

Serious Sexual Offences – Total Sentence Above 10 Years

Victims aged 16y or Older

| | 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 | 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 | 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 |
| 3. | Jones (33) NSWCCA 15.12.1993 | 2 x s.61J s.61K 2 x s.61I | PG | MT 12y AT 2y | 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 | 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 | 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. |

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| 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 | 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 | 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 | 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. |
| 9. | Sansom (52) NSWCCA 28.8.1995 | 2 x s.61J | VG | MT 9y AT 3y | 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 | 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 | 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. |

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| 12. | Russell (20) (1995) 84 A Crim R 386 | s.611 s.89 2 x s.61J s.33B | PG | MT 7y AT 4y | 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 |
| 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 | 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. |
| 14. | Miller (35) NSWCCA 25.3.1997 | 6 x s.61J | PG | MT 7y 6m AT 3y 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 | 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 | 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.611 s.61J | PG | MT 8y AT 3y | 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. |

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| 18. | Khan (38) [2000] NSWCCA 428 | 4 x Assault 4 x s.611 Indecent assault Abduction | VG | MT 8y 3m AT 2y 9m | 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 | 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 |
| 20. | Astles (28) [2001] NSWCCA 235 | 2 x s.611 s.90A s.112(2) Sched: 6 offences (3 sexual offences) | PG | MT 10y AT 3y 4m | 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. | Baker (48) [2001] NSWCCA 96 | s.61J | PG | MT 12y AT 4y | AD | extremely bad record for sexual assaults | Anally raped a prostitute after threatening her with a knife, tying up her hands and gagging her. |
| 22. | 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. |

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| 23. | AEM (19) | 2 x s.61J Sched: S.61J | PG (20%) | 6y NPP 4y | Crown AA 13y NPP 9y | traffic, property and dishonesty offences - no violence - 2 recog | 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 (16) | 2 x s.61J Sched: 4 s.61J | PG (20%) | 5y 7m NPP 3y 6m | 14y NPP 10y | not stated | KEM - affected by father's death - difficult schooling MM - cousin to co-offenders - difficult childhood after father left |
| | MM (16) [2002] NSWCCA 58 | 2 x s.61J Sched: 2 x s.61J | PG (20%) | 6y NPP 4y | 13y NPP 10y | no similar offences - illegal use of motor vehicle | |
| 24. | 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 |
| 25. | 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 |

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| 26. | Hoang (18) [2003] NSWCCA 380 | s.61JA s.90A s.112(2) Sched Acc After Fact BE | PG (25%) | 15y NPP 11y 3m | AA 15y NPP 9y 3m | nil | With two co-offenders broke into home – threatened male complainants and female complainant with knives – took property – abducted female complainant and sexually assaulted her. Youth |
| 27. | 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. |
| 28. | MRK (17) [2004] NSWSC 319 Sully J | 9 x s.61JA | VG | 10y NPP 5y | | one minor | 13.7.2002 16y and 17y females accompanied offenders to – had previously spent night unharmed - S was physically restrained by MMK - MSK slapped her face and produced a knife - forced into a bedroom - MSK entered with another knife - produced some bullets and mentioned a gun - threat to kill - forced penile/vaginal intercourse three times - MAK entered room – forced vaginal/penile intercourse on - threatened her with death if she went to the police - G taken to different bedroom - MMK entered room carrying long bladed kitchen knife - forced G to fellate him and twice forced penile/vaginal intercourse - subjected to further sexual assault by RS - principal / accessorial liability Emigrated to Australia from Pakistan while relatively young – lack of parental supervision – refusal to accept any wrongdoing – poor rehabilitation prospects. |

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| 29. | 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 |
| 30. | Villar Zugecic [2004] NSWCCA 302 | s.90A 4 x s.61J s.90A 5 x s.61J | VG VG | 17y NPP 10y 16y NPP 10y | AA 12y NPP 9y 12y NPP 9y | Minor 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 |
| 31. | Johnson (23) [2005] NSWCCA 186 | Agg BES s.61I Agg BE and commit sexual assault | PG PG (10%) 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 |
| 32. | MS (15) [2005] NSWCCA 322 | s.61J s.90A | 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 |
| 33. | Mosegaard [2005] NSWCCA 361 | s.61J s.61I | 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 |

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| 34. | McKechnie [2006] NSWCCA 13 | s.37 Att to choke with intent s.61J | VG | 15y NPP 11y | AD | Extensive prior convictions for violence – breached conditional liberty | Attacked female stranger walking on beach – forced head into sand and attempted to choke – digital and penile penetration |
| 35. | Doherty (38) [2006] NSWCCA 133 | Agg BE and commit sexual offence 2 x Ind Assault 3 x s.61J Supply cannabis Sched: 5 offences | PG | 17y NPP 12y | AA 15y NPP 10y | Extensive record | Broke into home unit and tied up 55y female occupant – penile intercourse and forced fellatio – found in possession of 2.2kg cannabis Disturbed background - totality |
| 36. | Harrison (38) [2006] NSWCCA 185 | s.61K(a) s.61JA Sched: s.61JA | 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 |
| 37. | 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 |
| 38. | 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. |

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| 39. | 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 |
| 40. | 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 |
| 41. | 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. |
| 42. | 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. |
| 43. | 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 |
| 44. | 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 |

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| 45. | Thornton [2007] NSWCCA 164 | s.111(1) 10 x s.611 s.37 Att s.611 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 |
| 46. | 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 |
| 47. | 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 |
| 48. | 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 |
| 49. | 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 |

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| 50. | 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. |
| 51. | 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 |
| 52. | 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 |
| 53. | 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 with difficult childhood – early drug abuse – need to develop insight and empathy |
| 54. | 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. |

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| 55. | 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 |
| 56. | 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 |
| 57. | 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 – disturbed upbringing – virtually no education – psychiatric illness – drug abuse |
| 58. | 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. |
| 59. | 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. |
| 60. | 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 |

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| 61. | 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. |
| 62. | Weatherall (31) [2013] NSWCCA 282 Co-offender: QORO KING | 2 x s.61JA | VG | 15y NPP 10y | AD | Prior old rob and wounding offence | Part of group of men who detained and sexually assaulted female drug addict who attended terrace house to purchase drugs – held complainant by hair and forced fellatio – offence committed in company – complainant forced to fellate second male – vulnerable complainant Aboriginal with deprived background - |
| 63. | 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 |
| 64. | 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 with difficult childhood – living on streets at time of offences – very low intellectual level |
| 65. | Keeley (29) [2014] NSWCCA 139 | 3 x s.61J s.95(1) Sched: s.61J s.61L | PG (25%) | 15y NPP 12y | AD | break, enter and steal, larceny and PCA offences | SNPP 10 years Young female complainant walking home from work at 8pm approached by offender – forced her into alleyway with knife – digital and penile penetration – forced exposure of breasts and masturbation of offender – kissed complainant's breasts and forced penile intercourse again |

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|-----|--|--------------------------------------|---------------|--------------------------------|--------|---|--|
| 66. | 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 |
| 67. | 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 |
| 68. | 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 |
| 69. | 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 |
| 70. | 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 |
| 71. | 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 |

| | NAME (age if known) | OFFENCE | PLEA | TOTAL EFFECTIVE SENTENCE | APPEAL | RECORD | INVOLVEMENT & SUMMARY |
|-----|---|--|-------------|--|----------------------------|---|--|
| 72. | 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. |
| 73. | 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 |
| 74. | 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. |
| 75. | Simmons (18) [2019] NSWCCA 20 | 6 x s.61J Sched: 2 x s.61J | PG (25%) | 18y NPP 12y | AA 15y NPP 10y | nil | SNPP 10 years Grabbed 22y female stranger walking along streets of country town in early evening – dragged complainant to river and sexually and physically assaulted her over one hour – punched in vagina – squeezed throat – bit face and breast – ripped out hair with teeth – forced penis into mouth – deep digital penetration of anus causing injury – penile and digital penetration of vagina – penile penetration of injured anus Aboriginal with deprived and violent childhood |

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| 76. | McClelland [2019] NSWCCA 59 | 5 x s.61I 2 x s.61J 2 x s. 86(1)(b) | VG | <u>Aggregate</u> 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 |
| 77. | Sims (24 at offence) [2019] NSWCCA 232 | GBH / GBH Att s.61J (ABH) Sched: Act of indecency | PG (12%) | <u>Aggregate:</u> 15y NPP 10y | AD | nil prior – sexual offence of 15y girl subsequent | (1996) soldier told lies to 19y female met in club about knowing her boyfriend – left club with complainant then strike her to face causing serious injury and unconsciousness – moved complainant to dark embankment and attempted to sexually assault her – attempt only due to early ejaculation – left complainant on embankment – arrested after DNA match many years later – some degree of planning on the night - martial arts trained - above mid-range seriousness No evidence of rehabilitation – some evidence of mental illness |
| 78. | Saffin (31) [2020] NSWCCA 246 | 6 x s.61J 5 x indecent assault 2 x acts of indecency | VG | <u>Aggregate:</u> 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. |
| 79. | Singh (39) [2021] NSWCCA 96 | s.86(2) s.35(4) 3 x s.61J Sched: 2 x s.61J 2 x s.61L | PG (10%) | <u>Aggregate:</u> 15y NPP 9y | AD | Nil | SNPP 10 years Detained 22y female housemate in her bedroom with 20cm knife for several hours – during initial struggle complainant stabbed in arm causing serious injury – oral sex, forced fellatio and digital intercourse – forced complainant to rub offender's penis and rubbed penis over genital area - threatened to kill himself - made some attempt to treat complainant's wound – vicious, selfish and insidiously cruel – sexual offences mid-range and slightly below mid-range Suffering severe depressive episode and effects of personality disorder – some diminished moral culpability – remorse – genuine desire but guarded prospects of rehabilitation On appeal – errors made in use of schedule offence in assessing objective gravity but no lesser sentence warranted |

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| 80. | Kiss [2021] NSWCCA 158 | 2 x AOABH 3 x s.611 s.37(1) – Intent to choke Intimidation s.166 2 x Cruelty to animals | VG | <u>Aggregate:</u> 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 |
| 81. | McKenzie (34-5) [2022] NSWCCA 119 | 3 x s.611 3 x s.61L 2 x s.66C(4) Sched: 12 similar offences | PG (5%) | <u>Aggregate:</u> 10y NPP 6y | Crown AA <u>Aggregate:</u> 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 |

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|-----|---|--|-------------|-----------------------------------|--------|--------|--|
| 82. | Sharma [2022] NSWCCA 190 | s.38(b) Cause to take intoxicating substance to enable sexual intercourse w/o consent 2 x s.611 2 x s.91P(1) Att s.91P(1) Sched: s.611 s.166 Cert: 2 x possess proh drug | PG (25%) | <u>Aggregate</u> 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. |

Last updated: Sept 2022

| 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 |

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