

Murder

Killing for Financial Payment – Contract Killing

Maximum Penalty: Life (s.19A (NSW) Crimes Act)

Standard non-parole period (offences committed on or after 1.2.2003)

20 years

25 years - Where the 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 or voluntary work

Standard non-parole period (where conviction entered or plea of guilty made on or after 1.1.2008)

25 years - Where the victim a child under 18 years of age

| | NAME (age if known) | PLEA | SENTENCE | APPEAL | RECORD | HOW KILLED | INVOLVEMENT & SUMMARY |
|----|---|------|----------|--------|--|-----------------------------|---|
| 1. | GLASBY (41) NSWSC 11.6.1998 Sully J (2000) 115 A Crim R 465 [2000] NSWCCA 83 | VG | Life | AD | very bad, including robbery and armed robbery with wound | shooting intent kill | Contracted with victim's wife to do murder - deliberate killing for reward - planned with care - implemented with both care and persistence |
| 2. | SMITH (53) NSWSC 10.9.1998 Simpson J [2000] NSWCCA 202 | VG | Life | AD | lengthy, including murder | shooting intent kill | Drove victim to Botany Bay, shot and buried him - took large amount of money from victim - cold-blooded and deliberate killing for significant financial gain - protecting prisoner's extensive criminal empire - victim threatening offender's corrupt relationship with police - victim become a nuisance and a pest to prisoner - carefully planned and executed with precision - involved third person who would have felt threatened |

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| 3. | ROSE [1999] NSWCCA 327 | PG 5 x murder | Life | AD | not stated | Not stated Intent to kill | 5 gangland / contract murders over ten years - facts not stated in appeal judgment but described as murders of revenge and gangland style and of opportunity No contrition or remorse – no reduction for assistance |
| 4. | LEWIS (62) NSWSC 9.6.2000 Ireland J [2001] NSWCCA 448 Co-offender: ROSE | VG 2 x murder | Life | AD | nil | Shooting and stabbing Intent to kill Felony murder | Participated in joint criminal enterprise with co-offender to kill offender's de facto partner – victim and employee killed by co-offender inside business premises - premises set on fire - contract killing - considerable planning - offender took active part by delivering de facto to her executioner - twice exhorted gunman to hurry - knowledge that victim's death would derive five children of their mother |
| 5. | LO (29) (2000) 115 A Crim R 53 [2000] NSWSC 714 Barr J [2003] NSWCCA 313 | PG Murder Conspiracy to murder | 32y NPP 23y FT 18y <u>Total:</u> 36y NPP 27y | AD | nil | shooting intent kill | Contract killing of tow-truck driver to pay drug debt - assisted in attempted murder by luring victim to shooter's residence - deeply in debt over drug transactions - both offences fall into worst case category. Assistance to authorities only basis for reducing life sentence – combined 28% discount |
| 6. | OFFER (35) [2000] NSWSC 839 G James J [2002] NSWCCA 341 | PG Murder Att Murder Sched: 3 x solicit to murder | 34y NPP 25y FT 10y (concurrent) | AD | of little relevance | cross bow intent kill | Attempt to kill three witnesses who were to give evidence against him in upcoming trial - offered friend money to take care of three persons - shot wife of one witness with cross bow when she answered door, causing permanent brain damage - shot dead another witness - "very highest criminality" - motivated by panic. Protective custody - family now in Ireland. |
| 7. | IRANI (31) [2001] NSWSC 475 Barr J [2002] NSWCCA 153 Co-accused: SUTESKI | PG (40% for plea and assist) | 20y NPP 15y | AD | moderate record with no violence | Stabbing Intent GBH | Paid to assault co-offender's employer and keep him away from work for several weeks - in struggle fatally stabbed victim - carefully planned offence. Assistance in relation to co-offender - reasonable prospects of rehabilitation - serious drug addiction |

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| 8. | SUTESKI (23) (2002) 129 A Crim R 559 [2002] NSWSC 457 Kirby J (2002) 137 A Crim R 371 [2002] NSWCCA 509 Co-accused: IRANI | VG Murder PG 8 x s.178BA s.178BA Sched: 68 x s.178BA | 22y NPP 16y 4y NPP 3y FT 3y <u>Total:</u> 24y NPP 18y | AD | nil | stabbing accessory before the fact intent GBH | Female accounts clerk committed extensive frauds upon company - paid co-offender to injure supervisor to keep him away from work - assisted on night of killing - victim stabbed to death - agreement to inflict gbh - weapons discussed Committed earlier frauds on different company - no charges when father repaid money |
| 9. | WILKINSON (26) [2004] NSWSC 1307 Howie J Co-offender: WILLARD TJA | PG (25%) | 22y 6m NPP 16y 6m | | Drug offences – breached bond | Shooting Accessory Intent to kill | SNPP 20 years Female - assisted in killing of friend's husband – arranged shooter – drove shooter to house – victim shot in back of head while asleep on lounge – premeditated offence for financial reward – substantial role Judgement impaired by mental state |
| 10. | TJA (17) [2004] NSWSC 1308 Howie J Co-offender WILLARD WILKINSON | PG | 22y 6m NPP 16y 6m | | Nil for violence – breached bail and bond | Shooting Intent to kill | SNPP 20 years Involved in killing of male on behalf of wife - shooter – victim shot in back of head while asleep on lounge – premeditated offence for financial reward – seeking to impress older girlfriend Remorse – severely deprived childhood resulting in early drug abuse |
| 11. | SATORRE (38) [2005] NSWSC 367 Studdert J [2006] NSWCCA 298 Co-offenders: AB TAN | PG (Combined 50%) | 16y NPP 12y | AD | Minor | Acid attack Intent GBH | Drove 2 co-offenders to scene of offence – acid poured over victim's face – aware acid to be used to disfigure Assistance – reasonable prospects of rehabilitation |

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| 12. | AB (37) [2006] NSWSC 69 Grove J Co-Offenders: SATORRE TAN | PG (25% combined) Sched: Possess firearm | 18y NPP 13y 6m | | Supply drugs, ongoing supply drugs - on parole. | Acid attack Accessory before the fact Intent GBH | Contract killing - Tan asked offender to have victim attacked - dispute over money – offender refused request to splash acid on victim's face but found person who would carry out attack, located hardware store from which acid could be purchase and lent pistol to attacker – victim threatened with pistol and had acid poured into mouth - not motivated by payment but desire to ingratiate himself with Tan who supplied drugs to offender. Drug abuse. |
| 13. | BURRELL (44) [2006] NSWSC 581 Barr J [2007] NSWCCA 65 (2008) 238 CLR 218 [2008] HCA 34 (2009) 196 A Crim R 199 [2009] NSWCCA 163 | VG Murder Detain for advantage | Life | AD HCA AA matter remitted to CCA AD | Moderate record | Unknown | Kidnapping of female friend for ransom – body never recovered - detailed planning, persistence and precautions to avoid detection - cold desire to extort large sum of money - intent to kill formed prior to abduction |
| 14. | NORMAN (50) OLIVIERI (49) [2007] NSWSC 142 Hidden J (Olivieri) [2016] NSWCCA 165 | VG Murder Fraud VG | 35y NPP 29y FT 3y <u>Total:</u> 37y NPP 31y 33y NPP 28y | Conviction AD | Minor Lengthy – dishonesty and drugs | Shooting Access before the fact | SNPP 20 years 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 |

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| 15. | TAN (38) [2007] NSWSC 684 Price J [2010] NSWCCA 207 Co-offenders: SATORRE AB | VG | Life | AD | Priors – no violence – drug offence – breached bonds | Acid attack Joint criminal enterprise to inflict GBH | Arranged and paid \$10,000 for attack on male victim – intended to flush from hiding victim’s brother in law who owed over \$500,000 – hydrochloric acid poured over victim’s face – wife and victim threatened with gun - victim’s skull fractured by blow to head with gun - died three weeks later - intended to cause grievous bodily harm only – a principal – extreme cruelty – inhumanity of using acid to hideously disfigure and inflict awful pain - slow and horrible death Indonesian – prospects of rehabilitation |
| 16. | BURNES (22) [2007] NSWSC 298 Fullerton J | PG (50% combined) | 18y NPP 13y 6m | | Priors – no violence | Shooting Intent to kill | SNPP 20 years Shot male at point blank range at request of co-offender – argument between co-offender and deceased over drug business – received \$4,000 reward Early drug abuse – mental illness of marginal mitigation – genuine remorse – assistance |
| 17. | McCALL (32) [2007] NSWSC 1269 Barr J [2010] NSWCCA 174 | VG | 29y 4m NPP 22y | AD | Priors | Assault Intent to kill | SNPP 20 years 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 |
| 18. | GRUPE (26) [2007] NSWSC 1303 Berman AJ | PG (35% combined) | 19y 6m NPP 14y 6m | | Priors for violence | Shooting Joint criminal enterprise / felony murder | Carefully planned attempt to kidnap Victim on behalf of third person while heavily armed – Offender deliberately shot at fleeing V 6 times – Co-offender caught V and shot 15 times – motivated by greed and financial reward – co-offender subsequently killed by offender in self defence Lesser offender – remorse - assistance |
| 19. | DONAI (33) [2012] NSWSC 1102 Hidden J [2016] NSWCCA 212 Co-offender: WEIGHTMAN | VG 2 x Murder | 40y NPP 30y <u>Total</u> 43y NPP 33y | Conviction AD | Minor – but did admit in undercover operation to undetected criminal misconduct | Asphyxiation Intent to kill | (2000) Contract killing with victims’ adopted son – son sedated parents with drugs in tea – offender entered house and suffocated both victims within short space of time – bodies placed in car and pushed off embankment to suggest car accident – principal offender – promised \$17,000 - amateurish and unprofessional killing – not satisfied as to future dangerousness Evidence of schizophrenia / mental illness Life sentence imposed after first trial: [2008] NSWSC 502 per Fullerton J – conviction appeal allowed: [2011] NSWCCA 173 |

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| 20. | CHRISTIANSEN (42) [2011] NSWSC 840 Latham J Co-offender: TRAN | PG (30%) Murder PG (45%) Poss shortened firearm Supply lge comm qty Supply comm qty Sched: 21 offences | 21y NPP 15y 3m FT 1y 8m 6y 7m NPP 5y 4y 5m NPP 2y 2m <u>Total:</u> 22y 3m NPP 16y 6m | | Nil relevant | Shooting Intent to kill | SNPP 20 years Shot dead male during discussion over drug debt – attended house to provide protection for drug dealer aware may be required to kill victim – made preparations for storage of body – disposed of body at sea – stored 2985g methylamphetamines in storage unit – also in possession of numerous guns and 327.58g of cocaine – murder in upper range of severity Remorse - assistance |
| 21. | RYAN (51) COULTER (72) [2011] NSWSC 1249 Latham J [2013] NSWCCA 175 Co-Offender: BROOKS | VG | 36y NPP 27y 27y NPP 18y | AD AD | Nil Nil | Shooting Intent to kill | SNPP 20 years Female offenders (daughter and mother) - R paid \$30,000 to have husband shot dead by hit man - \$10,000 knowingly provided by C (R's mother) – angered by breakdown in marriage and financial loss – close to worst category – C genuinely believed R had been physically assaulted by victim |
| 22. | BROOKS (48) [2012] NSWSC 505 Fullerton J Co-offenders: RYAN COUTER | VG | 38y NPP 28y 6m | | Minor | Shooting Intent to kill | SNPP 20 years 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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| 23. | SAFETLI (46) [2013] NSWSC 1096 Latham J Co-offender: GATTELLARI | PG (60% plea and assist) Intimidation | 9y NPP 6y 6m 6m Total: 9y 6m NPP 7y | | nil | Shooting Intent to kill | SNPP 20 years Organised and present at shooting of male businessman in front yard of home in presence of 9y son – killing ordered and paid for by business associate of victim – after several months delay recruited and assisted 19y shooter – paid \$300,000 – several months later arranged for victim's wife to be threatened about payment of debts – active and direct role Significant assistance |
| 24. | GATTELLARI (63) [2013] NSWSC 1097 Latham J Co-offender: SAFETLI | PG (60% plea and assist) | 10y NPP 7y 6m | | nil | Shooting Intent to kill | SNPP 20 years Asked by close business associate to organise killing of male businessman – over many months recruited and made arrangements with S for killing – victim shot dead in front yard of home in presence of 9y son – played primary role but no evidence received financial benefit – acted out of misguided loyalty Significant assistance – prior good character |
| 25. | McARTHUR (39) [2014] NSWSC 1401 Harrison J | PG (10%) | 25y 2m NPP 18y 10m | | | Stabbing Intent GBH | SNPP 25 years Stabbed 15y male outside industrial premises – mistook victim for his father – offender made an offer by a 'mate' to 'rough up' and assault person who owed money – would be paid in drugs – had never seen victim or his father before – stabbed victim to chest – planned offence – armed with weapon - above mid-range. Drug user Co-Accused Robertson sentenced for manslaughter |
| 26. | SPIKER [2015] NSWSC 519 Harrison J Co-offenders: PROUD RAWLINSON EVANS | VG | 32y NPP 24y | | AOABH | Arson Joint criminal enterprise Intent to kill | SNPP 20 years S and E set fire to victim's home throwing petrol while victim asleep – part of plan by co-offenders R and E to kill victim – S recruited – considerable planning. Dysfunctional upbringing. |

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| 27. | NK (No.3) (27) [2015] NSWSC 1257 Hamill J | PG (60% combined) Murder s.113(3) Supply drug 2 x s.33 Sched: 9 offences | <u>Indicative</u> 14y NPP 10y 6m 2y 5m 19m NPP 14m 4y 10m NPP 3y 7.5m <u>Aggregate:</u> 21y NPP 15y 9m | | Robbery in company, armed robbery. On parole. | Shooting Intent to kill | SNPP 20 years Contract killing of victim orders from leaders of Brothers for Life gang – shot victim in his home in front of partner and close proximity to twin 6y daughters – 4 shots to upper body – duress - threatened by leaders partner's child would be killed if did not carry out execution - well above mid-range but not top of range. Background of deprivation and alienation. |
| 28. | ROGERSON (75) MCNAMARA (57) [2016] NSWSC 1207 Bellew J [2021] NSWCCA 160 | VG Murder Supply lge comm qty ice VG Murder Supply lge comm qty ice | Life 12y NPP 9y Life 12y NPP 9y | Conviction AD Conviction and Sentence AD | Dishonesty offences Nil | Shooting Intent to kill Joint criminal enterprise | SNPP 20 years Joint criminal enterprise to kill 20y male drug dealer and take 2.78kg ice – extensive planning weeks prior to shooting – arrangements made to source and prepare suitable place for killing as well as car and boat used for disposal of body – victim lured to storage unit and shot dead by one offender – body dumped at sea – drugs repackaged for disposal – brutal execution – no material distinction in roles – no different to contract killing Both offenders former police officers – importance of sentence to deter police officers misusing knowledge gained through profession – objective gravity so grave ignore small number of mitigating factors |
| 29. | MEDICH (No. 43) (70) [2018] NSWSC 886 Bellew J [2021] NSWCCA 36 | VG Murder Intimidation | 36y NPP 27y 4y 6m <u>Total:</u> 39y NPP 30y | Conviction AD | Nil | Shot Intent to kill | SNPP 20 years 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 – life sentence not imposed because of parity |

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| 30. | AFU (23 at offence – 51 at sentence) [2018] NSWSC 1127 RA Hulme J | VG | 20y NPP 15y | | significant record at time of offending | Stabbing Intent to kill | (1990) paid \$10,000 by co-offender to kill wife in staged break in – entered house through balcony left unlocked by co-offender and stabbed victim 23 times – high range – co-offender Caleo convicted of solicit to murder Born in Tonga – difficult childhood in poverty – substance abuser since teenage years – at time of offending immersed in criminal world – subsequently returned to Tonga, married and has six children – good prospects of rehabilitation – isolation from family |
| 31. | CC [2020] NSWSC 946 Harrison J [2021] NSWCCA 71 | PG (20% combined) | 40y NPP 30y | AD Crown AD | Record but no details | Shot Intent to kill | SNPP 20 years Contract killing – paid \$20k by AM to shoot 15y male victim to avenge death of AM's nephew - AM provided gun – offender kicked open front door of victim's home where victim lived with his mother, her partner and other children – shot sleeping victim in head in bedroom - above right ear Aboriginal background - social and economic disadvantage - underlying paranoid schizophrenia - undertaking to give assistance On appeal: failure to specify discount for undertaking to give assistance did not invalidate sentence Crown appeal: despite breach of undertaking Crown able to use statement in judge alone trial and obtain utilitarian benefit |

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| 32. | <p>SULTANI (27)</p> <p>MUNSHIZADA (27-28)</p> <p>[2021] NSWSC 1654 Fagan J</p> <p>Co-offenders: BAINES DANISHYAR</p> | <p>PG 3 x Murder</p> <p>VG 3 x Murder</p> | <p>Life</p> <p>Life</p> | | <p>Drug and violence offences</p> | <p>Shooting</p> <p>Intent to kill</p> | <p>SNPP 20y Three unrelated killings over nine month period – shot dead drug dealer outside his home on street late at night after arranging drug deal – S and M both fired shots – motive unclear but linked to organised criminal activity – 7 months later shot dead second drug dealer standing by his car with finance waiting inside – victim lured to trap - S fired from car then alighted and pursued victim to fire additional shots – M drove car - possible contract killing – final victim shot dead 9 weeks later – S believed victim, an underworld figure, involved in killing of offender’s close friend – S and co-offender B shot victim while M drove – D aware of plan to kill and drove second getaway car - each killing carefully planned, merciless and committed in residential streets – all offenders part of inner circle of criminal organisation S – principal planner - dangerous to community – ‘demonstrated readiness to kill for no cause’ – no remorse – no positive prospects of rehabilitation M – similar culpability to S – willing participant with knowledge of intended offences – dysfunctional childhood – no remorse and no positive prospects of rehabilitation</p> |
| 33. | <p>KELEKLIO (42)</p> <p>SINAI (33)</p> <p>[2022] NSWSC 62 RA Hulme J</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>Shot</p> <p>Intent to kill</p> | <p>SNPP 20 years 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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