

Serious Sexual Offences
Total Sentence Greater Than 10 Years and Less Than 15 Years
Victims aged 16y or Older

Note: This table contains cases where the total sentence is greater than ten years but less than 15 years.

For cases where the total sentence is 15 years or greater see:

Serious Sexual Offences – Total Sentence 15 Years or Above

Serious Sexual Offences – Total Sentence 20 Years or Above

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
1.	Pollack NSWCCA 20.5.1993	Assault Indecent Assault BES Threaten ABH with weapon W/I to sexually ass 3 x s.61I	VG / PG	MT 11y AT 2y	AA MT 9y 9m AT 3y 3m (13y NPP 9y 9m)	Second offences committed on bail – nil relevant	Entered female's flat at night – lay on top of complainant on bed – placed hand over nose and mouth – rubbed genitals and buttocks – pulled hair and struck face Entered home of female at night armed with knife – held knife to neck – sexual intercourse x 3 – fondled vagina – forced fellatio – stole money – threat to kill Schizoid personality – good prospects of rehabilitation
2.	Careless NSWCCA 16.9.1993	s.61J	PG	MT 8y AT 2y 8m (10y 8m NPP 2y 8m)	AD	On bail and bond. Prior sex but not as serious	Penile / vaginal – complainant deaf and dumb - grabbed as walked from pub to park, dragged into bushes, punched about the body and face, severe injuries to the face, including broken jaw

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3.	Jones (33) NSWCCA 15.12.1993	2 x s.61J s.61K 2 x s.61I	PG	MT 12y AT 2y (14y NPP 12y)	AD	bad prior sexual offences - on parole	Penile / vaginal, oral and anal intercourse – four complainants each attacked on way home from club where met offender - in one case knife used - each complainant assaulted with some violence and suffered serious physical and emotional harm - offences of worst kind. Fresh evidence of HIV
4.	McCarthy (22) (1993) 71 A Crim R 395	LMV s.61C(1)(b) 7 x s.61D(1)	VG	MT 8y AT 2y	Crown AA MT 9y AT 2y 6m (11y 6m NPP 9y)	On parole for sexual assault.	With de facto picked up 17y female for baby-sitting - used knife to force complainant to undergo sexual assault in back of van.
5.	Roberts (27) NSWCCA 8.8.1994	5 x s.61J 4 x indecent ass	VG	MT 11y AT 2y	AA MT 10y AT 3y (13y NPP 10y)	Prior convictions for serious sexual assaults	Penile / vaginal, oral and anal - used knife - attack started when 39y complainant arrived home, forced at knife point into house and sexually assaulted for hour and a half - left naked and bound.
6.	McGarvey (29) NSWCCA 26.8.1994	s.61C(1)(a) s.61D(1)	PG	MT 10y AT 12m	AA MT 8y 3m AT 2y 9m (11y NPP 8y 3m)	Extensive record including sexual assault - breached bail	Sept 1987 - Entered home of 81y female – punched her to head and face, placed pillow overhead and told her he had a knife – forced vaginal intercourse Abusive children – borderline personality disorder – alcohol abuse
7.	Burns (24) NSWCCA 21.9.1994	6 x s.61J	PG	MT 9y AT 3y (12y NPP 9y)	AD	long on recog for sex	Entered complainant's house through fly screen - struck sleeping complainant on head - complainant feigned unconsciousness, and subjected to episodes of penile / vaginal and oral intercourse.
8.	Gordon (19) (1994) 71 A Crim R 459	3 x kidnapping 6 x AR Indecent ass 2 x agg sex ass BE w/ l to detain	PG	MT 6y 6m AT 3y 6m	Crown AA MT 8y AT 4y (12y NPP 8y)	Extensive record, bond and PD at time of offences. Bail for aggravated sexual assault	Over 12 days approached three complainants in car park - used knife to force them into car - stole money from purses and forced withdrawals from bank - each detained for period of some hours - one complainant sexually assaulted – one detained in hotel room for 8 hours.

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9.	Sansom (52) NSWCCA 28.8.1995	2 x s.61J	VG	MT 9y AT 3y (12y NPP 9y)	AD	Lengthy including violence	Assaulted 40y old acquaintance in home while children sleeping - threats to kill complainant and children - inflicted bodily harm by knife around neck.
10.	Morris (16) NSWCCA 25.9.1995	BE w/ l s.61J AR Sched Firearms	PG	MT 9y AT 4y	AA MT 8y 8m AT 4y 4m (13y NPP 8y 8m)	Lengthy	Broke into complainant's house and threatened complainant and her children - used knife – anal, penile/vaginal and oral intercourse over period of time
11.	Carroll NSWCCA 26.9.1995	s.61J s.61I	VG PG	MT 12y AT 2y	AA MT 10y AT 4y (14y NPP 10y)	minor committed second count while on bail for first count	Sexual assault of acquaintance from hotel – hit complainant about head and threatened to kill - second count involved sexual assault of complainant in own home.
12.	Russell (20) (1995) 84 A Crim R 386	s.61I s.89 2 x s.61J s.33B	PG	MT 7y AT 4y (11y NPP 7y)	AD	Breached recog and bail	Walking home from nightclub with female acquaintance forced her to have intercourse – on subsequent occasion forced female off street into secluded area and forced oral and vaginal intercourse – used car aggressively as police attempted to arrest for dangerous driving Low intellect – hearing problems – Aboriginal male
13.	WAP (26) NSWCCA 19.8.1996	6 x s.61J Enter w/ intent to assault AOABH AR Seize and carry away	PG	MT 9y AT 3y	AA MT 8y AT 3y (11y NPP 8y)	previous record, although none for sex	Knocked at house of first complainant and forced entry with knife - threatened occupants, and left when one escaped - forced entry into house of second complainant - threatened complainant and three year old son - brutal sexual assaults, including use of aerosol can and fist - continual threatening of complainant and son - took valuables and took complainant to nearby reserve for further sexual assaults - took photo of son to threaten in the future.

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14.	Miller (35) NSWCCA 25.3.1997	6 x s.61J	PG	MT 7y 6m AT 3y 6m (11y NPP 7y 6m)	AD	sexual priors on young persons, although no violence	Dragged 16y complainant walking alone along canal at 2pm into bushes and demanded money - assaulted, stripped, and jumper tied around eyes - multiple sexual acts, including fellatio. Pleaded guilty on second day of second trial.
15.	Monks (28) NSWCCA 5.8.1997	5 x s.61J 5 x s.61M(1)	VG	MT 9y AT 3y (12y NPP 9y)	AD	long, although not serious	Complainant disabled with cerebral palsy - visited co-offender for weekend – co-offender arranged for offender to visit - complainant sexually assaulted over period of hours - “worst case”
16.	B M T (48) [2000] NSWCCA 112	s.61J Sched: Mal damage	PG	MT 9y AT 3y (12y NPP 9y)	AD	long record, including sexual offences - on parole at time of offence	Permitted entry into house of ex-cell mate's de facto - used carving knife to subject complainant to series of degrading and violent sexual acts over three and a half hours - 3y son present during much of assault – after complainant escaped refused police entry
17.	Maher [2000] NSWCCA 147	s.61I s.61J	PG	MT 8y AT 3y (11y NPP 8y)	AD	On bail for first offence when committed second.	Broke into first complainant's caravan and forced penile intercourse - three months later broke into second complainant's caravan, assaulted her twice and forced penile intercourse.
18.	Khan (38) [2000] NSWCCA 428	4 x Assault 4 x s.61I Indecent assault Abduction	VG	MT 8y 3m AT 2y 9m (11y NPP 8y 3m)	AD		Bizarre relationship with Indian / Fijian complainant over several weeks – complainant sexually assaulted in bedroom of offender's house – assaulted and threatened with knife – tied up and placed in boot of car – digitally penetration – cunnilingus
19.	King [2000] NSWCCA 507	5 x s.61J s.97(1)	VG	MT 7y AT 5y (12y NPP 7y)	Conviction AD		Broke into home of pregnant sleeping female - held knife to neck and demanded money - bound and blindfolded complainant and performed oral, anal and vaginal intercourse - threatened 3y son and unborn child

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20.	Astles (28) [2001] NSWCCA 235	2 x s.61I s.90A s.112(2) Sched: 6 offences (3 sexual offences)	PG	MT 10y AT 3y 4m (13y 4m NPP 10y)	AD	Lengthy record	Detained first complainant overnight after sexually assaulting her – tied up complainant and drove to bushland area and forced intercourse twice – broke into house, tied up second complainant when she returned – stole money, property and car Psychological problems
21.	Anderson (36) [2002] NSWCCA 304	2 x s.61J s.90A 2 x s.95(1) Steal MV Escape custody	PG	12y NPP 9y	Crown AA 14y NPP 11y	Lengthy, violence.	Escaped from minimum security prison with co-offender - forced 50y female walking on beach into stolen car - drove to bush, subjected to number of sexual assaults – threats - took money from complainant's wallet and forced complainant to withdraw money from ATM - complainant suffered various injuries - "just short" of worst case category Serving sentences for offences of violence.
22.	AEM (19) KEM (16) MM (16) [2002] NSWCCA 58	2 x s.61J Sched: S.61J 2 x s.61J Sched: 4 s.61J 2 x s.61J Sched: 2 x s.61J	PG (20%) PG (20%) PG (20%)	6y NPP 4y 5y 7m NPP 3y 6m 6y NPP 4y	Crown AA 13y NPP 9y 14y NPP 10y 13y NPP 10y	traffic, property and dishonesty offences - no violence - 2 recog not stated no similar offences - illegal use of motor vehicle	Two 16y females offered lift by respondents late at night - taken to house, separated and subjected to four hours of degrading sexual assaults - physical violence, threatened with knife and death threats AEM - adversely affected by father's death - Substance abuse KEM - affected by father's death - difficult schooling MM - cousin to co-offenders - difficult childhood after father left

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23.	Jones (17) [2003] NSWCCA 54	s.90A 2 x s.61J Sched: 2 x s.61J AOABH	PG	11y NPP 6y	Crown AD	prior record but no similar offences	Abducted 19y female from shopping centre car park - forced complainant to drive to isolated area and sexually assaulted her over extended period of time – use of violence and death threats - worst category Difficult and chaotic childhood - genuine remorse and contrition - 2 month old daughter
24.	McGrath [2003] NSWCCA 183	Agg BE and commit agg sexual assault Agg Rob Sched: 15 offences	PG (15%)	12y NPP 9y	AD		Broke into home of 87y male – threatened with knife then assaulted and fellated complainant – took property and car Intellectual disabilities and youth
25.	Bowtell [2004] NSWCCA 17	2 x.61J SMV s.90A (with injury) 2 x 97(1) Rob in Co Escape	PG (12.5%)	19y 9m NPP 16y 9m	AA 14y NPP 11y	Serving sentence for manslaughter	Escaped from prison with co-offender - abducted 50y female walking on beach - covered complainant's mouth with tape and tied hands - drove in complainant's vehicle to bush land with complainant in boot - stripped complainant naked, taking turns having penile/vaginal intercourse with complainant four or five times – also digital penetration and oral intercourse - at another location both again had intercourse with complainant - took \$20 from complainant's wallet - complainant taken to ATM and forced to withdraw \$50 - complainant eventually released that evening Parity – totality - in custody since aged 17 years.
26.	Hayes [2004] NSWCCA 156	s.61I s.61L Enter building with intent Sched: 3 offences	PG	12y NPP 9y 3m	AD	Second two offences committed on bail	Sexually assaulted Czech tourist in street – 17m later indecently assaulted prostitute in laneway by sucking breast – stole complainant's handbag – 6m later attempted to enter unit with female at 6am

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27.	Villar	s.90A 4 x s.61J	VG	17y NPP 10y	AA 12y NPP 9y	Minor	Sexually assaulted ex-girlfriend of one offender (V) – detained in bedroom of home unit overnight – penile intercourse, fellatio and digital anal intercourse – some violence – offences committed in company
	Zugecic [2004] NSWCCA 302	s.90A 5 x s.61J	VG	16y NPP 10y	12y NPP 9y	Minor	
28.	Johnson (23) [2005] NSWCCA 186	Agg BES	PG	14y NPP 9y	AA Only to vary commencement dates	Lengthy record – breached bail and bond	Aboriginal male broke into 2 homes and had sexual intercourse with females in bed – first complainant sleeping
		s.61I Agg BE and commit sexual assault	PG (10%) PG				
29.	MS (15) [2005] NSWCCA 322	s.61J	PG (25%)	11y 3m NPP 6y 6m	AD		Complainant approached by five males – agreed to smoke marijuana and travelled with them to station – one offender detained complainant in toilet block and forced penile / vaginal intercourse – complainant sexually assaulted by other males – further sexual assaults at other locations including an industrial estate
		s.90A					
30.	Mosegaard [2005] NSWCCA 361	s.61J	VG	12y NPP 9y	AD	Not stated	Sexual assaulted female flatmate over extended period of time – detained in offender's room – oral and vaginal intercourse – assaulted – urinated in mouth – took photos – degrading episode
		s.61I					
31.	Wilmot (32 at sentence) (2007) 169 A Crim R 280 [2007] NSWCCA 30	s.90A	PG (lower end of range)	12y NPP 9y	AD	Lengthy record for similar offences – breached conditional liberty	Assaulted 19y female on duty at train station alone at 6.00am – tied up and blindfolded complainant – fondled, kissed and sucked breast – cunnilingus and fellatio Unfortunate childhood – abuse – personality disorder – high risk of re-offending
		3 x s.61I Sched: 2 x ind ass					
32.	Harrison (38) [2006] NSWCCA 185	s.61K(a)	PG	11y NPP 9y	AA To backdate only		Offences committed with brother – attempted to force female into car – picked up prostitute and repeatedly raped Offences out of character – hardship on wife and children
		s.61JA Sched: s.61JA					

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33.	Brooks (18) [2006] NSWCCA 169	s.112(2) 3 x s.61J s.95 Sched: s.61J Escape	PG (20%)	17y NPP 13y	AA 14y NPP 10y 6m	Bad record – breached parole	Broke into home of 82y female at night – digital and penile penetration – attempted fellatio – cunnilingus – threatened with spanner – stole \$60 – took food Error in finding worst case category
34.	Webster (49) [2006] NSWCCA 346	s.61K(b) AR s.61L	PG	11y NPP 9y	AA only to set aside parole order	Lengthy and serious. Aggravated sexual assault, assault. On parole.	Followed female off train at night – held knife to complainant's throat demanding wallet – dragged complainant into laneway – forced complainant to stroke penis – with knife at complainant's throat demanded oral intercourse – complainant managed to escape.
35.	French (31) [2006] NSWCCA 361	2 x Admin stupefying drug with intent 8 x s.61I Assault 2 x AOABH Ind Assault s.61J	PG (10%)	14y NPP 10y	AD	Minor	Offences committed on partner – complainant unconscious or semi-conscious state due to drugs – bound and tied to bed – use of biscuits and syringes in sexual assaults – offences videotaped Psychological and physical problems
36.	Thorne (36) [2007] NSWCCA 10	s.61J 2 x s.61I	VG	13y 4m NPP 10y	AA 11y NPP 7y 6m	Dishonesty and sexual assault	Sexually assaulted estranged wife – punched and hit her to head – forced penile / vaginal and anal intercourse – chased complainant from house – threats to kill - attempted suicide – impulsive offence – intoxicated and depressed – below mid-range
37.	Musgrove (34) (2007) 167 A Crim R 424 [2007] NSWCCA 21	s.61J	PG (20-25%)	10y 6m NPP 8y	AD	Incite person under16y commit act indecenty	Sexually assaulted female stranger on secluded beach – threatened with knife.

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38.	BWS (50) [2007] NSWCCA 59	2 x s.61J AOABH	VG	10y NPP 6y	Crown AA 10y 6m NPP 7y 6m		Sexual assaults upon 16y niece – offences part of wider conduct.
39.	Reaburn (35) (2007) 169 A Crim R 337 [2007] NSWCCA 60	s.61J s.61I Sched: AOABH	PG (25%)	14y 8m NPP 11y	AA 10y 2m NPP 7y 6m	Minor – no sexual or violent offences	Sexually assaulted Japanese student staying with girlfriend – threatened with knife – forced fellatio – penile/vaginal intercourse from behind Extremely disruptive and abusive childhood causing psychological problems and substance abuse - remorse
40.	Oloitoa (24) [2007] NSWCCA 177	s.111(2) s.61J	PG (20%)	12y 6m NPP 6y 6m	Crown AA 13y 6m NPP 9y 9m	Significant record including violence	Three men forced entry into house occupied by female and four children at 6am – stole property – offender forced female to commit fellatio – threatened with knife – threatened children – aware children watching
41.	Thornton [2007] NSWCCA 164	s.111(1) 10 x s.61I s.37 Att s.61I s.61L	VG	12y 6m NPP 10y	AA 12y 6m NPP 9y	Nil for sexual offences	Broke into home and sexually assaulted female occupant over several hours – cunnilingus, fellatio and digital penetration
42.	MW (37) [2007] NSWCCA 291	s.61J s.37 (att choke) Sched: Act of indecency	PG (25%)	8y NPP 5y 6m	Crown AA 12y NPP 9y	Violence	Lured 17y step-daughter to park area – assaulted and threatened to kill – digital penetration – punched three times in face – masturbated during penetration – choked to unconsciousness – breach of trust – revenge for complainant reporting offender to police over domestic violence issue – planned offence Remorse – good prospects of rehabilitation
43.	Eken (21) [2007] NSWCCA 320	2 x AOABH s.61JA Common ass 2 x s.61J	PG (12.5%)	15y 9m 12d NPP 11y 9m 12d	AA 14y 3m NPP 10y 3m	Violence, drugs and traffic	Assaulted 17y female acquaintance in home unit – forced complainant to fellate two co-offenders – forced complainant to have penile / vaginal intercourse with co-offender – extended assault Hardship to family

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44.	Philopos (46) [2008] NSWCCA 66	2 x 61I 4 x 61L	VG	12y NPP 8y	AD	Not relevant	Sexually assaulted 16y female patient in hospital – permitted to stay with ill son in adjacent bed – complainant suffering anxiety and social phobias preventing immediate reporting of attack – opportunistic and exploitative offence over one hour – digital and penile penetration
45.	Spiers (32) [2008] NSWCCA 107	s.90A s.61J s.38 (stupefying drug) Sched: 4 offences	PG (25%)	8y NPP 6y	Crown AA 12y NPP 9y	Nil	(1997 offences) Kidnapped 18y female from car park – placed her in boot of her car and drove to isolated area – taped arms, legs, eyes and mouth after forcing her to consume panadeine forte tablets and alcohol – drove to garage and sexually assaulted complainant – forced fellatio and penile/ vaginal penetration twice, once from behind – stole jewellery and other property – drove car to public street and left complainant semi-naked in boot – later stole money – telephoned complainant's home on several occasions – well planned offence Long delay
46.	CM (15) [2008] NSWCCA 195	s.61J Sched: s.86(2)(b)	PG	10y 6m NPP 6y 6m	AD	Dishonesty, drugs, assault police. On bond.	Accompanied 26y female to unit – bashed complainant over head and body with piece of wood – forced sexual intercourse – detained for some time during which complainant subjected to further taunts and assaults - close to worst category of offence. Troubled background.
47.	Qoro [2008] NSWCCA 220 Co-offender: WEATHERALL KING	s.61JA	VG	14y NPP 10y	AD		Group of men detained complainant in house and forced multiple acts of sexual intercourse – complainant treated as sexual object – offender forced fellatio knowing complainant already subjected to multiple sexual assaults Intellectual disabilities and psychiatric problems
48.	Glover (18) (2009) 193 A Crim R 292 [2009] NSWCCA 48	s.61J	PG (20%)	15y NPP 10y	AA 12y NPP 8y	AOABH, mal damage - on bond.	Grabbed 16y old female complainant walking at night – dragged complainant behind bushes, punched her in face and made threatening remarks – penile vaginal intercourse. Dysfunctional background

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49.	AA (16) [2009] NSWCCA 109	2 x s.61J Armed carjacking s.86(1)(b) Larceny	PG	13y NPP 9y	AD	Serious record including sexual assault	Entered car of female complainant at service station – threatened with knife – forced complainant to drive to cul-de-sac – fondled breast and inserted finger in vagina – forced complainant into back seat – digital and penile penetration – stole money from wallet – episode lasted 20-30 mins – mid - upper level of seriousness Aboriginal youth - difficult childhood – early drug abuse – need to develop insight and empathy
50.	King (28) [2010] NSWCCA 33 Co-offender: QORO WEATHERALL	s.61JA	VG	13y NPP 8y	AD	Numerous offences including drugs, assault, BES, AOABH	With co-offenders detained complainant in house and forced sexual intercourse - oral intercourse.
51.	Monteiro [2011] NSWCCA 113 [2014] NSWCCA 277	s.61J s.195(1)(a) s.117	VG PG	12y 3m NPP 7y 9m	AD Crown AD AD	lengthy record including violence	Forced penile / vaginal intercourse with ex-partner after first assaulting her around face – offence took place in complainant's home – after arrest caused \$14,750 damage to complainant's property as act of revenge – also stole electrical property from complainant – close to mid-range seriousness Some mental health issues
52.	Cutrale (39) [2011] NSWCCA 214	s.61I s.37 (attempt to choke)	PG (25%)	9y NPP 6y 9m	Crown AA 11y NPP 8y 6m	Not significant	Late at night dragged female into park – squeezed throat and placed hand over nose and mouth – sexually assaulted complainant while unconscious
53.	Eatts (34) [2013] NSWCCA 14	s.61J 2 x s.61I Sched: 2 x s 61I Indecent assault	PG	12y NPP 9y	AD	Lengthy - robbery, receiving - previous custody.	(2004 offences) Sexually assaulted fellow 19y male inmate whilst in remand Aboriginal male – disturbed upbringing – virtually no education – psychiatric illness – drug abuse

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54.	Buksh (36) [2013] NSWCCA 60	3 x s.61J Sched: 2 x 61J	PG (25%)	12y NPP 8y	AD	Nil	Sexually assaulted complainant who was highly intoxicated – did not know complainant - met complainant and friends at railway station at night and accompanied them to a club – assured complainant's friends he would take complainant home in taxi but instead took her to his home – digital, vaginal and anal penetration. Prior good character.
55.	Doe [2013] NSWCCA 248	4 x s.61I s 61L	VG	11y NPP 8y	AD		SNPP 7 years Female walking alone on street at night to friend's house – offender standing on street then walked along with complainant – did not know one another – complainant tried to get away – forced complainant into secluded area – digital penetration – anal and penile penetration.
56.	Black (40) [2013] NSWCCA 265	s.61J 3 x s.61J 2 x s.61L s.61N	VG	14y NPP 9y 6m	AD		Broke into home of female friend at night – threatened with knife – forced digital, penile and anal intercourse – forced complainant to insert finger during penile intercourse – grabbed and bit left breast – forced complainant to rub offender's penis – placed vibrator between legs of complainant – motivated by jealousy and resentment – premeditated offences
57.	Currie (48) [2013] NSWCCA 267	2 x s.61J s.61L	VG	13y 4m NPP 10y	AD	Aggravated sexual assault, BES, drugs, assault.	(2005 offence) - Sexually assaulted female overseas tourist – had offered complainant a lift – stopped and threatened complainant with knife – oral and penile intercourse - serious gravity. Mental health issues.
58.	O'Connor (30) [2014] NSWCCA 53	s.61J 2 x s.37 Sched: 7 offences	VG	12y 10m NPP 9y	Crown AA 14y NPP 10y 6m	Extensive – breached bail	Straddled girlfriend in bed and attempted to choke when she refused sexual intercourse – later choked until complainant blacked out when she asked him to leave – complainant woke up bound and gagged on bed – cut dress with scissors – took complainant to bathroom to vomit then forced shower – returned to bed and forced penile / vaginal intercourse Sustained serious brain injury from prison assault after trial

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59.	SHR (16 at offences – 39 at sentence) [2014] NSWCCA 94	2 x s.61D(1) 2 x s.97 2 x s.61D(1B) s.94 Sched: s.61D	PG (20%)	14y NPP 10y	AA 12y NPP 8y	Lengthy – nil similar	1989 -1990 – three unrelated incidents Grabbed 18y female walking in late afternoon – pocketknife – took \$13.00 – 5min sexual assault – digital and penile intercourse – fellatio – tied up and threatened complainant Entered house and sexually assaulted and robbed 38y female in bed alone – knife – tied hands and made threats Grabbed 25y female walking alone at night – co-offender – took handbag – both offenders forced penile intercourse History of early drug abuse – Aboriginal male - difficult childhood – living on streets at time of offences – very low intellectual level
60.	Nand [2014] NSWCCA 293	2 x s.61I	PG (12.5%)	11y NPP 7y 6m	AD	Breached parole for sexual offences	SNPP 7 years Sexually assaulted 18y female stranger unconscious at railway station – both intoxicated – forced fellatio – vaginal penetration – used phone to record offence
61.	Martin (57) [2015] NSWCCA 6	s.61J s.95	PG (25%)	11y NPP 7y 6m	AD	Limited – particularly in view of longstanding mental health issues	Placed hands over windpipe of prostitute while she was performing oral sex – caused complainant to become unconscious and forced penile / vaginal intercourse – complainant awoke still being choked – took handbag and made threat to kill – used condom Longstanding psychiatric problems
62.	Ewen (35) [2015] NSWCCA 117	2 x s.61I Supply amphetamines	VG PG	12y NPP 8y	AD	Lengthy	SNPP 7 years Sexually assault at home of acquaintance in bathroom – forced fellatio – vaginal / penile intercourse – supply complainant with amphetamines
63.	Lee (60) [2016] NSWCCA 66	3 x s.61I	VG	11y NPP 7y 6m	AD	Priors for sexual offences	SNPP 7 years On three different occasions picked up intoxicated males from public areas with offer of lift home – fellated complainants who were unconscious or near unconscious – mid-range offences
64.	Rosenburg [2016] NSWCCA 292	3 x s.61I 3 x s.61L	VG	11y NPP 8y 3m	AD	Includes serious sexual offences	SNPP 7 years Intoxicated female waiting for friend to pick her up from city – approached by male stranger – touched vagina outside underwear – followed complainant into park – further indecent touching, forced oral and anal intercourse and cunnilingus – anal intercourse well above mid-range Prospects of rehabilitation very poor – risk of re-offending high

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65.	Mol [2017] NSWCCA 76	5 x 61I 6 x 61L	VG	14y NPP 10y	AD	Nil	Contacted three teenage complainants via advertisements they had placed on website seeking casual work - recruited complainants to work for him as artist's models - invited complainants to his "professional art studio" - each subjected to unwanted sexual contact – touched breasts - cunnilingus – digital penetration Character – led exemplary life as family man and art teacher
66.	Harris (49 at sentence) [2017] NSWCCA 254	s 61J(1) s.112(2) Sched: 3 sexual offences	PG	11y 3m NPP 8y 5m	AD	Lengthy - sexual assault, stalking, BES, assault, theft.	(1999 offence) - broke into home of 22y female stranger – tied hands behind her back – fellatio, anal intercourse, attempted vaginal intercourse – took money Poor rehabilitation and prospects of re-offending.
67.	Attwater (36) [2017] NSWSC 1710 Fullerton J	s.61J(1) Manslaughter	VG	12y NPP 9y 18y <u>Total:</u> 19y NPP 14y 3m		Minor offences	With co-offender engaged in sexual activity with female complainant after heavy drinking – complainant unconscious due to intoxication - inserted hand and fist into vagina forcefully, vigorously and repeatedly – ignored what would have been obvious bleeding – complainant died from blood loss caused by two major tears to vaginal area Delay and protective custody
68.	JD (48) [2018] NSWCCA 233	s.61L 3 x s.59 4 x s.61I s.61J s.86(1)(b) s.33B(1) 8 x AOABH	VG	11y NPP 7y 9m	Crown AA 13y NPP 10y		Long-standing domestic violence over 6 years – 19 offences against wife and daughter – offences occurred on secluded rural property where immediate assistance not available - persistent offences of violence and degradation - degree of force, degradation and coercion high, especially in relation to most serious offences - complainants under considerable pressure not to disclose offending conduct. Limited prospects for rehabilitation - limited weight attributed to contrition or remorse - mental illness contributed to the offending - bi-polar disorder. Assistance to authorities.

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
69.	McClelland [2019] NSWCCA 59	5 x s.61I 2 x s.61J 2 x s. 86(1)(b)	VG	12y NPP 7y	AD		SNPP 20 years / 14 years In relationship with complainant – offences accompanied by physical violence and threats – complainant in pain – oral, vaginal and anal intercourse – detained in bedroom. Prior good character – offences not planned
70.	Saffin (31) [2020] NSWCCA 246	6 x s.61J 5 x indecent assault 2 x acts of indecency	VG	14y NPP 9y 4m	AD	Significant.	SNPP 10 years Male complainant 19 years of age – acquaintance – drove complainant to secluded bush area – showed complainant he had a knife - deprivation of liberty; physical restraint; detained in vehicle – oral and anal intercourse, masturbation – threatened complainant. Autism spectrum disorder – early drug use.
71.	Kiss [2021] NSWCCA 158	2 x AOABH 3 x s.61I s.37(1) – Intent to choke Intimidation s.166 2 x Cruelty to animals	VG	13y NPP 8y 6m	AD	Breached bond for intimidation of earlier partner	Highly abusive and controlling relationship with complainant – offences committed over two months – after punching complainant to head gave her ice pack then forced sexual intercourse five times during the night – threw complainant to floor and started to choke her using thumb to throat – provided ice pack then forced sexual intercourse – head butted and punched complainant in bedroom, provided ice pack then forced sexual intercourse – made threats against complainant's parents – acts of cruelty and violence against complainant's dog – refused access to medical treatment – sexual offences mid-range – choking and intimidation offences above mid-range
72.	McKenzie (34-5) [2022] NSWCCA 119	3 x s.61I 3 x s.61L 2 x s.66C(4) Sched: 12 similar offences	PG (5%)	10y NPP 6y	Crown AA 12y NPP 8y	Minor offences	Sexually assaulted five females aged 15-20y over twelve months – met each victim through offender's piercing business – forced penile intercourse on 17y using hand on throat to hold her down – inappropriately touched 16y – dragged 17y female into back room and forced penile intercourse and fellatio – inappropriately touched 20y – provided illegal nipple piercings to 15y, gave her ice and took photos of her naked, inappropriate touching and forced fellatio and penile intercourse – offences close to or in mid-range seriousness Mental health issues and ice addict – some evidence of remorse – prospects of rehabilitation guarded - minor extra-curial punishment On appeal: aggregate sentence failed to reflect totality of offending

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
73.	Sharma [2022] NSWCCA 190	s.38(b) Cause to take intoxicating substance to enable sexual intercourse w/o consent 2 x s.61I 2 x s.91P(1) Att s.91P(1) Sched: s.61I s.166 Cert: 2 x possess proh drug	PG (25%)	11y NPP 7y	AD	Nil	SNPP 7 years Gave female complainant Zolpidem (Ambien), a sedative and hypnotic which rapidly induces sleep – engaged in penile/vaginal and penile/anal intercourse whilst complainant unconscious or semi-unconscious - offences of intentionally recording intimate images without consent committed against two further female victims. Genuinely remorseful - reasonably good prospects of rehabilitation – unremarkable subjective case.
74.	Sharrouf (20-22; 36 at sentence) [2023] NSWCCA 137	s.61J(1) 8 x s.61I s.61L s.37(2) 2 x s.33B(1)(a) 5 x s.59 6 x 61	VG	10y NPP 5y	Crown AA 14y NPP 9y	No meaningful record.	SNPP 10 years / SNPP 7 years (2007-2008) Domestic violence - offences committed over 18 months upon 18 year old complainant – considered to be 'husband and wife' / 'married' (Islamic background) although not legally married – forceful anal intercourse; continued despite complainant's pain and requests to stop – numerous forced acts of intercourse – physical violence and threats. Schizophrenia - cannabis use - exposure to domestic violence as a child - abusive childhood - positive steps towards rehabilitation – youth and immaturity. CCA: Sentence manifestly inadequate.

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
75.	Giacometti (19) [2023] NSWCCA 150	s.61I s.61I (attempt) 2 x s.37(1) s.35(4) 2 x s.59(1) Sched: 2 offences	PG (10%)	14y NPP 9y 9m	AD	Nil	SNPP 7 years Offences against 19y old girlfriend over nine-month period - domestic violence - treated complainant as "sexual slave" - inserted knitting needle inside complainant's anus - attempted to insert wooden handle of hammer into vagina. Childhood very difficult - abandoned by mother – raised by grandmother – drug and alcohol abuse – childhood sexual abuse. CCA: Judge failed to take into account matters of mitigation and erred in rejecting parts of subjective case – however, no less severe sentence warranted. Substance abuse disorder (alcohol and cannabis), obsessive-compulsive disorder and paraphilic disorder – indirect causal link between childhood experiences, in particular, mother's rejection, and mental health conditions, especially paraphilic disorder - very modest impact on moral culpability - medium to high risk of re-offending.
76.	VR 20-21; 32-35; 43 at offences; 43 at sentence [2024] NSWCCA 91	12 x s.61I s.61N(2) s.166 Certificate 2 x s.61 Intimidation	VG	<u>Aggregate</u> 11y 3m NPP 7y 6m	Crown AA <u>Aggregate</u> 14y 6m NPP 10y	Nil	SNPP 7y Offences over 17 years (2003-2004, 2015-2017, 2020) - three complainants, two were ex-wives and third in serious relationship - offending of extreme nature involving significant degradation and humiliation, choking - motivated by irrational jealousy - exercised "coercive control" over each complainant – penile-vaginal, penile-anal, fellatio. CCA: Sentence manifestly inadequate - extremely grave objective circumstances.
77.	PB (27 at offence) [2025] NSWCCA 14	s.61J s.61L Sched: s.61J	PG (10%)	<u>Indicative</u> 9y 11m 1y 6m <u>Aggregate</u> 10y 6m NPP 7y	AA in part. Sentence backdated only.	Assault with intent to rape, indecent assault involving penetration and anal rape, sexual offences, assault, property offences.	(1995) Sexual assault on 18y female walking home from work in early hours of morning – pushed into laneway – penile-vaginal penetration – grabbed neck and applied pressure - threats to harm – DNA link to offender made in 2014. Background of disadvantage including family violence, multiple assaults as a child - mental health. CCA: Error as to backdating of commencement of sentence.

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
78.	Wardell (59-65) [2025] NSWCCA 26	13 x s.61J 10 x s.61M(1)	VG	<u>Aggregate:</u> 14y NPP 9y	AD	Nil	SNPP 10 years Sexually assaulted two female complainants aged 16-19y undertaking work placement and paid employment with offender at his rural property working with horses – lived at property and attended horse clinics and events – first complainant indecently assaulted 2012-2014 – hugged and kissed without consent and indecent touching – second complainant indecently and sexually assaulted 2017-2018 – digital penetration and cunnilingus – hugging and indecent touching – forced touching of penis Lack of remorse – good prospects of rehabilitation and low risk of reoffending partly based on unlikelihood of being in similar position – age – special circumstances On appeal: no error in relation to indicative sentences

Last updated: Mar 2025

Offence	Section	Status	Maximum Penalty
Maliciously inflicts GBH with intent to have sexual intercourse	s.61B	14.7.1981 – 17.3.1991	20 years
Inflict / Threaten actual bodily harm with intent to have sexual intercourse	s.61C(1), (2)	14.7.1981 – 17.3.1991	12 years
Sexual intercourse without consent	s.61D(1)	14.7.1981 – 17.3.1991	7 years increased to 8 years 21.2.1988
Sexual intercourse without consent in company	s.61D(1B)	21.2.1988 – 17.3.1991	10 years
Sexual intercourse without consent	s.61I	17.3.1991 - Active	14 years
Aggravated sexual assault	s.61J	17.3.1991 - Active	20 years
Aggravated sexual assault in company	s.61JA	1.10.2001 - Active	Life
Inflict / Threaten actual bodily harm with intent to have sexual intercourse	s.61K	17.3.1991 - Active	20 years
Indecent assault	s.61L	17.3.1991 – 1.12.2018	5 years
Aggravated indecent assault (victim with a cognitive impairment)	s.61M(1)	17.3.1991 – 1.12.2018	7 years
Act of indecency on person 16y or above	s.61N(2)	1.7.1995 – 1.12.2018	18 months
Sexual intercourse with child between 10y and 16y	s.66C(1)	23.3.1986 - 13.6.2003	8 years
Sexual intercourse with child of or above 14y and below 16y	s.66C(3)	13.6.2003 - Active	10 years
Aggravated sexual intercourse with child of or above 14y and below 16y	s.66C(4)	13.6.2003 - Active	12 years
Procuring child under 16 years for unlawful sexual activity	s.66EB(2)	18.1.2008 - Active	12 years – 15 years if child under 14y
Record intimate image without consent	s.91P	25.8.2017 - Active	3 years

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