6m  Total: 28y NPP 24y		Nil prior – subsequent assault	Unknown  Intent to kill	<b>SNPP 20 years</b> Killed pregnant lover to prevent complications to marriage – circumstances of killing unclear – body never found – took phone and made phone calls to leave false trail – set fire to house and blamed victim – supplied multiple false accounts to police - murder above mid-range – arson towards top of range No contrition or remorse – Aboriginal liaison officer with police force – onerous custodial conditions
9.	<b>MCGUREN</b> <a href="#">[2010] NSWSC 744</a> Fullerton J	PG (no discount)	34y NPP 25y 6m		Lengthy. - attempt strangle, AOABH, breach AVO	Shooting and assault  Intent to kill	<b>SNPP 20 years</b> Broke into home of ex-partner's new partner – shot victim in neck – bashed victim in head with rifle butt number of times causing death - premeditated – upper end of upper range of objective seriousness Tendency to uncontrolled violence.
10.	<b>POTTS</b> (40) <a href="#">[2010] NSWSC 731</a> Kirby J  <a href="#">[2012] NSWCCA 229</a>	VG	28y NPP 21y	AD	Manslaughter of father – substantial impairment	Stabbed  Intent to kill	<b>SNPP 20 years</b> Stabbed sex worker in the back twice in his apartment – had sex post mortem and attempted to conceal body under bed – impulsive offence Paranoid schizophrenia caused significant impairment at time of offence – high risk of further violent offence

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11.	<b>CAMPBELL</b> (2010) NSWSC 995 Latham J  [2014] NSWCCA 175	VG	33y NPP 24y	Conviction AD	Minor record	Pushed off cliff  Intent to kill	<b>SNPP 20 years</b> Pushed wife off cliff while camping in national park – motivated by financial gain – lied and deceived victim in order to obtain large amounts of money – planned killing over several months – well above mid-range
12.	<b>RYAN</b> (51) (2011) NSWSC 1249 Latham J  [2013] NSWCCA 175  Co-Offender: COULTER BROOKS	VG	36y NPP 27y	AD	Nil	Shooting  Intent to kill	<b>SNPP 20 years</b> Female - paid \$30,000 to have husband shot dead by hit man - \$10,000 knowingly provided by mother (co-offender C) – angered by breakdown in marriage and financial loss – close to worst category
13.	<b>HOBLOS</b> (27) (2012) NSWSC 454 Grove J  [2014] NSWCCA 20	VG	28y NPP 21y	Conviction AD		Shooting  Intent to kill	<b>SNPP 20 years</b> 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
14.	<b>RICHARDSON</b> (2012) NSWSC 521 McCallum J  [2013] NSWCCA 218	VG	28y NPP 21y	AD	Assault	Unknown  Intent to kill	<b>SNPP 20 years</b> 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.
15.	<b>BROOKS</b> (48) (2012) NSWSC 505 Fullerton J  Co-offenders : RYAN COULTER	VG	38y NPP 28y 6m		Minor	Shooting  Intent to kill	<b>SNPP 20 years</b> 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

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16.	<b>WILLMOTT</b> (35) <a href="#">[2012] NSWSC 824</a> Price J  <a href="#">[2013] NSWCCA 244</a>	PG (20%)	28y NPP 21y	AD	Assault offences – breached parole for GBH	Stabbing  Intent to kill	<b>SNPP 20 years</b> 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
17.	<b>AMOS</b> (20) <a href="#">[2012] NSWSC 1021</a> Hall J  <a href="#">[2014] NSWCCA 302</a>	VG	28y NPP 21y	Conviction AD	Nil	Shooting  Intent to kill	<b>SNPP 20 years</b> 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
18.	<b>BILLINGS</b> (37) <a href="#">[2012] NSWSC 1020</a> Barr AJ	VG Murder  AR with wounding  Agg SMV  Shoot w/l murder  AR	<u>Indicative</u> 32y NPP 24y  12y NPP 9y  4y NPP 3y  12y NPP 9y  FT 4y  <u>Aggregate</u> 40y NPP 30y		Lengthy – at liberty for only two years of past twelve	Shooting  Intent to kill	<b>SNPP 20 years</b> 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

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19.	<b>DANNEVIG</b> (21) <a href="#">[2012] NSWSC 1013</a> Hall J	PG (25%)  Sched: Larceny Dishonestly obtain prop	28y NPP 21y		Breached parole for kidnapping offence	Drowning  Intent GBH	<b>SNPP 20 years</b> 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
20.	<b>PURTILL</b> (39) <a href="#">[2012] NSWSC 1475</a> Harrison J  <a href="#">[2016] NSWCCA 80</a>	VG	28y NPP 21y	AD		Throat cut  Intent to kill	<b>SNPP 20 years</b> 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
21.	<b>WHITE</b> (42) <a href="#">[2012] NSWSC 1573</a> RA Hulme J	VG	32y NPP 24y		Lengthy, violence, previous custody.	Assault  Intent to kill	<b>SNPP 20 years</b> 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.
22.	<b>WALSH</b> (34) <a href="#">[2012] NSWSC 1399</a> Bellew J  <a href="#">[2014] NSWCCA 252</a>	VG Murder  s.86(3)	28y NPP 21y  FT 8y (concurrent)	Conviction AD	Lengthy but much less serious	Unclear  Constructive murder	<b>SNPP 20 years</b> 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 - <a href="#">Batcheldor</a> <a href="#">[2015] NSWSC 1688</a>

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23.	<b>HUDD</b> <a href="#">[2013] NSWCCA 57</a>	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
24.	<b>AQUILINA</b> (27) <a href="#">[2013] NSWSC 525</a> Bellew J	VG	28y NPP 21y		No significant history	Strangulation  Joint criminal enterprise  Intent to kill	<b>SNPP 20 years</b> 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.
25.	<b>HARDING</b> (57) <a href="#">[2013] NSWSC 513</a> Garling J	PG (25%)	27y NPP 20y 3m		Record for violence against women – breached bail	Set alight  Intent GBH	<b>SNPP 20 years</b> 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

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26.	<b>KING</b> (27) <a href="#">[2013] NSWSC 801</a> Bellew J  <a href="#">[2015] NSWCCA 99</a>	VG Murder  PG s 35(2)  s 59(1)	32y NPP 24y  FT 2y 6  FT 9m  <u>Total:</u> 33y 6m NPP 25y 6m	AD	Supply drug, possess firearm – breached bond	Assault  Intent to kill	<b>SNPP 20 years</b> 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.
27.	<b>KEARNES (No.2)</b> (52) <a href="#">[2013] NSWSC 1652</a> Button J  Co-offender: PATON	VG	30y NPP 22y 6m		Dishonesty and violence offences including serious sexual offences	Shooting  Intent to kill	<b>SNPP 20 years</b> 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
28.	<b>KAINE</b> (50) <a href="#">[2013] NSWSC 1824</a> RA Hulme J	VG	30y NPP 22y 6m		Violence, BES, damage property	Assault / stabbing  Intent to kill	<b>SNPP 20 years</b> 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
29.	<b>GIERCZYNSKI</b> (58) <a href="#">[2013] NSWSC 1870</a> Adamson J	VG Murder  s.33	28y NPP 21y 4m  3y NPP 2y 3m  <u>Total:</u> 28y 6m NPP 21y 10m		Assault on first wife in Poland	Stabbing  Intent to kill	<b>SNPP 20 years</b> 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

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30.	<b>MULVIHILL</b> (45) <a href="#">[2014] NSWSC 443</a> Fullerton J  <a href="#">[2016] NSWCCA 259</a>	VG	29y NPP 22y	AD	Nil relevant	Stabbing  Intent to kill	<b>SNPP 20 years</b> Stabbed estranged girlfriend in her home unit during sustained and violent struggle – careful planning – entered unit with intent to cause harm – history of obsessive behaviour and violence towards female partners
31.	<b>RAWLINSON</b> (42) <a href="#">[2014] NSWSC 979</a> Harrison J  Co-offender: PROUD SPICER EVANS	VG	36y NPP 27y		Nil	Arson.  Joint criminal enterprise	<b>SNPP 20 years</b> Principal and driving force behind plot to kill victim – in relationship with victim and 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 - above mid-range objective seriousness – calculated planned offence – not present at fire
32.	<b>HILL</b> (33) <a href="#">[2014] NSWSC 1010</a> Bellew J	PG (10%)	27y 6m NPP 20y 6m		nil	Assault  Intent GBH	<b>SNPP 25 years</b> Killed 2y son of de facto – physically abused victim over many months – fractured skull and gastric tear caused by two separate blows – significant force used – would have been aware of pain caused by first blow to stomach – second blow inflicted several hours later – spontaneous and unplanned – slightly above mid-range Back injuries causing persistent pain - depression
33.	<b>CRAMP</b> (39) <a href="#">[2015] NSWSC 271</a> Adams J  <a href="#">[2016] NSWCCA 305</a>	VG	40y NPP 30y	AA 34y NPP 25y 6m	Record for violence	Stabbing  Intent to kill	<b>SNPP 20 years</b> Attended former workplace during day and stabbed employee through neck severing spinal cord – motive for killing unclear – cut wires to security cameras in view of other employees Affected by ice but not irrational – dangerous On appeal – manifestly excessive
34.	<b>SPICER</b> <a href="#">[2015] NSWSC 519</a> Harrison J  Co-offenders: PROUD RAWLINSON EVANS	VG	32y NPP 24y		AOABH	Arson  Joint criminal enterprise  Intent to kill	<b>SNPP 20 years</b> 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 – with E set fire to V's home alight causing V's death - considerable planning. Dysfunctional upbringing.

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35.	<b>MARTIN</b> <a href="#">[2015] NSWSC 521</a> Schmidt J	VG	27y NPP 20y 3m		assault, drugs, theft	Assault  intent to kill	<b>SNPP 20 years</b> Killed victim who lived on isolated rural property – physical altercation where both affected by alcohol – smashed victim’s head number of times with heavy concrete block – offence not planned above mid-range Troubled youth – drug and alcohol abuse – supportive family – prospects of rehabilitation
36.	<b>CULLEN</b> (50) <a href="#">[2015] NSWSC 768</a> Harrison J	VG	30y NPP 22y 6m		Nil in Australia – old record in England	Stabbing  Intent to kill	<b>SNPP 20 years</b> Stabbed estranged wife – assaulted victim in garage of apartment block and forced her into boot of car – purchased fishing knives drove to reserve and fatally stabbed wife in frenzied and brutal attack – resentment and frustration over relationship breakdown – above mid-range
37.	<b>ALKANAAN (No.7)</b> (27) <a href="#">[2015] NSWSC 904</a> Garling J  <a href="#">[2017] NSWCCA 56</a>	VG Murder  PG (10%) Consp to tamper with witness	28y NPP 21y  FT 1y 10m  <u>Total:</u> 28y 9m NPP 21y 9m	AD	Record including violence – breached bond	Shooting  Intent to kill	<b>SNPP 20 years</b> Shot dead drug dealer at point blank range with shot gun outside house of offender – unplanned offence – angered that victim came to house to collect drug debt – victim’s wife and 18m child in car – had called in associate as backup - fled scene and attempted to leave country – attempted to influence victim’s wife against giving evidence – murder above mid-range Exposed to war and conflict in during childhood in Iraq – mental health issues needing treatment in custody
38.	<b>BILJUH</b> (42) <a href="#">[2015] NSWSC 1917</a> Button J  <a href="#">[2023] NSWCCA 193</a>	VG	30y NPP 22y 6m	Conviction AD	Minor record – no violence	Strangulation  Intent to kill	<b>SNPP 20 years</b> Broke into home of mother in early hours of morning – strangled her and dragged body to granny flat behind house – covered face with duct tape to ensure death – body left for brother to find - carefully planned – attempted to lay false trail – well above mid-range Difficult relationship with family – personal crisis

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39.	<b>BREEN</b> (26) <a href="#">[2015] NSWSC 1757</a> Mathews AJ  <a href="#">[2025] NSWCCA 182</a>	PG (no discount) Murder  Murder  Sched: 9 offences	37y NPP 28y  34y NPP 26y  <u>Total</u> 42y NPP 33y	AA 35y NPP 26y 3m  37y NPP 27y 9m  <u>Total</u> 42y NPP 31y 6m	AOABH	Stabbing  Intent to kill	<b>SNPP 20 years</b> Angry, intoxicated and armed with hunting knife – threatened and assaulted partner and several strangers with knife in attempt to obtain car – obtained two cars at knifepoint – drove to grandparents’ house with intent to kill but moved on – demanded gun from female friend at knifepoint – smashed way into father’s house and stabbed repeatedly in presence of 12y half-brother – stabbed father’s partner multiple times in presence of 7y daughter. Harboured anger and resentment towards family – history of anger and impulse control – substance abuse. CCA: Sentencing errors conceded by Crown. Resentence: Almost to top of range of objective seriousness for murder - offending of great heinousness. No deliberately-formed plan but on a trajectory - element of planning and deliberate action in arming himself – no discount for plea – genuine remorse – good prospects rehabilitation subject to addressing substance use disorder.
40.	<b>MAYBIR (No.8)</b> (29) <a href="#">[2016] NSWSC 166</a> RA Hulme J	VG Murder  s.61O(2A) 5 x s.61 2 x s.91H(2) s.35(3) s.59(1)	<u>Indicative</u> 38y NPP 28y 6m  <u>Aggregate:</u> 42y NPP 31y 6m		Breached bond imposed for breaching AVO	Assault  Intent GBH	<b>SNPP 25 years</b> Lived with partner and her young children in small music studio – enforced physical discipline over many months particularly on 7y male victim suffering intellectual disability – cruel, degrading and inhumane treatment – victim died as result of blunt force trauma to head although exact manner of death unclear – failed to obtain medical treatment
41.	<b>TURNBULL (No.26)</b> (79 at offence, 81 at sentence) <a href="#">[2016] NSWSC 847</a> Johnson J	VG Murder  PG (10%) s.86(1)	<u>Indicative</u> 32y NPP 22y  9y  <u>Aggregate</u> 35y NPP 24y		Unlawfully clear native vegetation	Shooting  Intent to kill	<b>SNPP 20 years</b> Shooting of environmental officer – multiple shots and wounds – detained an environmental officer for purpose of killing another environmental officer - offences committed whilst criminal proceedings against offender before Land and Environment Court – intent to kill – substantial objective gravity Suffering from adjustment disorder but not serious mental disorder – strong family support.

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42.	<b>KHAN</b> (46) <a href="#">[2016] NSWSC 1073</a> Fullerton J	VG Murder  2 x Mansl  s.35(2)  s.35(4)  s.197(1)(b)	<u>Indicative:</u> 30y NPP 22y  20y NPP 15y  5y NPP 3y 9m  2y 6m NPP 2y 8m  4y  <u>Aggregate</u> 40y NPP 30y		Nil	Explosion  Reckless indifference	<b>SNPP 20 years</b> Lessee of shop caused explosion intending to use insurance money to escape debts – killed male residing in unit above shop and mother and baby residing in unit above adjoining shop – two males also residing in unit above shop injured escaping explosion – manslaughter based on unlawful and dangerous act – murder above mid-range
43.	<b>MURDOCH</b> (30) <a href="#">[2016] NSWSC 1475</a> Mathews AJ	VG Murder  Agg armed robbery	28y NPP 21y  8y  <u>Total:</u> 30y NPP 22y 6m		Armed robbery, kidnapping, dishonesty.	Shooting  At least intent GBH	<b>SNPP 20 years</b> With co-offender robbed store – offender shot store employee during robbery at close range - motive to enable co-offender to escape after he had been lawfully captured - robbed second victim of a sum of cash while armed with pistol - above midline of objective seriousness. Institutionalised - dysfunctional background – illiterate – drug abuse from young age - acquired brain disorder - substance abuse disorder - personality disorder
44.	<b>DAVIS (No 2)</b> (26) <a href="#">[2016] NSWSC 1785</a> RA Hulme J  <a href="#">[2018] NSWCCA 277</a>	VG 2 x Murder  Attempt murder	<u>Indicative</u> 30y NPP 22y 6m  16y NPP 12y  <u>Aggregate:</u> 40y NPP 30y	Conviction AD	Nil	Injected with insulin  Intent to kill	<b>SNPP 20 years</b> Nursing assistant injected aged care facility residents with insulin – vulnerable victims – extreme breach of trust - no specific motive known – callous offences – not spontaneous - well above midrange Subjective circumstances do little to mitigate penalty - good character.

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45.	<b>HAINES (No.3)</b> (46) <a href="#">[2016] NSWSC 1812</a> Garling J  <a href="#">[2018] NSWCCA 269</a>	VG 2 x murder	<u>Indicative</u> 30y NPP 22y 6m  <u>Aggregate</u> 36y NPP 27y	AD	Minor drug possession	Injected with insulin  Intent to kill	<b>SNPP 20 years</b> Female nurse at aged care facility injected two residents with insulin shortly after being advised they had made complaint about her care – caused coma – aggravated by being committed in ‘home’ of victim, abuse of trust and vulnerable victims – deliberate and calculated act but short term planning – no prolonged pain and suffering – significantly above mid-range Difficult childhood – previous findings of misconduct as a nurse and subject to reporting conditions at time of offending
46.	<b>A. CHARBAJI</b> (26)  <b>H. CHARBAJI</b>  <a href="#">[2016] NSWSC 1867</a> Rothman J  <a href="#">[2019] NSWCCA 28</a>	VG  VG	32y NPP 24y  36y NPP 27y	AD  Sentence AA 34y NPP 25y 6m	Rob in Co – AOABH - possess proh weapon  Robbery – assault - steal from person - AOABH in company – stalking - assault police officer - breach ADVO - dishonesty	Stabbing – assault - force- fed drugs  Joint criminal enterprise  Intent GBH	<b>SNPP 20 years</b> Brothers – male victim beaten by hand and ratchet, stabbed and force-fed lethal amount of drugs (Xanax) – dispute over money victim owed for drugs – bought suitcase and placed body inside – took body to remote area and poured kerosene over body - well-above mid-range in objective seriousness AC: inflicted knife wound – inflicted beating (either by hand or ratchet) that caused further, unnecessary pain - involvement in “torture” greater than co-offender HC: instigator – “owed” debt - lured victim to pub and brought him to apartment where murder took place AC: psychiatric disorders including schizophrenia – difficult background – drug abuse – poor rehabilitation prospects HC: difficult background – drug abuse – poor rehabilitation prospects HC’s Appeal - disparity
47.	<b>DROUDIS (No.16)</b> (33) <a href="#">[2017] NSWSC 20</a> Johnson J  <a href="#">[2020] NSWCCA 322</a>	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 kill	<b>SNPP 20 years</b> 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

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	NAME (age if known)	PLEA	SENTENCE	APPEAL	RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
48.	<b>CRICKITT (No.2)</b> (56 at offence – 63 at sentence) <a href="#">[2017] NSWSC 542</a> Hoeben CJ at CL  <a href="#">[2018] NSWCCA 240</a>	VG	27y NPP 20y 3m	Conviction AD	Nil	Injected insulin  Intent to kill	<b>SNPP 20 years</b> Doctor deliberately injected lethal overdose of insulin to wife by subterfuge – motivated by increasing dislike for wife and desire to pursue relationship with lover – premeditated and planned offence up to 48 hrs prior to offending – serious breach of trust – well above mid-range Depressive illness did not affect culpability but impacts custodial conditions – poor physical health – some co-operation at trial
49.	<b>SINCLAIR (a pseudonym)</b> (22)  <a href="#">[2017] NSWSC 686</a> RA Hulme J  <a href="#">[2020] NSWCCA 108</a>   Co-offender: EVANS	PG (15% plea and assist) Murder  s.112(3)  PG (35% comb) s.112(3)  3 x s.86(2)  s.86(2)	<u>Indicative:</u> 30y NPP 22y 6m  13y 6m NPP 10y  12y NPP 9y  8y 6m  9y  <u>Aggregate</u> 38y NPP 28y 6m	AD	Minor	Assault  Accessory	<b>SNPP 20 years</b> Broke into home of co-offender's former employer at night planning to steal from occupants – forced male occupant to show them safe – co-offender bashed male occupant to death with pick handle – also assaulted female occupant causing serious injuries – offender did not intend death but aware co-offender violent and armed with weapon One month earlier broke into family home of offender's ex-girlfriend with co-offender and third offender at night – sleeping male occupant severely assaulted around head by co-offender with pick handle causing serious and probably long-term injuries – all four occupants of house threatened and tied up with duct tape and rope All offences well above mid-range in seriousness Young offender with long term drug addiction – genuine remorse – some good prospects of rehabilitation On appeal: finding of objective gravity open to sentencing judge
50.	<b>LN</b> (40) <a href="#">[2017] NSWSC 1387</a> Johnson J  <a href="#">[2020] NSWCCA 131</a>	VG	44y NPP 33y	AA 38y NPP 28y 6m	Nil	Assault  Intent to kill	<b>SNPP 25 years</b> LN mother of 3y male victim - AW stepfather and LN's partner - LN killed child – AW guilty by extended joint criminal enterprise – victim assaulted over 51-day period before murder – extensive emotional and physical abuse – fatal injuries committed by LN attacking victim - substantial acceleration/deceleration forces - pattern of assaults taken into consideration in assessing objective seriousness LN: objective seriousness very significantly above mid-range – mental illness - troubled background - drug and alcohol abuse – no insight into offence – no remorse or contrition CCA (LN): error in relation to effect of offender's mental illness on moral culpability

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51.	<b>RHODES</b> (35) <a href="#">[2017] NSWSC 694</a> Campbell J	PG (25%) Murder  Murder  Assault  Assault police  Sched: Property damage Resist arrest	<u>Indicative</u> 24y NPP 18y  30y NPP 22y 6m  14m  2y  <u>Aggregate:</u> 40y NPP 30y		Violence against mother	Assault and stabbing  Intent to kill	<b>SNPP 20 years / SNPP 25 years</b> Returned home after drinking and using drugs during day – ice-induced psychosis – chased mother out of house stabbing her multiple times then crushing skull with concrete statue – returned to house and stabbed young male relative in chest with knife – threw him against wall and chased him outside smashing his head with sandstone paver – sustained and persistent although spontaneous assaults – approached and threatened female stranger in her car – threatened male police officer with fibro-cement meter cover – offences conducted in presence of other young children – home of victims – abuse of trust – well above midrange offences Aboriginal male - abusive father – long history of drug addictions – suffering ADHD and dyslexia resulting in easy recourse to violence when angry – some remorse
52.	<b>LOCK (TL)</b> (27) <a href="#">[2017] NSWSC 715</a> Latham J  <a href="#">[2020] NSWCCA 265</a>	VG	36y NPP 27y	AD	Minor	Assault  Intent GBH	<b>SNPP 25 years</b> Bashed 2y child of de facto partner - blunt force trauma caused massive internal bleeding leading to death – history of assaults on victim - more than moderately above mid-range

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53.	<p><b>M. QAUMI</b> (29)</p> <p><a href="#">[2017] NSWSC 774</a> Hamill J</p> <p><a href="#">[2019] NSWCCA 60</a> (conviction appeal against murder dismissed)</p> <p><a href="#">[2020] NSWCCA 163</a> (conviction appeal against two counts allowed – sentence appeal allowed)</p> <p>Co-offender: F.QAUMI NK</p>	<p>VG Murder</p> <p>s.33(1)(b)</p> <p>s.33(1)(b)</p> <p>Consp / Solicit / Attempt murder</p> <p>Solicit murder</p> <p>3 x shoot with intent to murder</p> <p>s.93GA(1B) – fire at dwelling</p> <p>2 x unauth poss firearm</p> <p>Supply lge comm qty drugs</p> <p>s.93T(4A) direct criminal group</p> <p>VG Manslaughter</p> <p>PG Contempt</p>	<p><u>Indicative</u> 38y NPP 26y</p> <p>8y NPP 6y</p> <p>8y NPP 6y</p> <p>10y NPP 7y 6m</p> <p>12y NPP 9y</p> <p>12y NPP 9y</p> <p>6y NPP 4y 6m</p> <p>4y NPP 3y</p> <p>4y NPP 3y</p> <p>3y</p> <p>12y</p> <p><u>Aggregate</u> 50y NPP 36y</p> <p>10m (accumulated)</p>	<p>AA <u>Indicative:</u> 38y NPP 26y</p> <p>8y NPP 6y</p> <p>Conviction AA</p> <p>10y NPP 7y 6m</p> <p>12y NPP 9y</p> <p>12y NPP 9y</p> <p>Conviction AA</p> <p>4y NPP 3y</p> <p>4y NPP 3y</p> <p>3y</p> <p>12y</p> <p><u>Aggregate</u> 46y NPP 33y</p> <p>10m (accumulated)</p>	<p>Early record – seven year gap prior to these offences</p>	<p>Shooting</p> <p>Joint criminal enterprise</p> <p>Intent to kill</p>	<p><b>SNPP 20 years</b></p> <p>Member of criminal gang – brother to leader - murder committed for contract payment of substantial amount of money – involved in arranging shooters and weapons</p> <p>Involved in arranging 5 shooting incidents over one month – premeditated and planned incidents in the context of violent gangland war - manslaughter act of excessive self-defence after hearing about contract put out on life of brother by rival gang – shooters opened fire on garage of suburban house killing one occupant killed and seriously injuring second – shooting of several rival gang member at their homes – teenage girl suffered serious and permanent injuries - arranged shooting of rival gang member without knowledge of brother – two males shot and injured waiting in car outside café - involved in arranging drive by shooting at home of mother of intended victim – on arrival shooter hesitated due to presence of women and children and shot at group of gang members nearby injuring one.</p> <p>Found in possession of 1,894.4g relatively new psychoactive substance</p> <p>Contempt committed by violent attack on co-accused in court</p> <p>Refugee from Afghanistan – suffered extreme and traumatic violence as a child – suffering anxiety disorder and depressive illness – reasonable prospects of rehabilitation – harsh custodial conditions</p> <p>On appeal: conviction appeal for s.93GA(1B) and s.33(1) allowed – error in SNPP for several offences</p>

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54.	<b>PARK</b> (28) <a href="#">[2017] NSWSC 873</a> Latham J  <a href="#">[2019] NSWCCA 105</a>	PG (10%)	36y NPP 27y	AA 28y 9m NPP 21y 6m	Nil	Assault  Intent to kill	<b>SNPP 20 years</b> South Korean assaulted housemate with sledgehammer – sustained and vicious assault throughout house – pre-meditated to gain access to victim’s car and money – wrapped body in plastic and placed in suitcase in rubbish bin – took steps to cover offence – above mid-range Difficult childhood – remorse – moderate prospects of rehabilitation
55.	<b>WESTERN</b> <a href="#">[2017] NSWSC 1385</a> Rothman J  Co-offender: ROLFE	VG	34y NPP 25y 6m		Significant	Shooting  Intent GBH	<b>SNPP 20 years</b> Sergeant at arms of Bikie Club – with two others attended workshop of victim with intent to cause GBH – dispute over bike belonging to victim and seized by Club – shot victim twice in stomach and groin – not contract killing but assertion of authority – well above mid-range Disturbed and abusive childhood – significant psychological issues
56.	<b>VILLALUNA</b> (45) <a href="#">[2017] NSWSC 1390</a> Beech-Jones J	PG (15%) Murder  Wound with intent GBH	34y NPP 24y  12y NPP 9y  <u>Total:</u> 40y NPP 30y		Nil	Stabbing  Intent to kill	<b>SNPP 20 years</b> Stalked, abused and tormented female ex-partner – had been very possessive and jealous in relationship – followed ex-partner to dinner date with male victim – stabbed victim 11 times - wounded ex-partner – murder planned – victim complete stranger - had planned for some time to kill any man in presence of ex-partner No remorse - significant prospects of reoffending in unlikely event forms another relationship Comparative cases
57.	<b>MARTIN</b> (25) <a href="#">[2018] NSWSC 84</a> Hamill J	VG Murder  s.27  s.33	<u>Indicative</u> 32y NPP 24y  15y NPP 11y 3m  8y NPP 6y  <u>Aggregate</u> 37y NPP 27y 9m		No significant record	Stabbing  Intent to kill	<b>SNPP 20 years</b> Killed father for insurance money / policy - took out three insurance policies over father’s life unknown to father or family - initial attempt to kill unsuccessful – s.27 and s.33 offences committed in home of father and another victim – left two victims with life-threatening injuries – acted with at least one, and possibly two, other people in carrying out attack - murder committed shortly after father released from hospital – used samurai sword - substantially above mid-range – grave offences of violence – planned and premeditated attack Childhood neglect and abuse at hands of father - depressive illness

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58.	<b>JK</b> (31) <a href="#">[2018] NSWSC 250</a> Hamill J	PG (slightly more than 10%) Murder  Sched: Inflict GBH	37y 6m NPP 28y		Minor	Assault  Intent to GBH	<b>SNPP 25 years</b> Killing of 12y step-daughter following sustained beatings over several days – horrific injuries through blunt force trauma – history of regular and increasingly violent assaults - tied to garage beam by hands and hit with electric cord, slapping, punching - tied to bed and whipped – torture – gratuitous cruelty – use of weapon - absence of intent to kill did not take case outside “worst case” Insight and remorse demonstrated - longstanding depression
59.	<b>BOYD</b> (53) <a href="#">[2018] NSWSC 380</a> Lonergan J	PG (10%) Murder  s 33(1)(a)  s 51B(1)	30y 6m NPP 22y 6m  6y 3m NPP 5y 3m  18m  <u>Total:</u> 33y NPP 25y 6m		Assault – breached bond	Stabbing  Intent to kill	<b>SNPP 20 years</b> Attacked long-term spouse after period of separation and arguments due to offender’s issues with alcohol – assaulted son who arrived trying to assist victim – number of stab wounds to face and both sides of neck - multiple bruises and stab wounds in chest, back and shoulders - some stab wounds very deep (10-12cm) - savagery and brutality of violence - evident use of multiple weapons - alcohol induced and fuelled anger - well above mid-range Alcohol and anger issues – some little prospect rehabilitation
60.	<b>CLIFF (No.6)</b> (29) <a href="#">[2018] NSWSC 587</a> Campbell J  <a href="#">[2023] NSWCCA 15</a>	VG Murder  PG Agg BES  Stealing	30y NPP 22y  3y  1y  <u>Total:</u> 32y NPP 24y	Conviction AD	Not serious - property, driving, assault	Stabbing  Intent GBH	<b>SNPP 25 years</b> Killed 16y brother of ex-partner during argument – offender upset by victim’s remarks concerning breakup and property settlement with victim’s sister – intoxicated by ice/methamphetamine – did not know killed victim until informed by police some hours later - unlikely intent to kill – large number of injuries by knife and blunt force trauma including blow to top of victim’s head – one fatal deep stab wound to area around heart - mid-range Ongoing drug abuse – depressive symptoms
61.	<b>HOMANN</b> (36-37) <a href="#">[2018] NSWSC 757</a> McCallum J	VG	30y NPP 22y 6m		priors including violence	Stabbing  Intent to kill	<b>SNPP 20 years</b> Stabbed pregnant partner in own home – 49 stab wounds – extreme frenzy of violence – suffering ice-induced psychosis at time of offence – offence committed in domestic context

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62.	<b>MEDICH (No. 43)</b> (70) <a href="#">[2018] NSWSC 886</a> Bellew J  <a href="#">[2021] NSWCCA 36</a>	VG Murder  Intimidation	36y NPP 27y  4y 6m  Total: 39y NPP 30y	Conviction AD	Nil	Shot  Intent to kill	<b>SNPP 20 years</b> Directed contract killing of former business associate – victim shot by hired contract killers outside home in front of young son – offender later arranged intimidation of victim’s wife with threats she would be harmed if she did not repay debts – history of disputes between offender and victim – paid for killing and intimidation – offences arose out of one joint criminal enterprise - at upper end of range of objective seriousness
63.	<b>GATT (No.11)</b> (23) <a href="#">[2018] NSWSC 991</a> Schmidt J  Co-offender: BORG	VG	28y NPP 21y		breached conditional liberty – violence and drug offences	Shooting  Accessory	<b>SNPP 20 years</b> One of two men who approached 18y victim in parked car – victim shot seven times – evidence of co-offender not reliable enough to establish who fired fatal shots – both offenders involved in drug dealing business - joint criminal enterprise – above mid-range – greater culpability than co-offender Totality to existing sentences
64.	<b>AKB (No.8)</b> (45) <a href="#">[2018] NSWSC 1628</a> Davies J  <a href="#">[2024] NSWCCA 169</a>	VG Murder	36y NPP 27y	Conviction AD	nil	Fire  Intent to kill	<b>SNPP 20 years</b> 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
65.	<b>DUNSTALL</b> (45) <a href="#">[2018] NSWSC 1923</a> Button J	VG Murder  Sched 2 dishonesty offences	32y NPP 24y		lengthy record for dishonesty offences	Shooting  Intent to kill	<b>SNPP 20 years</b> Offered to source large amount of cannabis for criminal associates – paid some money in advance – arranged to meet up with victim to deliver drugs – had lied about existence of cannabis so drove victim to isolated area and shot him in head – blamed victim for loss of cannabis – pre-meditated – cold-blooded and merciless
66.	<b>LATU (No.3)</b> (31) <a href="#">[2019] NSWSC 951</a> Lonergan J  <a href="#">[2023] NSWCCA 19</a>	VG Murder  Breach ADVO	28y NPP 21y  2y (concurrent)	Conviction AD	AOABH, contravene ADVO. On bond.	Assault  Intent GBH	<b>SNPP 20 years</b> Killed female partner - multiple blows to victim’s head; kicking and or stomping on head, back, ribs and leg – relationship marked by violence and controlling behaviour by offender – threats to victim and her family - extreme brutality - very serious example - objective seriousness well above mid-range – finding of intent to cause GBH only of minor effect on sentence. Continues to deny and minimise offending - poor prospects of rehabilitation.

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67.	<b>A1</b> (46 at offence - 51 at sentence) <a href="#">[2019] NSWSC 1581</a> Johnson J	VG	32y NPP 23y		AOABH, stalking, possess firearms	Shot  Intent to kill	<b>SNPP 20 years</b> Shot male victim six times in head and once in chest – victim and offender’s wife involved in relationship / affair – motive related to outrage at relationship - planned offence - sense of dishonour which offender felt for cultural reasons – sexual jealousy
68.	<b>TANGI (No.12)</b> (28) <a href="#">[2020] NSWSC 547</a> Rothman J	VG Murder	30y NPP 22y 6m		assault and domestic violence – offence committed on remand – multiple prison misconduct charges	Assault  Intent GBH	<b>SNPP 20 years</b> Fatal assault on fellow prisoner while alone in cell – argued with victim over several days prior to assault – led victim into cell while another prisoner stood guard – stomped on victim’s head at least once – some planning but intent to inflict GBH did not develop until after assault commenced – above mid-range Little or no insight – no remorse – difficult custodial conditions exacerbated by pandemic restrictions – difficult childhood resulting in disempowerment and social exclusion
69.	<b>McCOSKER</b> (49) <a href="#">[2020] NSWSC 1822</a> RA Hulme J  Co-offender: STONE	VG	36y NPP 27y		Lengthy although mostly Local Court – breached bond imposed 3 weeks earlier for possess prohibited weapon	Petrol fire  Intent to kill  Accessory	<b>SNPP 20 years</b> 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 offender’s idea to kill victim – offence easily in upper range – same culpability as co-offender Long-term drug user
70.	<b>WHITELEY</b> (26) <a href="#">[2021] NSWSC 153</a> Rothman J	VG	35y NPP 24y		Extremely limited	Assault  Intent GBH	<b>SNPP 25 years</b> Killed 20mth step daughter – 13 injuries to neck and head and 16 injuries to trunk – assault probably started while child in her bed and included being thrown against drawers – spontaneous assault over several minutes with no motive – assault reflected emotional dysfunction related to mental and personality disorder – breach of trust - above mid-range Sexually abused and mistreated as a child – mental health and personality disorder – some remorse – good prospects of rehabilitation – some reduction for conduct of trial

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71.	PHAM <a href="#">[2021] NSWSC 528</a> Wilson J	VG (assistance 10%)	30y 7m NPP 22y 11m		AOABH, affray, violence, BES, larceny, supply drugs, dishonesty, On conditional release order.	Stabbed  Intent to kill	<b>SNPP 20 years</b> Victim purchased drugs from offender – stabbed victim in back – victim ran and fell, stabbed further three times to heart, chest and back – knife lodged in victim’s spine and snapped – with co-offender dragged body back inside apartment - offender mutilated and partially dismembered body for disposal – stole victim’s car and wallet – not possible to state why killed victim - possible argument. Early drug use – adverse childhood – assistance.
72.	NEY (20) <a href="#">[2021] NSWSC 529</a> Johnson J  <a href="#">[2023] NSWCCA 252</a>	PG (10%) 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	<b>SNPP 20 years</b> 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
73.	REAY (No.2) (47) <a href="#">[2021] NSWSC 901</a> RA Hulme J	VG	30y NPP 22y 6m		Violence - committed while on Extended Detention Order	Strangulation  Intent to kill	<b>SNPP 20y</b> Strangled cell mate – no explanation – spontaneous offence – vulnerable victim - very grave Violent childhood – early drug use – ‘long demonstrated propensity for unprovoked and on occasion indiscriminate violence in custody and in the community’ – severe personality disorder

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74.	<b>GARVEY</b> (24)	PG (10%) Murder	28y 9m NPP 20y 3m		Lengthy – commenced at 11y – includes violence and robbery – breached parole and bail – shocking record of custodial breaches – existing sentence for dangerous driving causing death	Multiple incision wounds with machete during robbery  Extended joint criminal enterprise (J)	<b>SNPP 20y</b> Offenders attended home of 60y male victim impersonating police officers – grabbed victim’s wallet containing \$1000 – later that day recruited co-offender – returned to victim’s house during night disguised and armed with baseball bat and machete – in confrontation with two of three male occupants victim cut multiple times with machete by G – fatal wound to upper arm – targeted home invasion for robbery – brutal assault – G primary offender – J involved in planning and aware of machete – more culpable than third offender – murder slightly above mid-range for J – more serious for G G – Aboriginal male – Bugmy principles applied – poor education – behavioural issues as a child – exposure to drug abuse and violence – foster care and homelessness – long history of personal substance abuse commencing at 11y – sexual abuse – never employed – possibly institutionalised – relevance of totality in light of existing sentence J – difficult childhood – drug user – mental health issue – some discount for assistance at trial
		Steal from person	13m				
		Impersonate police	9m  <u>Aggregate:</u> 29y 3m NPP 20y 9m  <u>Total including existing sent:</u> 34y 3m NPP 25y 9m				
	<b>JONES</b> (23)  <a href="#">[2021] NSWSC 1147</a> RA Hulme J	VG Murder	28y NPP 21y 6m		Lengthy – includes domestic violence, robbery and driving offences – breached bond and parole		
		PG Steal from person	13m				
		Impersonate police	9m				
		Driving offence	9m  <u>Aggregate:</u> 28y 9m NPP 22y 3m				
	Co-offender: FLETCHER						

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75.	<p><b>BAINES</b> (23-24)</p> <p><b>DANISHYAR</b> (23) <a href="#">[2021] NSWSC 1654</a> Fagan J</p> <p><a href="#">[2023] NSWCCA 302</a> <a href="#">[2023] NSWCCA 300</a></p> <p>Co-offenders: SULTANI MUNSHIZADA</p>	<p>VG Murder</p> <p>VG Accessory before fact to murder</p> <p>Accessory after fact to murder</p>	<p>36y NPP 27y</p> <p>15y NPP 11y</p> <p>FT 2y</p>	<p>AA 30y NPP 22y 6m</p> <p>Crown AA 20y NPP 15y</p>	<p>One prior offence of violence – prison offences</p>	<p>Shot</p> <p>Intent to kill</p>	<p><b>SNPP 20y (Baines only)</b> Involved in last of three killings committed by co-offenders - all offenders part of inner circle of criminal organisation – co-offender S believed victim, an underworld figure, involved in killing of close friend – S and B shot victim while co-offender M drove – D aware of plan to kill and drove second getaway car - killing carefully planned, merciless and committed in residential street B – motivated by desire to ingratiate with co-offenders – subordinate to co-offenders and influenced by them – dysfunctional childhood although no link to offending D – knew about plan to kill when accepted role of second getaway driver – M's cousin – no remorse – no positive prospects of rehabilitation – risk of re-offending</p>
76.	<p><b>KELEKLIO</b> (42)</p> <p><b>SINAI</b> (33) <a href="#">[2022] NSWSC 62</a> RA Hulme J</p> <p>(Sinai) <a href="#">[2023] NSWCCA 194</a></p>	<p>PG (10%)</p> <p>VG</p>	<p>27y NPP 20y 3m</p> <p>30y NPP 22y 6m</p>	<p>AOABH, robbery, fraud, BES whilst armed - Last offending 15 years ago.</p> <p>Nil in NSW. Insignificant NZ – theft, burglary.</p> <p>Conviction AD</p>	<p>AOABH, robbery, fraud, BES whilst armed - Last offending 15 years ago.</p> <p>Nil in NSW. Insignificant NZ – theft, burglary.</p>	<p>Shot</p> <p>Intent to kill</p>	<p><b>SNPP 20 years</b> Joint criminal enterprise - K shot 65y male victim solicitor to back of head three times in busy shopping centre during daytime – K fled scene driven away in S' van – S recruited K and others; carried out surveillance, provided K with gun, provided means for fleeing from scene – planned; premeditation; part of organised criminal activity - no motive established; connected with victim's association with organised crime; killing to serve criminal objective of unknown person(s) – no prior dealings with victim – only known motive was that K carry out task set for him by S on behalf of others – same level of culpability among K and S despite different roles. K: reasonable prospects of rehabilitation - remorse. S: acted at behest of others but still an important hands-on role - reasonable prospects of rehabilitation - unlikelihood of re-offending.</p>

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77.	<b>KRIVOSIC (No.7)</b> (27) <a href="#">[2022] NSWSC 507</a> Johnson J  <a href="#">[2024] NSWCCA 166</a>	VG	28y NPP 21y	Conviction AD	Significant including violence and firearm offences – breached parole for firearm offence	Shooting  Intent GBH	<b>SNPP 20y</b> Offender advised of assault by victim and another man – attended unit where victim visiting female resident – entered unit wearing gloves and jacket concealing face and shot victim sitting on lounge once in left side of back in lower chest area – pistol whipped victim to head and attempted to kick - left home deliberately armed with pistol and attempts made to conceal identity – very angry at treatment of third man but no immediate provocation at time of shooting – aggravating factors include use of weapon and in company – upper mid-range gravity Experienced trauma during childhood in Croatia and Serbia during war and further difficulties in Australia
78.	<b>COSKUN (No.5)</b> (28) <a href="#">[2022] NSWSC 1216</a> RA Hulme J  <a href="#">[2024] NSWCCA 67</a>	VG Murder  Att s.97(2)	<u>Indicative</u> 32y NPP 24y  5y  <u>Aggregate:</u> 34y NPP 25y 6m	AD	Lengthy record	Shooting  Constructive murder	<b>SNPP 20 years</b> One of two men who entered unit in early hours of morning, both armed and intent to rob drug dealer of money or drugs – offender fired ten shots – one occupant fatally shot in head and second occupant shot twice in arm – female occupant threatened with gun to head by second assailant – intent to cause GBH or at least high degree of recklessness – both offences above mid-range Born in Turkey – difficult childhood including physical and sexual abuse and early substance abuse – suffering PTSD and other mental health disorders
79.	<b>ERDOGAN</b> (19 at offence; 23 at sentence) <a href="#">[2023] NSWSC 101</a> Ierace J	VG	35y NPP 24y		Larceny, common assault, driving, contravening ADVO. On bail.	Assault and stabbing  Intent to kill	<b>SNPP 25 years</b> With 2 co-offenders - instigated murder of 17y male - assaulted over approximately two hours - motive for assaults, until time of intention to kill, was anger towards victim since earlier argument - tortured over extended period and repeatedly stabbed – hit to head with cricket bat or wrench and kicking or stomping - stabbed in neck area 22 times, snapping blade of knife – degree of premeditation. No remorse - guarded prospects rehabilitation - violence and fact and mode of killing of remain essentially unexplained behaviour – ADHD - long-standing mental health issues sufficiently serious to destabilise education and functioning in society.

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80.	<b>WHITE</b> (40) <a href="#">[2023] NSWSC 193</a> lerace J  <a href="#">[2025] NSWCCA 141</a>	VG Murder  2 x discharge firearm w/intent GBH  4 x fire firearm into dwelling house, reckless  s.166 Cert: 6 offences	<u>Indicative</u> 34y NPP 24y  14y NPP 10y  9y NPP 6y 6m  <u>Aggregate</u> 42y NPP 30y	AD	Assault, behaving offensive manner, stalking / intimidation	Shot	<b>SNPP 20 years</b> Shooting in suburban neighbourhood – offender’s relationship with neighbours deteriorated - 226 bullets fired from two rifles over approximately one hour – one victim killed and multiple injured - offender could not have seen victim inside residence and did not specifically target victim - intended to kill another person (S) by firing repeatedly into house Cognitive impairment consequent to brain injury - relevant to assessment of moral culpability – <i>Bugmy</i> ; disturbed childhood involving violence, sexual abuse and neglect - little insight into offences - qualified remorse – uncertain prospects of rehabilitation - special circumstances based on cognitive impairment.
81.	<b>KOVALEFF</b> (19) <a href="#">[2023] NSWSC 302</a> Rothman J	PG (15%)  Murder  Wound with intent cause GBH	34y NPP 24y  6y 9m NPP 4y 9m  <u>Total:</u> 36y NPP 26y			Stabbed  Intent to kill	<b>SNPP 25y</b> 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
82.	<b>KARAALI (No 10)</b> (26) <a href="#">[2023] NSWSC 866</a> Campbell J  <a href="#">[2024] NSWCCA 162</a>  Co-offender: HAMDACH	VG	28y NPP 21y	AD	Common assault, agg BE, resist police, supply drugs, firearms, driving offences. On parole.	Assault  Intent to kill	<b>SNPP 20y</b> Acted as the “muscle” on behalf of co-offender – co-offender recruited offender to exact retribution on male deceased for selling fake earbuds / airpods - serious physical assault including punches, kicks, athletic high-kick to the head and stomping to head - deceased suffered extensive catastrophic brain injury - offender denied assistance from passers-by and told lies explaining deceased’s state of being unconscious. Drug use - substance abuse disorder - offender has never given an account of his part in the offending – unsettled upbringing - absence of remorse - prospects of rehabilitation guarded. On appeal: no error in finding as to intent or parity and not manifestly excessive

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83.	HAWKINS (45) <a href="#">[2024] NSWSC 80</a> Hamill J	VG	32y NPP 24y		Record since 13y – mostly drugs, dishonesty and property offences – breached conditional liberty	Shooting  Intent kill	<b>SNPP 20 years</b> Shot grandmother in her home in front of daughter and newborn grandson – cold-blooded execution – victim not known to offender – acted on behalf of associate who had fallen out with victim – some involvement in planning several days before offence – form of reward unclear – above mid-range Childhood of profound deprivation including violence, abuse, substance abuse and early involvement in criminal system – Indigenous male – <i>Bugmy</i> and <i>Millwood</i> applied to reduce moral culpability and justify determinate sentence – substance abuse disorder – difficult custodial conditions due to Covid - reasonable prospects of rehabilitation Co-offender (driver of car) convicted of manslaughter
84.	PETTIFORD (34) <a href="#">[2024] NSWSC 319</a> Dhanji J	VG Murder  Att murder	33y 3m NPP 20y 3m  14y 3m NPP 10y 8m  <u>Total:</u> 39y NPP 26y		Minor violence	Assault  Intent to kill	<b>SNPP 20 years</b> Fatal assault on male sleeping rough using three rocks from nearby seawall – had developed idea of killing victim earlier in day when walked past sleeping area – admitted long held desire to kill in police interview – on remand slashed throat of inmate using weapon made of wire and razor blades – intent to kill – both victims strangers to offender but targeted as persons 'less dead' – callous, senseless and unprovoked killings lacking humanity – high range seriousness Jury rejected defence of mental illness and substantial impairment – some reduction of moral culpability, denunciation and deterrence due to undiagnosed bi-polar disorder – do not need to decide if life sentence otherwise appropriate – guarded prospects of rehabilitation – 5% discount for extensive and frank participation in interviews and further discount for efficient conduct of trial

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85.	<b>SULTANI</b> (27 at offence) <a href="#">[2024] NSWSC 338</a> Ierace J	PG (10%) Murder	31y 6m NPP 23y		Currently serving sentences for four murders as well as other offences	Shooting  Intent to kill	<b>SNPP 20 years</b> (2015) this murder second of five unrelated killings – acting as president of chapter of bikie gang at time of killing – victim Sergeant at arms of different chapter – offender in part motivated by anticipated problems with victim over intention of offender and others to leave gang – shot victim in back of head four times during meeting at night – no significant pre-planning – stored body for several days before having it dumped in bushland by associate – callous execution style killing No remorse – onerous custodial conditions – serving three life sentences for subsequent murders
86.	<b>SIONE</b> (32) <a href="#">[2024] NSWSC 846</a> RA Hulme AJ  Co-offenders BE [2023] BL [2024] AD [2024] SIONE [2024]	VG	32y NPP 24y		Significant violence – breached conditional liberty	Assault  Accessorial liability	<b>SNPP 25 years</b> 16y male bashed by group over 33 minutes – victim accused by co-offender of stealing airpods so lured to her home – assault in bedroom initiated by S and continued by other male juvenile offenders after S left – frenzied assault involving extreme violence on vulnerable and defenceless victim – S older and took lead in offence – greater liability than co-offenders – liability based on joint criminal enterprise to inflict GBH S - Samoan / Tongan heritage – suggestion of difficult childhood but does not reduce moral culpability – mental health issues – onerous custodial conditions TB [2024] sentenced for manslaughter

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87.	<b>PARKES (No 3)</b> (46) <a href="#">[2024] NSWSC 910</a> Adams J  Co-offender: SLOAN	VG	31y NPP 21y 6m		Threaten with intent to influence witness, stalk/intimidate with intent to cause fear/physical harm, contravene AVO, rob in company, custody of knife in public, drug supply.	Assault  Accessory  Intent to kill	<b>SNPP 20 years</b> Female victim - planned murder - joint criminal enterprise between P and S in context of drug dealing – not known which offender physically killed deceased - P's idea to kill - two motives: financial motive in that deceased wanted money back from P, and victim knew too much about the drug dealing - P recruited S to assist - S worked for P and looked up to him - both offenders users of high amounts of ice - P agreed to isolate victim for days before death - victim taken to remote bushland and bashed to death - probably killed with baseball bat, but no direct evidence of that apart from P's account - body set alight / burnt, petrol found in soil – victim's vehicle burnt - not known which offender removed victim's identifying tattoo with a knife to cover murder - above mid-range objective seriousness but not substantially. Mental health - ADHD, depressive disorder, severe amphetamine type stimulant use disorder - reasonable prospects rehabilitation if drug free - special circumstances.
88.	<b>SIMON</b> (57) <a href="#">[2025] NSWSC 309</a> McNaughton J	PG (10%)	31y NPP 22y		Limited	Shot  Intent to kill	<b>SNPP 20 years</b> 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
89.	<b>HANSON</b> (38) <a href="#">[2025] NSWSC 1147</a> Harrison CJ at CL	VG	28y NPP 21y		AOABH, contravene ADVO	Assault  Intent inflict really serious injury	<b>SNPP 20 years</b> Killed 32y female partner – serious sustained assault, repeated infliction of serious injuries - blunt force head injury leading to intracranial swelling and herniation– suffered various fracture to skull, nose, jaw, ribs – very significant example of domestic violence murder - above mid-range objective seriousness. Mental health – personality disorder – alcohol abuse – disadvantaged upbringing - <i>Bugmy</i> - remorse - prospects of not reoffending guarded.

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90.	FORREST (32) <a href="#">[2026] NSWSC 260</a> Yehia J	VG  s.166 Certificate: use firearm possess firearm	30y NPP 20y  FT 6m FT 12m  <u>Total:</u> 30y NPP 21y		Robbery, obtain benefit by deception, shoplifting. On parole.	Shot  Intent to kill	<b>SNPP 20 years</b> Shot deceased once to shoulder/chest area, ran back to car, reloaded firearm, returned to shoot deceased at least twice more at close range - exact motive unknown - angry with deceased - perceived dispute with offender believing deceased was trying to "stand over" or undermine him financially; earlier tension about a drug transaction – with accomplice, ambushed deceased at remote location, fled scene and burnt deceased's body – above mid-range. Deprived background – Bugmy – Indigenous male – substance abuse - institutionalised – guarded rehabilitation - special circumstances.

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