

Murder

Record for 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.	CAMERON (37) NSWSC 16.10.1992 Newman J	VG	Life		two prior murders	assault	Lured female through radio ad for relationship – assaulted victim and she drowned in her blood Similar offence committed previously - extreme antisocial personality disorder, or psychopath - no treatment for psychiatric condition
2.	RICHARDSON (28) NSWSC 28.3.1994 Finlay J	PG	MT 20y AT Life		lengthy - manslaughter, sexual assault on woman & young boys	assault / burning	Broke into house and raped 29y old female acquaintance in front of her young children, abducted her, bashed her with piece of wood then set fire to her body.
3.	BERGER (47) NSWSC 21.3.1995 Finlay J	VG	MT 21y AT 7y		two manslaughter	assault intent to kill	Killed de facto wife after argument - smashed wine bottle over head
4.	ARTHURELL (51) NSWSC 3.10.1997 Hunt CJ at CL	VG Murder	24y NPP 18y 6m		Record includes two manslaughter offences – on parole for manslaughter	Assault Intent to kill	Struck ex-fiancé to head with piece of wood at least twice in order to take her car – on the run for six months – senseless and wanton killing Record includes stabbing of step father in 1974 and stabbing of young male during a robbery in 1981

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5.	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
6.	NGUYEN (22) [2000] NSWSC 1177 Whealy J	PG (15%) Murder Escape	18y NPP 9y 6m 18m NPP 6m Total: 19y 6m NPP 10y		history for violence - offence committed awaiting trial for murder and manslaughter	stabbing intent kill	Inmate stabbed to death by other inmates with scissors - over 60 wounds inflicted - spontaneous attack in retaliation for rape by victim perpetrated several weeks prior to killing. Unhappy and deprived childhood - chronic depression. Sentence partially concurrent to existing sentence NSWSC, Kirby J, 29.10.1998 (murder) NSWSC, Kirby J, 20.11.1998 (manslaughter) Total 30y NPP 21y
7.	FERNANDO (31) [2001] NSWSC 294 Howie J	PG (head sentence reduced by 10y)	30y NPP 22y		-serving life sentence for murder and sexual assault	stabbing intent to kill	Stabbed cousin in prison with scissors blade - angered by cousin's assistance to police in relation to earlier murder
8.	BOND (51) [2001] NSWSC 1059 James J	VG	30y NPP 25y		substantial - on parole at time of offence for manslaughter of female	stabbing intent to kill	Stabbed 30y girlfriend three times at her home - not premeditated - no apparent motive - no history of violence in relationship - not pre-armed - severe attack Previous manslaughter of female a significant aggravating circumstance.
9.	MILES (27) [2002] NSWSC 84 Hidden J [2002] NSWCCA 276	PG	25y NPP 19y	Crown AA Life	murder	Stabbing Intent to kill	Serving jail sentence for murder of girlfriend in 1990 when 18 years of age - escaped from prison to be with new girlfriend - found her with another male - stabbed her in presence of her children - both killings have similar circumstances Had been model prisoner.

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10.	TNT (16 at offence - 22 at sentence) [2002] NSWSC 537 Hidden J	PG (50%)	10y NPP 6y (cumulative to sentence for murder) Total: 23y 3m NPP 14y 3m		Sentenced one month earlier for unconnected murder committed 8 days earlier [2002] NSWSC 394	Stabbing Accessory	With 2 co-offenders took 18y victim from coffee shop to nearby street and assaulted him - V tied up in house then taken to garage - further assaults committed in garage - V stabbed in throat by co-offender in absence of offender Disturbed childhood - at time of killings involved in gang and under influence of co-offender - drawn into serious life of crime - subsequent to killings left gang and seriously assaulted - moved interstate with pregnant girlfriend - evidence of good character - volunteered guilt - assistance to authorities
11.	KANAAN (23) [2002] NSWSC 774 Wood CJ at CL [2006] NSWCCA 109	VG	Life	AD	Serving life sentence for 2 murders - breached bond	shooting intent to kill Accessory before fact	Gangland killing of notorious and vicious principal in extensive criminal organisation involved in drugs and protection by associates – victim gunned down in car by offender and co-offender - cold blooded execution - motive to improve offender's criminal activities - use of firearms Principal - hardened criminal
12.	HORE (34) [2002] NSWSC 749 Barr J [2005] NSWCCA 3	VG	Life	AD	murder - poor prison record - continued violence	Assault Intent to kill	Carefully planned execution of fellow prisoner in prison - sandstone block dropped on head of victim several times- extensive and horrendous injuries - 3 offenders involved although cannot identify precise role of each - no evidence as to motive Anti-social personality traits
13.	SIEVERS (58) [2002] NSWSC 1257 Sully J (2004) 151 A Crim R 426 [2004] NSWCCA 463	VG	Life	AD	serious record for violence - shooting murder of estranged wife	stabbing intent GBH	Stabbed de facto wife during argument - disposed of body in country - volatile and violent relationship - element of provocation Protective custody - health problems - disturbed and violent childhood - personality disorder making him dangerous in domestic situations involving extreme stress
14.	NGUYEN (17 at offence) [2002] NSWSC 1261 Sully J	VG	17y 38w NPP 11y 38w (cumulative to existing sentences – see facts)		appalling record for violence - includes murder and manslaughter	shooting intent to kill	(1996) Execution in context of gang involvement - victim taken to oval by offenders at night and shot four times by co-offender Traumatised childhood - serious depression - Serving sentences for Murder: 29.10.1998 Kirby J Manslaughter: 20.11.1998 Kirby J Murder: [2000] NSWSC 1177 Total sentence 31y NPP 25y

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15.	SULLIVAN (51) [2010] NSWSC 755 Fullerton J [2012] NSWCCA 41	VG	25y NPP 18y 9m	AD	Manslaughter - possess drugs - dishonesty	Stabbing Intent to kill	SNPP 20 years Supplied drugs to victim – believed victim had stolen his wallet – stabbed victim to chest - not premeditated in sense of being planned in advance, but intended to confront victim – Mid-range offence. Mental health - brain damage had some causal connection with offence - behavioural and personality dysfunction - tendency to violence and unrestrained hostility when crossed – previously convicted of manslaughter diminished responsibility (where victim stabbed over unpaid rent).
16.	POTTS (40) [2010] NSWSC 731 Kirby J [2012] NSWCCA 229	VG	28y NPP 21y	AD	Manslaughter of father – substantial impairment	Stabbed Intent to kill	SNPP 20 years 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
17.	DEBS (42 at offence) [2012] NSWSC 119 RS Hulme J	VG	Life		Lengthy – serving life sentences for subsequent murders in Victoria	Shot Intent to kill	(1995) Shot female prostitute in head after having sexual intercourse in remote area – no sign of struggle – demonstrated inhumanity and cold bloodedness – no normal or rational motive - an exercise of power or for some thrill or satisfaction Killed prostitute in similar circumstances in 1997: <i>Debs</i> [2007] VSC 220 / [2008] VSCA 240 Killed two police officers in 1998: <i>Debs</i> [2003] VSC 30
18.	SUTCLIFFE (40) [2013] NSWSC 715 Grove AJ [2014] NSWCCA 208	VG	16y NPP 12y	Conviction AD	Manslaughter	Stabbing Intent GBH Joint criminal enterprise	SNPP 20 years Joint criminal enterprise - confrontation over victim's belief that offenders were responsible for damaging prized motor vehicles – victim arrived armed with gun and discharged shots – all three offenders chased and assaulted victim - S inflicted stab wound – provocation Family – young child Fourth offender Brown convicted of manslaughter
19.	HINES (No 3) [2014] NSWSC 1273 Hamill J	VG Sched: 2 x AOABH	24y NPP 16y 6m		Murder, agg sexual assault, assault	Stabbing Intent GBH	SNPP 20 years Single stab wound to chest – argument with male – substantial degree of provocation by victim – abuse and threats – no premeditation. Deprived background – early exposure to alcohol - previous murder of partner committed in 1994 - significant risk of committing further offences if return to similar patterns of drinking - some prospects of rehabilitation.

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20.	DENT (53) [2016] NSWSC 444 RA Hulme J [2017] NSWCCA 166	VG Murder Agg Rob in Co 3 x contempt	40y NPP 30y No penalty FT 1y / 6m <u>Total:</u> 42y NPP 32y	Conviction AD	Extensive record including murder as a 17y old – breached bail for drug offences	Assault Constructive murder	SNPP 20 years Joint plan between four offenders - victim lured by offender and co-offender to park for robbery – assaulted, clothing removed, hogtied and gaged with underpants by offender – dominant offender – intended GBH and did not care if died Contempt offences – assaulted co-offenders in dock – threatened judge – sacked counsel and refused to proceed with trial Institutionalised
21.	SLOANE (66) [2017] NSWSC 152 Wilson J	VG	24y NPP 18y		Manlaughter of mother in law - other violence offences – breached bond for AVO offences	Stabbing Intent to kill	SNPP 20 years Motive and circumstances of killing unclear – acrimonious relationship developed between offender and previous neighbours – walked uninvited into house and left with adult female victim – infer victim left under compulsion – took victim to nearby reserve and inflicted 16 stab wounds Suffering bi-polar and other mental health issues – some reduction in culpability – former soldier
22.	WALSH (77) [2018] NSWSC 1299 McCallum J	PG	Life		3 x murder – att murder	Assault Intent to kill	SNPP 20 years Killed cellmate during lock-down – bashed victim with sandwich press – degree of planning – unprovoked attack when victim was in his own bed. Absence of any significant mitigating factors Serving two life sentences for murder - determinate sentences for third murder and attempted murder
23.	JOHNSON (No.8) (44) [2019] NSWSC 613 Campbell J	Murder Assault	26y 6m NPP 20y FT 10m <u>Total:</u> 26y 9m NPP 20y 3m		Murder - malicious wounding offences involving use of knife - assault corrections officer	Stabbing Intent GBH	SNPP 20 years Offender mistakenly thought two male victims were stalking him with intention of ambush – had a small knife he used for peeling fruit – inflicted two fatal stab wounds to one victim in left pelvic and upper thigh – spontaneous act following offender's self-induced agitation – but unprovoked, deliberate and determined – punched second victim on chin Aboriginal offender - requirement to give full weight to profound childhood deprivation – contrition and remorse – limited prospects of rehabilitation – recidivous homicide – absence of remorse – danger presented to society

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