

## Murder: 1998

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

	NAME (age if known)	PLEA	SENTENCE	APPEAL	SUMMARY OF RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
1.	<b>NGUYEN</b> NSWCCA 20.3.1998	VG Murder  PG 2 x mal wound	MT 9y AT 5y	Conviction AD	AVO	Stabbing	Angered when wife planned to move with children - splashed acid in face of daughter and friend - stabbed wife six times - stabbed daughter and friend Diminished responsibility rejected
2.	<b>FADEL</b> (46) NSWCCA 1.5.1998	VG	MT 14y AT 4y	AD	nil	Shooting  Intent to kill	Drive-by shooting - shot victim after pulling up beside car - motive unclear - pre-meditated.
3.	<b>GLASBY</b> (41) NSWSC Sully J 11.6.1998  (2000) 115 A Crim R 465 <a href="#">[2000] NSWCCA 83</a>	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
4.	<b>WHITMORE</b> (66) NSWCCA 24.7.1998	VG	MT 15y AT 10y	AD	AOABH	Shooting  Intent kill	Shot dead lover when she threatened to leave - some element of premeditation.
5.	<b>HAS</b> (17y 7m) NSWCCA 13.8.1998	PG	MT 12y AT 5y	AA MT 10y 6m AT 6y 6m	nil	Stabbing  Intent kill	Stabbed and assaulted 69y acquaintance - no pre-meditation. Aboriginal with deprived childhood - suffering significant brain damage and alcohol abuse - good rehabilitation.

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6.	<b>SMITH</b> (53) NSWSC Simpson J 10.9.1998  <a href="#">[2000] NSWCCA 202</a>	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
7.	<b>GRAFF</b> (20) NSWSC Barr J 25.9.1998  <a href="#">[2001] NSWCCA 3</a>  <b>LEAITUALES</b> (19) NSWSC Barr J 25.9.1998  <b>RT</b> (17) NSWSC Barr J 25.9.1998	PG Murder  Rob in Co  Sched: AOABH Mal inflict gbh  PG Murder  Rob in Co  PG Murder  Rob in Co	MT 18y AT 5y     MT 10y AT 6y    MT 11y AT 6y	AD	minor record - on bail at time of offending     no significant history	Assault	Punched and kicked taxi driver in the head and body - stripped and whipped him with his belt - drove off in taxi - no reason for attack - equal culpability. Robbery of taxi driver nine days earlier - took taxi and money. G: History of alcohol and violence - low intellectual functioning - considered leader of group. L: Difficult background - previously stabbed - alcohol addiction - low intellectual functioning and depression lessened criminal responsibility
8.	<b>MHN</b> (17y 10m at offence - 20 at sentence) NSWSC Kirby J 29.10.1998  Co-offender: TNT [2002]	PG	MT 16y AT 6y		Breached probation for AOABH - subsequent offences for violence	Cut throat with knife  Intent kill	Part of group of four youths who took 17y male acquaintance to park area and assaulted causing serious injury - strangled, stabbed and throat cut - body dumped at building site - brutal crime - seeking to eliminate witness to earlier offence Vietnamese - suffering depression - Evidence of explosive temper Subsequently sentenced to concurrent sentence for manslaughter ( <i>MHN</i> NSWSC 20.11.1998)

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9.	<b>BALDACCHINO</b> NSWCCA 3.11.1998	PG	MT 8y AT 8y	AD	nil relevant	Shooting  Intent kill	(1985) Killed lover's ex-husband - manipulated by lover - confessed in 1997 after becoming a Jehovah's Witness.
10.	<b>KINGI</b> (31) NSWSC Hidden J 18.12.1998	PG	MT 10y AT 4y		minor and irrelevant	Stabbing	Argued with estranged wife - she threatened to injure daughter - obtained knife and iron bar from home and returned to kill wife - dropped child at brother's house and went to police - moved by 'anger and frustration' not 'revenge and hatred'. Good rehabilitation prospects.

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