

## Murder

### Asphyxiation / Strangulation

**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.	<b>VEITCH</b> (24) NSWSC Hunt J 19.3.1991	PG	MT 12y AT 6y		nil	strangulation  intent kill	Strangled and bashed sister with brick when she resisted attempt at sexual intercourse.
2.	<b>MIDDIS</b> (30) NSWSC Enderby J 6.5.1991	PG (day 7 of trial)	MT 12y AT 3y		minor	strangulation  intent kill	Strangled wife - degree of provocation. Intellectually handicapped - gave evidence for Crown.
3.	<b>CALLEJA</b> (17) NSWSC Slattery AJ 19.7.1991	VG Murder  PG Rob  2 x Obtain by deception	MT 15y AT 5y		long record armed robbery, kidnapping	strangulation  reckless indifference	Robbery - tied elderly lady up in house - took chequebook and withdrew money. Escapee at time of offence.

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4.	<b>BOSSIE</b> (22) NSWSC Studdert J 16.4.1992	PG (after 4 <sup>th</sup> day of trial) Murder  Sexual ass	MT 14y AT 6y		kidnapping, sexual assault	strangulation	Bashed, sexually assaulted & strangled young woman.
5.	<b>MASSINGHAM</b> (29) NSWSC Enderby J 20.5.1992	PG	MT 12y AT 4y		nil	strangulation  intent kill	Entered house on pretext of having sex but killed victim in response to dreams. Severely depressed.
6.	<b>KNOWLSON</b> (18y 9m)  <b>PERKINS</b> (18y 3m)  NSWSC Enderby J 21.5.1992	PG  PG	MT 12y AT 6y  MT 8y AT 7y		prior offences	strangulation / stabbing  intent kill	Premeditated killing of old man K dominant offender P suffering brain damage from petrol sniffing and intellectual disability
7.	<b>SHARPE</b> (19) NSWSC Wood J 10.9.1992	PG	MT 10y AT 8y		minor - disregarded	assault and strangulation  intent GBH	Went to aunt's home in early hours of morning to sexually assault her - struck her with poker and strangled with cord.
8.	<b>DAVISON</b> (19) NSWSC Wood J 11.9.1992	PG	MT 13y 5m AT 7y		nil	strangulation / stabbing	Killed girlfriend – assault causing fractures to head - set body alight after death
9.	<b>BAWDEN</b> (22 at offence - 40 at confession) NSWSC Mathews J 30.10.1992	PG	MT 8y AT 7y		priors but nil violence	strangulation	Confessed to murder of woman years after woman's husband had served a long sentence for murder – victim assaulted in own home

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10.	<b>LORENZO</b> (33) NSWSC Dunford J 26.11.1993  NSWCCA 22.5.1995  <a href="#">[2001] NSWCCA 389</a>	VG	MT 17y AT 5y 6m	Conviction AD   Sentence AD	serious	assault / strangulation	Robbery and murder of female in her home Some assistance to authorities.
11.	<b>LETT</b> (32) NSWSC Ireland J 4.3.1994  NSWCCA 27.3.1995	VG	MT 19y 6m AT 6y 6m	AD	nil	strangulation and car  intent kill	Abducted 6y boy - strangled victim with underpants, threw victim out of car then ran over him with car Diminished responsibility rejected
12.	<b>MALONE</b> (30) NSWCCA 20.4.1994	VG	MT 15y AT 5y	Conviction AD	lengthy - BES, possess weapon, escape	assault / strangulation and drowning	Victim tortured for bank pin - thrown in lake with weights
13.	<b>FOWLER</b> (23) NSWSC Blanch J 27.5.1994	VG	MT 8y AT 4y			strangulation  common purpose robbery	During robbery of taxi driver co-offender strangled victim with cord of handset
14.	<b>LOBLEY</b> NSWSC Finlay J 22.3.1995	PG	MT 10y AT 6y		Minor	strangulation	Strangled 6y girl after caught masturbating
15.	<b>NIXON</b> (35) NSWCCA 31.10.1995	PG	MT 13y 6m AT 4y 6m	AD	record of violence	strangulation	During argument with ex-girlfriend in bushland strangled her, leaving her in shallow grave Initial denial but then admitted killing when no other evidence - intoxicated by drugs & liquor - distressed by end of relationship

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16.	<b>WADE</b> (45) NSWCCA 26.2.1996	VG	MT 14y AT 4y 8m	AD		strangulation	Killed female flatmate - sexual element
17.	<b>WHITE</b> NSWSC Hidden J 11.10.1996	VG	MT 10y AT 5y		minor	assault and strangulation	Attack resulted from "passion arising from relationship". Schizophrenic.
18.	<b>PANTOJA</b> (29) NSWSC Barr J 5.3.1997  NSWCCA 5.11.1998	VG	MT 13y 6m AT 4y 6m	AD	nil	assault / strangulation  intent kill	Murdered wife and sexually assaulted sister-in-law - motivated by sexual passion for sister-in-law.
19.	<b>PREVITERA</b> (1997) 94 A Crim R 76 NSWSC Hunt CJ at CL 27.5.1997	PG	MT 20y AT 5y		long record, including bag snatch on elderly woman	strangulation	Strangled 81y female neighbour, then robbed her - motive for murder unclear.
20.	<b>MOFFATT</b> (36) <a href="#">[1999] NSWSC 362</a> Kirby J  (2000) 112 A Crim R 201 <a href="#">[2000] NSWCCA 174</a>	VG	MT 6y AT 5y	Conviction AD	minor alcohol related	strangulation  intent GBH	Strangled acquaintance during drinking session - provoked by insults and intoxicated – not premeditated Genuine remorse – alcoholic
21.	<b>SHORT</b> <a href="#">[1999] NSWSC 430</a> Sully J  <a href="#">[2000] NSWCCA 462</a>	VG Murder  Rob with violence  AOABH	MT 16y AT 4y  FT 4y  FT 2y (concurrent)	Crown AA 24y NPP 18y  FT 4y  FT 2y (concurrent)	minor violence	strangulation  intent kill	Strangled 21y female after leaving nightclub late at night and buried in sandpit - assaulted and robbed two other girls who had left night club. Dysfunctional personal history.

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22.	<b>LEUNG</b> <a href="#">[1999] NSWSC 1108</a> Hulme J	VG	MT 14y AT 4y			strangulation  intent kill	Strangled wife during argument at home.
23.	<b>HARRIS</b> (30) (2000) 111 A Crim R 415 <a href="#">[2000] NSWSC 285</a> Bell J  (2000) 121 A Crim R 342 <a href="#">[2000] NSWCCA 469</a>	PG 3 x Murder  AR	40y NPP 25y	Crown AA Life	not serious	strangulation  intent kill	Three killings committed in one month - strangled male suffering effects of stroke in victim's home - strangled intellectually disabled woman he befriended in her home - strangled male neighbour and disposed of body in country - second and third killings motivated by desire to kill –elderly, sick, or disadvantaged victims – betrayal of trust – two killings an exercise of power and to exact revenge on society
24.	<b>MCGRATH</b> (21) <a href="#">[2000] NSWSC 419</a> Grove J  <a href="#">[2002] NSWCCA 207</a>	PG	18y NPP 13y 6m	AD	not serious	assault / suffocation  intent kill	Bashed then suffocated victim with wet tea towel after learning victim accused of sexual assault on friend's daughter - travelled to home of victim with intention to execute in vigilante type vengeance
25.	<b>P HELMHOUT</b> (31)  <b>M HELMHOUT</b> (37) <a href="#">[2000] NSWSC 651</a> Bell J  (2001) 125 A Crim R 257 <a href="#">[2001] NSWCCA 372</a> (M. Helmhout)	VG  VG	18y NPP 13y 6m  18y NPP 13y 6m	  Conviction AD	relatively minor - violence and alcohol related  more serious including dangerous act causing death	strangulation  intent kill	Strangulation of 47y male friend - offenders and victim under influence of alcohol and marijuana following funeral earlier that day for offender's brother - angered by victim's continued reference to deceased brother - perceived lack of sensitivity to aboriginal culture - various acts of degradation performed on body after death and dumped in nearby bush.

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26.	<b>PARK</b> (30) NSWSC Sperling J 3.8.2000  <a href="#">[2003] NSWCCA 203</a> <a href="#">[2003] NSWCCA 142</a>	VG Murder  Murder  Murder	26y NPP 19y 6m  FT 15y  FT 15y  (concurrent)	Conviction AD  Crown AD		suffocation  intent kill	Suffocated wife and two infant children and dumped bodies in bushland - highly charged emotional state at time of killing. Some remorse - admissions shortened trial - protective custody
27.	<b>KANE</b> (16 at offence - 26 at sentence) <a href="#">[2000] NSWSC 1061</a> Barr J  <a href="#">[2001] NSWCCA 150</a>	VG	10y 6m NPP 8y 8m	Crown AD	minor	suffocation  intent kill	(1990) With co-offender bashed male school teacher in his home with baseball bat - victim suffocated after being tied up with plastic bag taped over head - believed co-offender had been raped by victim Retrial - return to prison particularly stressful
28.	<b>VALERA</b> (19) <a href="#">[2000] NSWSC 1220</a> Studdert J  <a href="#">[2002] NSWCCA 50</a>	VG 2 x murder	Life	AD	nil	assault / strangulation  intent kill	Bashed to death 59y male in victim's home then mutilated body - two weeks later bashed and strangled 68y male in victim's home and mutilated body - savage attacks - random and utterly senseless killings – mutilation and treatment of bodies showed utter contempt for victims and exuded evil Physically and verbally abused by father throughout childhood - mother left home when offender aged 3y
29.	<b>CIKOS</b> <a href="#">[2001] NSWSC 35</a> Dunford J	PG (10-15%) 3 x Murder	21y NPP 15y 6m (concurrent)		nil	suffocation / assault  intent to kill	Killed de facto and sons aged 4 years and 18 months old - passive man who endured months of aggression and abuse at hands of dominant de facto wife - reacted to de facto's ultimatum that he kill de facto's friend by certain date. Genuine remorse - strict protection
30.	<b>EBNER</b> (29) <a href="#">[2001] NSWSC 421</a> Adams J	PG (15%)  Sched: 2 offences	18y NPP 13y		prior record - on bail for stealing at time of offence	Strangulation  intent to kill	Strangled female flatmate to steal heroin - hid body in wardrobe - took shot of heroin with girlfriend and attempted to sell victim's property - dumped body in nearby laneway. Limited insight and remorse - protective custody - bleak prospects of rehabilitation.

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31.	<b>SYMSS</b> (24) <a href="#">[2001] NSWSC 1037</a> Howie J  <a href="#">[2003] NSWCCA 77</a>	VG Murder  Rob w/ wounding  LMV	22y NPP 16y 6m  FT 5y  FT 2y (concurrent)	Conviction AD	priors including armed robbery	suffocation  intent to kill	Suffocated 73y female in own home during robbery - attempted to stab victim in neck No remorse
32.	<b>PRIOR</b> <a href="#">[2002] NSWSC 56</a> Grove J	PG (20%)	16y NPP 12y		prior convictions for drug offences	assault and strangulation	Bashed and strangled estranged wife to death when she ended relationship - buried in shallow grave. Serious and long term drug addiction
33.	<b>MERRITT</b> (30) <a href="#">[2002] NSWSC 1159</a> Greg James J  (2004) 146 A Crim R 309 <a href="#">[2004] NSWCCA 19</a>	PG (15% on appeal) 3 x Murder	Life	AA 24y NPP 18y  24y NPP 18y  24y NPP 17y  <u>Total:</u> 34y NPP 27y	minor	suffocation  intent to kill	Father killed his children aged 11w, 11m and 6y on custody visit - no explanation for killing - incomprehensible action - no evidence of mental disorder On appeal: objective gravity of offence justified life sentence but insufficient weight given to depressive state – sentence patterns show life not imposed in cases of parents murdering children.
34.	<b>RITCHIE</b> (55) <a href="#">[2003] NSWSC 864</a> Barr J	VG	15y NPP 11y 9m		Nil relevant	Suffocation  Intent to kill	Suffocated elderly mother – hid body in bush and claimed mother had wandered off – under stress of caring for dying mother – gross breach of trust – only issue at trial was mental health Good prospects of rehabilitation – ill health

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35.	<b>FOLBIGG</b> (36) <a href="#">[2003] NSWSC 895</a> Barr J  (2005) 152 A Crim R 35 <a href="#">[2005] NSWCCA 23</a>  <a href="#">[2007] NSWCCA 371</a>  <a href="#">[2023] NSWCCA 325</a>	VG Murder  Murder  Murder  Manslaughter  Intentionally inflict GBH	18y  20y  22y NPP 12y  FT 10y  FT 14y  <u>Total:</u> 40y NPP 30y	Sentence AA 18y  20y  22y NPP 17y  FT 10y  FT 14y  <u>Total:</u> 30y NPP 25y  Conviction AD  Conviction AA Convictions quashed – acquittals entered	Nil	Suffocation  Intent to kill	Mother killed four babies over ten years – suffocated each child in spontaneous burst of anger – earlier attack on second child caused blindness Seriously psychologically damaged by early neglect and physical and sexual abuse – protective custody On sentence appeal: error in accumulation and overall sentence crushing – comments on public opinion  <b>NOTE:</b> Ms Folbigg received a pardon for all offences in 2023 after a Part 7 <i>Crimes (Appeal and Review) Act</i> inquiry found a reasonable doubt as to her guilt.  Following this inquiry the CCA found reasonable doubt as to guilt in light of scientific evidence not available at the time of the trial - convictions were quashed and verdicts of acquittal entered on all counts
36.	<b>STONE</b> (31 at offence / 44 at sentence) (2004) 144 A Crim R 568 <a href="#">[2004] NSWSC 224</a> Grove J	PG	21y NPP 15y 9m		Lengthy – breached parole – dealt with for attempt to commit similar offence 5 years later	Strangulation	(1990) Broke into home during day attempting to escape pursuit – intoxicated and drug affected – formed intent to commit sexual assault – stripped female occupant and tied her to bed – strangled with football sock – gratuitous violence - 5 years later threatened 26y daughter of de facto with similar violence – subsequent DNA match to murder Deprived childhood as ward of state – serious health problems – future dangerousness – more lenient sentence pattern for murder at time of offence
37.	<b>MS</b> (17) <a href="#">[2004] NSWSC 730</a> Dunford J	VG	17y NPP 11y		Lengthy record including common assault and mal wounding	Strangulation  Intent to kill	Killed 15y girlfriend by strangling her with shoelaces – relationship marked by violence towards victim Aboriginal – physically abused and dislocated throughout childhood – alcohol and drug addiction – good prospects of rehabilitation

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38.	<b>KISELJEV</b> (66) <a href="#">[2004] NSWSC 1030</a> Dunford J	PG 20%	16y NPP 11y		Nil	Asphyxiation	Killed young wife during argument by assaulting her with shoe and asphyxiating with cloth over mouth – unhappy and dysfunctional marriage – element of provocation – spontaneous Croatian – remorse – prior good conduct
39.	<b>KEIR</b> (30 / 45) <a href="#">[2004] NSWSC 1194</a> Campbell AJ  <a href="#">[2007] NSWCCA 149</a>	VG	22y NPP 16y	Conviction AD	Nil relevant (NB acquitted of murdering second wife)	Strangulation  Intent to do GBH	Probably strangled wife - body found in backyard - obsessed and jealous towards wife - made threats and violent - angered by wife's attempt to leave – lied about wife leaving him Third trial – application of Gilmore principle <u>Earlier trials:</u> [2000] NSWSC 111 (2002) 127 A Crim R 198 (NSWCCA) [2003] NSWSC 140 (2003) 144 A Crim R 468 (NSWCCA)
40.	<b>CLEVERLY</b> (18) <a href="#">[2004] NSWSC 1279</a> Mathews AJ  <a href="#">[2007] NSWCCA 169</a>	VG  Sched: 2 offences	24y NPP 18y	Conviction AD	Nil	Strangulation  Intent to kill	Strangled aunt in her home – possibly motivated by financial gain – premeditated – higher end of range Brain injury at least affected judgment.
41.	<b>COULTER</b> (41) <a href="#">[2005] NSWSC 101</a> G. James J	PG	Life		Nil	Suffocation  intent to kill	<b>SNPP 20 years</b> Killed 11y daughter of cousin – planned to kill so would be forced to commit suicide – smothered victim in her home – took body to bushland and grossly mutilated body before genuine attempt at suicide – carefully planned Suffering severe depression, pervasive and intrusive violent thoughts and obsessive compulsive disorder – lifelong mental disorder
42.	<b>PERRY</b> (48) NSWSC Newman AJ 28.4.2005  (2006) 166 A Crim R 383 <a href="#">[2006] NSWCCA 351</a>	PG (25% on appeal) Murder  2 x Agg indecent Ass	25y NPP 18y 9m  6y NPP 4y 3m  <u>Total:</u> 25y NPP 20y 9m	AA 23y 8m NPP 18y 5m  4y 9m NPP 3y 7m  <u>Total</u> 25y NPP 19y 9m	Lengthy and serious record – includes arson	Assault / Strangulation	<b>SNPP 20 years</b> Became angry with girlfriend and assaulted and strangled her – sexually assaulted corpse – defiled body with sexual toys and faeces – indecently assaulted victims 7y daughter – voluntary confession to police – impulsive offences

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43.	<b>WHITE</b> (34) <a href="#">[2005] NSWSC 667</a> Studdert J	PG (10%) Murder  Sched: 5 Break and enter offences	24y NPP 18y		Dishonesty and violence – breached bail	Assault / asphyxiation  Reckless indifference	<b>SNPP 20 years</b> Broke into home of 82y widow – victim assaulted, bound and gagged – believed victim would die if not found Aboriginal with disrupted childhood and drug addiction
44.	<b>WEIGHTMAN</b> (20) <a href="#">[2005] NSWSC 1354</a> Hidden J  Co-offender: DONAI [2008]	PG (comb 30%) 2 x Murder	25y NPP 19y  <u>Total:</u> 28y NPP 22y		Minor	Asphyxiation  Intent to kill	Killed adoptive parents for financial reasons – planned killing with co-offender – victims sedated in own home and smothered – bodies placed in car crash scene – co-offender killed mother – assisted in killing of father Early stages of mental illness at time of offences – influenced by drugs and co-offender – favourable prospects of rehabilitation
45.	<b>VERSLUYS</b> (32) <a href="#">[2006] NSWSC 188</a> Newman AJ  <a href="#">[2008] NSWCCA 76</a>  <a href="#">[2014] NSWCCA 98</a>	VG	26y 8m NPP 20y	AD  AA 23y 6m NPP 17y 6m	Priors – no violence	Strangulation  Intent GBH	<b>SNPP 20 years</b> Strangled girlfriend during argument – prior threats – not premeditated Difficult and abusive childhood
46.	<b>MATHESON</b> (21) <a href="#">[2006] NSWSC 332</a> Mathews AJ  <a href="#">[2015] NSWCCA 108</a>	VG	27y NPP 18y	AA 25y NPP 18y	Nil	Strangulation  Intent to kill	<b>SNPP 20 years</b> Strangled ex-girlfriend – hid body in cricket bag – premeditated – brutal and cruel killing Suffering mental disorder affecting imprisonment CCA appeal – Muldrock error
47.	<b>ANDERSON</b> <a href="#">[2006] NSWCCA 156</a>	VG	17y NPP 11y	AD		Strangulation  Intent to kill	(1995) strangled husband with cord and buried him under house – premeditated offence Deteriorating health – advanced age – two trials
48.	<b>IMNETU</b> <a href="#">[2006] NSWCCA 203</a>  <a href="#">[2014] NSWCCA 99</a>	VG	26y 6m NPP 20y	AD  AD (Muldrock)		Strangulation  Joint criminal enterprise	<b>SNPP 20 years</b> Assisted primary offender in killing of male acquaintance – victim dosed with heroin, assaulted and strangled in own home – offender acted as lookout and helped dispose of body

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49.	<b>MENCARIOUS</b> (37) <a href="#">[2006] NSWSC 719</a> Grove J  (2008) 189 A Crim R 219 <a href="#">[2008] NSWCCA 237</a>  <a href="#">[2014] NSWCCA 104</a>	VG	26y 8m NPP 20y	AD    AD	Nil	Asphyxiation  Intent to kill	<b>SNPP 20 years</b> Attacked wife with bottle – history of violence – middle range offence
50.	<b>CHRISTOV</b> (52) <a href="#">[2006] NSWSC 1179</a> Kirby J  <a href="#">[2009] NSWCCA 168</a>	VG	23y NPP 17y	AD	Violence	Strangulation  Intent to kill	<b>SNPP 20 years</b> Strangled ex-girlfriend during struggle in victim's home – angered at break up – mid-range Remorse – protective custody – reasonable prospects of rehabilitation
51.	<b>JOYCE</b> (37) <a href="#">[2007] NSWSC 218</a> James J	VG  Sched: 3 offences	21y NPP 16y		Minor and old	Strangulation  Intent to kill	<b>SNPP 20 years</b> Strangled estranged wife during argument – drowned in pool – spontaneous offence – below mid-range Protective custody
52.	<b>JOHNSON</b> (53) <a href="#">[2007] NSWSC 274</a> Whealy J  <a href="#">[2010] NSWCCA 86</a>	VG 2 x Murder  Dishonesty offences	Life	Conviction AD	Minor traffic	Strangulation  Intent to kill	<b>SNPP 20 years</b> Tied up and strangled retired couple in their own home – trusted handyman – stole money from bank accounts – financial difficulties – well planned offence - cold, calculated killings with element of mental torture, fear and distress
53.	<b>HUYNH</b> (26) <a href="#">[2007] NSWSC 409</a> Buddin J	VG Murder  PG Demand money with menaces	22y NPP 16y  FT 6y  <u>Total</u> 24y NPP 18y		Minor	Strangulation  Intent GBH	<b>SNPP 20 years</b> Involved in kidnapping of female student – body found in boot of car, strangled, several days later – made financial demands to victim's father – circumstances of killing unclear – killing not premeditated Vietnamese born – isolation – good prospects of rehabilitation – ill health – protective custody

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54.	<b>KALIYANDA</b> (41 – 51) <a href="#">[2007] NSWSC 393</a> Grove J  <a href="#">[2007] NSWCCA 300</a>	VG	20y NPP 14y	AD	No significant prior convictions	Asphyxiation  Intent to either kill of GBH	(1997) Killed female acquaintance in flat by strangulation or smothering – body wrapped and left under bed covering – body not discovered for 17 days – used victims credit card to steal money – circumstances and motive for killing unclear Poor health
55.	<b>BUNCE</b> (37 at offence – 47 at sentence) <a href="#">[2007] NSWSC 469</a> Price J  <a href="#">[2009] NSWCCA 281</a>	PG (25%)	24y NPP 18y	AD	Criminal record	Strangulation  Intent to kill	(1997) - Strangled sister-in-law – victim tied to bed in preparation for voluntary pornographic video – voluntary sexual intercourse - carefully planned offence – intent to kill prior to travelling to house – revenge – high degree of criminality Psychopathic personality
56.	<b>FLEMING</b> (30) <a href="#">[2007] NSWSC 673</a> Studdert J	VG	21y NPP 16y		One prior for rape in 1976	Strangulation	(1984) - Predator took female walking home from car at night – strangled then sexually assaulted body Physical disability including amputated leg – serious personality disorder
57.	<b>LEA-CATON</b> (28) <a href="#">[2007] NSWSC 1294</a> Buddin J  Co-offender: SNIBSON [2008]	PG (comb 40%) 2 x Murder  2 x Sp agg kidnapping	18y NPP 12y 6m  FT 5y  <u>Total:</u> 22y NPP 16y 6m		Record	Suffocation / Strangulation  Joint criminal enterprise	<b>SNPP 20 years</b> Assisted two co-offenders in detainment and murder of husband and wife – victims lured to house, assaulted and hog-tied – female suffocated by female co-offender and male strangled by male co-offender – assisted in disposing of bodies and car – principal in second degree Voluntarily surrendered to police - assistance to authorities – brain damage and psychological problems resulting from motor cycle accident Third co-offender, Flentjar, sentenced only for kidnapping offences
58.	<b>SHEPHERD</b> (36) <a href="#">[2007] NSWSC 1416</a> Hidden J	PG (20%)	19y NPP 14y		Not significant	Strangulation  Intent to kill	<b>SNPP 20 years</b> Strangled female friend in her home – circumstances and motive for offence unclear – spontaneous offence Reasonable prospects of rehabilitation

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59.	<b>DONAI</b> (33) <a href="#">[2012] NSWSC 1102</a> Hidden J  <a href="#">[2016] NSWCCA 212</a>  Co-offender: WEIGHTMAN [2005]	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 Sentence of life imposed after first trial – conviction AA
60.	<b>SNIBSON</b> (35) <a href="#">[2008] NSWSC 905</a> Buddin J  <a href="#">[2023] NSWCCA 127</a>  Co-offender: LEA-CATON [2007]	PG (10%) 2 x Murder  2 x Sp agg kidnapping	Each: 26y NPP 18y  FT 8y 6m  <u>Total:</u> 32y NPP 24y	AA Each: 24y NPP 17y  FT 8y 6m  <u>Total:</u> 29y 6m NPP 22y 6m	Insignificant	Strangulation / suffocation  Joint criminal enterprise / intent to kill	<b>SNPP 20 years</b> Female - recruited two male friends to assist in detaining victims – lured husband and wife to house – victims assaulted, gagged and hogtied – male strangled – female suffocated – not established which offender committed fatal acts – bodies placed in drums, taken into forest and burned – equal involvement in post murder conduct - kidnapping well planned – murder slightly above mid-range – pivotal role Motive unclear – model prisoner – lost contact with daughters – prospects of rehabilitation Third co-offender, Flentjar, sentenced only for kidnapping offences CCA: <i>Muldrock</i> error.
61.	<b>MEHTA</b> (42) <a href="#">[2009] NSWSC 814</a> Grove J	PG Murder  Murder	30y  Life		Assault on first wife – strangling and threat to kill	Strangulation  Intent to kill	<b>SNPP 20 years / 25 years</b> Strangled wife during argument – verbal threats and physical assaults made previously – killed 9y step daughter to prevent her reporting killing to police – method of killing unclear – threw bodies over cliff in Blue Mountains – discovered by bushwalkers 4 weeks later – lied to police – had son assist in deception - killed wife for financial reasons – killing if step daughter worst case No evidence of remorse or rehabilitation

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62.	<b>VALIUKAS</b> (33 at offence – 43 at sentence) <a href="#">[2009] NSWSC 808</a> Hulme J	VG	18y NPP 13y 6m		nil	Strangled	(1999) - Strangled former partner in her home during argument –volatile relationship – suffering dissociative episode at time of killing – visions of violent father and person who molested him as a child – not fully aware of acts - spontaneous offence - took body and children to mother's house and hid body in shed – lied about disappearance of victim – confessed to police 9 years later – offence below mid-range Prior good character – difficult custodial conditions
63.	<b>PFITZNER</b> (26) <a href="#">[2009] NSWSC 1267</a> RA Hulme J  <a href="#">[2010] NSWCCA 314</a>	PG (15%)	25y 6m NPP 19y 2m	AD	Breached suspended sentence for mal inflict GBH in company – other offences	Asphyxiation  Intent GBH	<b>SNPP 25 years</b> Female - mistreated, abused and assaulted 2y son over long period of time – murdered victim by asphyxiation although actual method of killing unclear –wrapped body in plastic, placed in suitcase and threw in nearby pond – spontaneous offence giving in to anger and influenced by several factors and pressures – had declined to give up victim to custody of mother or DOCS despite asking for help – aware victim about to be returned to lawful guardian - slightly below mid-range. Displayed appropriate parenting to two other children
64.	<b>CHEN</b> (29) <a href="#">[2010] NSWSC 64</a> Rothman J	VG	23y 4m NPP 17y 6m		nil	Choking / Strangulation  Intent GBH	<b>SNPP 20 years</b> Strangled de facto wife at her residence – drove body 8km to his residence – placed body in bed covered with ice, flowers and favourite food – intoxicated – no clear motive for offence – spontaneous offence – no history of domestic violence – slightly below mid-range Prior good character – contrition – suffers psychosis – good prospects of rehabilitation – Chinese national with little English
65.	<b>KWON</b> (29) <a href="#">[2010] NSWSC 671</a> RA Hulme J	VG	22y NPP 16y 6m		Nil	Strangled  Intent to kill	<b>SNPP 20 years</b> Strangled female Korean prostitute met in brothel - had dinner with victim – argument after offender said he no longer wished to have contact with victim – victim made disparaging comments about offender's wife - reasons leading to killing not entirely clear – intent to kill formed spur of the moment - just below mid-range objective seriousness Arrived in Australia 2005 – no family

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66.	<b>LECHMANA</b> (37) <a href="#">[2010] NSWSC 849</a> Latham J	VG	23y NPP 17y 3m			Strangulation  Intent to kill	<b>SNPP 20 years</b> Strangled wife when she threatened to leave him with child – jury rejected substantial impairment defence – attempted to strangle and threatened victim with knife four months earlier – marginally below mid-range Suffering depression – born in Malaysia – difficulties adapting to Australia – absence of remorse
67.	<b>DAY</b> (46) <a href="#">[2010] NSWSC 983</a> Buddin J	PG (25%)	19y 4m NPP 14y 6m		Criminal record	Strangulation  Intent to kill	<b>SNPP 20 years</b> Strangled estranged de facto wife during argument and left her body hidden in unit – body undiscovered for four weeks – spontaneous offence – slightly below mid-range Some prospects of rehabilitation
68.	<b>BORG</b> (53) <a href="#">[2010] NSWSC 951</a> Studdert AJ	VG	21y NPP 16y		Minor and old record	Strangulation  Intent to kill	<b>SNPP 20 years</b> Strangled ex-de facto partner and business partner during struggle – serious dispute over business arrangement where victim indicated offender would be replaced – became enraged – spontaneous offence – element of provocation – below mid-range Suffering anxiety and personality disorder at time of offending
69.	<b>WILLIAMS</b> (23) <a href="#">[2011] NSWSC 583</a> Schmidt J  <a href="#">[2012] NSWCCA 172</a>	PG (25%)	21y 9m NPP 16y 3m 23d	AD	nil	Assault and asphyxiation  Intent to kill	<b>SNPP 20 years</b> Became angry with ex-girlfriend while talking late at night – motive for killing not established - strangled victim, struck her with a shovel and buried her near lagoon – spontaneous offence – just above mid-range Assistance in relation to offence – remorse – good prospects of rehabilitation – long term alcohol and cannabis user – offence out of character
70.	<b>McKENZIE</b> <a href="#">[2011] NSWSC 1460</a> Schmidt J	PG (25%)	14y 3m NPP 10y		Nil	Smothering  Intent to kill	<b>SNPP 20 years</b> Smothered wife during argument – evidence of struggle – no premeditation – no provocation No history of domestic violence – suffering depression as a result of health issues - remorse
71.	<b>MITCHELL</b> (37 at offence – 62 at sentence) <a href="#">[2012] NSWSC 694</a> Hidden J	PG (25%)	14y NPP 10y		nil	Strangulation and suffocation  Reckless indifference	(1987) during argument with de facto wife strangled her with pantyhose and suffocated with pillow – spontaneous offence and out of character On the run until voluntarily attended police station in 2011 – genuine remorse – good prospects of rehabilitation

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72.	<b>HENZON</b> (26) <a href="#">[2012] NSWSC 726</a> Hidden J	PG (25%)  2 x obtain money by deception  Sched: 2 offences	18y NPP 13y  FT 18m  <u>Total:</u> 19y 6m NPP 14y 6m		nil	Suffocation  Reckless indifference	<b>SNPP 20 years</b> Female bank teller stole \$16,000 from account of husband and wife customers – subsequently stole \$115,000 from account of 72y female bank customer – admitted to suffocating customer in home unit – circumstances of killing unclear Suffering long-term physical illness
73.	<b>LEE</b> (32) <a href="#">[2012] NSWSC 1240</a> Bellew J	PG (25%)	18y NPP 13y 6m		not relevant	Asphyxiation / strangulation  Intent to kill	<b>SNPP 20 years</b> Mid-range objective seriousness - killed ex-girlfriend following argument about money - victim died from neck compression from belt tied around neck, gagging from sock in mouth and asphyxia due to plastic bag placed on head – planned to dispose of body but car broke down so left body to decompose in car boot– voluntary surrender to police – could not recall committing offence. No real explanation for actions.
74.	<b>DAWSON</b> (48) <a href="#">[2012] NSWSC 1497</a> Bellew J  Co-offender: COMBER [2012] AQUILINA [2013]	VG	23y NPP 17y 3m		Dishonesty	Strangulation  joint criminal enterprise	<b>SNPP 20 years</b> Female - joint criminal enterprise to kill offender's neighbour – relationship between victim and offender had become strained – offender complained about behaviour of victim - with son (A) and friend (C) assaulted and killed victim – punched victim in face – co-offender tied noose around victim's neck and pulled it causing death – body taken and buried in bushland. Major depressive illness.
75.	<b>COMBER</b> <a href="#">[2012] NSWSC 1502</a> Bellew J  Co-offender: DAWSON AQUILINA	PG (10%) Murder  2 x Proceeds of crime  Sched: 17 offences	23y 4m NPP 17y 6m  FT 6m  <u>Total</u> 23y 7m NPP 17y 9m		Lengthy - on conditional liberty	Strangulation  joint criminal enterprise	<b>SNPP 20 years</b> Joint criminal enterprise to kill female co-offender's neighbour – relationship between victim and co-offender had become strained – co-offender complained about behaviour of victim – victim taken and assaulted – AQ tied noose around victim's neck and pulled it causing death - offender assisted pulling noose with limited force – stood by to assist and prevent victim from leaving – assisted in disposing of body

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76.	<b>MEYN (No.6)</b> (34) <a href="#">[2013] NSWSC 243</a> Beech-Jones J	VG	22y NPP 16y 6m		Nil	Assault and strangulation  Intent to kill	<b>SNPP 20 years</b> Killed ex-wife and mother of their two young children – offender cruelly needed victim then killed following argument - unplanned Some evidence of rehabilitation
77.	<b>AQUILINA</b> (27) <a href="#">[2013] NSWSC 525</a> Bellew J  Co-offenders: COMBER [2012] DAWSON [2012]	VG	28y NPP 21y		No significant history	Strangulation  Joint criminal enterprise  Intent to kill	<b>SNPP 20 years</b> With mother (D) and friend assaulted and killed D's neighbour – relationship between victim and D had become strained – D complained about behaviour of victim – offender made preparations including recruiting C and taking knife and iron bar to ambush victim – struck victim with iron bar from behind - victim subjected to violence by offenders over several hours - act of strangling victim extended over period of time - offender actively involved in pulling rope causing death - cash taken and victim's bicycle sold – assisted in disposal of body - motivated by vengeance - acting as "executioner" - above mid-range No remorse - depressive illness – some rehabilitation prospects.
78.	<b>STANI-REGINALD</b> (21) <a href="#">[2013] NSWSC 567</a> Price J	PG (no discount) Murder  Agg sexual assault  Sched: s.61J	45y NPP 30y  15y NPP 10y (concurrent)		Armed rob, assault with intent to rob, stalking, damage property by fire	Strangulation  Intent to kill	<b>SNPP 20 years</b> Lived in neighbouring unit to victim (female aged 24y) – raped and strangled victim – placed body in suitcase then called taxi and took ride to outer area dumping suitcase in stormwater canal – had undertaken extensive internet searches of websites regarding rape, murder and serial offenders prior to committing offence – offence planned well before murder – worst case category Difficult upbringing – father in jail for murdering offender's mother when he was young – no evidence of psychiatric illness - youth

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79.	<b>NADEN</b> (40) <a href="#">[2013] NSWSC 759</a> Price J	PG Murder (20%)  Murder  Shoot w/i murder  Agg indecent assault  BES  15 x BES	28y NPP 21y  Life  16y NPP 6y  4y NPP 2y  3y 6m NPP 1y  FT 2y – 3y 6m		Offensive language, high- range PCA.	Strangulation  Intent to kill	<b>SNPP 20 years</b> Indecently assaulted 12y daughter of acquaintance Murdered female cousin after she raised allegation offender had indecently assault 12y female - strangled victim then dismembered and buried body. 5 months later strangled female neighbour – had sexual intercourse with body – had been sexually attracted to victim On run from police for 7 years and committed multiple break and enter offences to survive – shot at police officers who approached camp Long standing low-grade depression and severe personality disorder – poor rehabilitation prospects - Aboriginal
80.	<b>BALLANTYNE</b> (30) <a href="#">[2014] NSWSC 1381</a> RA Hulme J	PG (25%)	19y NPP 14y 3m		AOABH	Strangulation / choking  Intent to kill	<b>SNPP 20 years</b> Choked and assaulted female partner – difficulties with relationship – argument –took victim to nearby river where killing took place – skull fracture and choking injuries - mid- range objective seriousness Immaturity – anger management issues – supportive family – reasonable rehabilitation prospects
81.	<b>JONES (No.3)</b> (41) <a href="#">[2014] NSWSC 1511</a> Button J	VG Murder  PG Drug supply	27y NPP 20y  FT 18m  <u>Total:</u> 27y 9m NPP 20y 9m		Lengthy record including violence – breached bonds	Asphyxiation  Intent to kill	<b>SNPP 20 years</b> Fatal assault on female acquaintance in motel room - asphyxiated victim using cloth tied around neck – also brutally assaulted victim to face – spontaneous murder – attempted to dispose of body in bush land – motive for murder unknown - supplied and used methylamphetamines with victim – found in possession of 81.9g Long term drug user
82.	<b>MAHON</b> (43) <a href="#">[2015] NSWSC 25</a> Garling J	PG (25%)	22y 6m NPP 16y 10m		Assault, AOABH – breached bail - previous domestic violence assaults.	Assault / Strangulation  At least intent GBH	<b>SNPP 20 years</b> In relationship with female victim – subject to AVO and bail due to earlier assaults on victim – attended victim's home – drinking and argument - severely beat victim around head and neck and strangled her - after death used iron to inflict burn injury - attempted to conceal body - above mid-range

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83.	<b>DO (No.4)</b> (58) <a href="#">[2015] NSWSC 512</a> Davies J	VG	23y NPP 16y		nil	Stabbing, assault and asphyxiation  Intent to kill	<b>SNPP 20 years</b> Difficult, deteriorating and unequal relationship with wife – socially isolated – totally dependent upon wife – stabbed wife four times to head, blunt force injuries and asphyxiation – impulsive attack during argument at home – below mid-range Vietnamese – low intelligence and possible brain damage from war - lived in America prior to marriage – custodial isolation – reasonable prospects of rehabilitation
84.	<b>EVANS</b> (22) <a href="#">[2015] NSWSC 254</a> Davies J	PG (5%) Murder  Steal from dwelling house  Sched: 1 offence	25y NPP 18y 9m  FT 3y  <u>Total:</u> 26y NPP 19y 9m		Lengthy. AOABH, common assault, larceny. On bail.	Strangulation  Intent to kill	<b>SNPP 20 years</b> Female – met 33y female at hotel for first time – went to park with victim, 3 other males and offender's younger sister – group consumed drugs – group travelled to victim's home – sexual activity took place between offender, victim and male D – offender strangled victim with belt with assistance from D – washed body in shower – group dug hole on property and buried victim – stole firearms and other property - high mid-range Disturbed upbringing - drug abuse - discount for assistance to authorities Co-offender Duffy sentenced for manslaughter
85.	<b>KATSIS</b> (17 at offence – 44 at sentence) <a href="#">[2015] NSWSC 1890</a> Fagan J  <a href="#">[2018] NSWCCA 9</a>	VG Murder  s.61D(1)	20y NPP 15y  FT 6y (concurrent)	AD	Subsequent record for petty offences involving dishonesty and assault	Strangulation  Intent to kill	(1988) – forced entry into neighbouring unit – sexually assaulted and strangled 66y female occupant - set fire to contents of unit Abusing drugs and alcohol at time of offence – subsequent 27y demonstrates no risk of re-offending
86.	<b>BILJUH</b> (42) <a href="#">[2015] NSWSC 1917</a> Button J  <a href="#">[2023] NSWCCA 193</a>	VG	30y NPP 22y 6m	Conviction AD	Minor record – no violence	Strangulation  Intent to kill	<b>SNPP 20 years</b> Broke into home of mother in early hours of morning – strangled her and dragged body to granny flat behind house – covered face with duct tape to ensure death – body left for brother to find - carefully planned – attempted to lay false trail – well above mid-range Difficult relationship with family – personal crisis

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87.	<b>KUMAR</b> (54) <a href="#">[2016] NSWSC 1747</a> Mathews AJ	VG	23y NPP 17y		Nil record – breached bail for sexual offences against victim – history of domestic violence	Suffocation  Intent kill	<b>SNPP 20 years</b> Broke into home of estranged wife and suffocated her – limited planning – unprovoked killing – motive almost certainly to prevent victim giving evidence in sexual assault charges – mid-range Fijian Indian – good prospects of rehabilitation
88.	<b>HEJABIAN</b> (37) <a href="#">[2016] NSWSC 1692</a> Hidden AJ	VG	21y NPP 15y 9m		Minor – breached bond	Assault / asphyxiation  Intent to kill	<b>SNPP 20 years</b> Killed female girlfriend in her own home – developed obsessive relationship with victim - spontaneous act during argument – attempted suicide causing health issues – trial ran on basis of substantial impairment only – mental health did affect culpability Suffering PTSD from treatment in home country of Iran – also struggling with wife suffering from schizophrenia
89.	<b>ADAMS</b> (31 at offence – 64 at sentence) <a href="#">[2017] NSWSC 179</a> Button J  <a href="#">[2017] NSWCCA 215</a>	VG	20y NPP 15y	Conviction AD	Rape conviction prior to murder – committed in similar circumstances – nil relevant since murder	Asphyxiation  Constructive murder	(1983) gave lift home to female stranger from wine bar – falsely claimed to be police officer – placed fatal pressure on windpipe in attempt to force intercourse – disposed of body Long standing tendency to strangle women who resisted sexual advances – no subjective material placed on sentence – minimal discount for delay
90.	<b>TERKMANI</b> (21) <a href="#">[2017] NSWSC 1567</a> McCallum J	VG Murder  s.61J	<u>Indicative</u> 40y NPP 30y  20y NPP 15y  <u>Aggregate</u> 45y NPP 33y		Numerous offences involving unprovoked violence – breached strict bail conditions for serious drug offences	Assault  Intent to kill	<b>SNPP 25 years</b> Bashed to death 16y male friend in abandoned house – sustained, brutal and horrific attack using variety of household items as weapons – strangled victim – repeatedly thrust handle of squeegee into anus as far as stomach wall – offences appear spontaneous – motive impossible to discern Offences extreme enough to warrant maximum penalty but declined to impose life sentence due to youth
91.	<b>FESUS</b> (27 at offence – 48 at sentence) <a href="#">[2018] NSWSC 176</a> Johnson J	VG	22y NPP 16y 6m		nil record – before or after murder	Strangulation  Intent to kill	(1997) killed 18y wife during argument over victim leaving – strangled victim and buried body near beach – two young children present in house – maintained wife had left him – made anonymous phone calls as to whereabouts of body when required to prove wife dead for social security Suffering cancer in remission

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92.	<b>HOLDEM</b> (34 at offence – 44 at sentence) <a href="#">[2018] NSWSC 1677</a> RA Hulme J	PG 2 x Murder	Life		includes assault and child sexual assault	Assault / Suffocation  Intent to kill	<b>SNPP 20 years / 25 years</b> Travelled with 20y female and her 2y daughter from Northern Territory – took adult victim to Belangalo Forest and murdered her by stomping or leaning on chest and throat – motive for killing unclear – complete disdain for victim as human being - sexually abused victim at time or shortly after death and took photos – took victim's daughter and suffocated her en route back to Northern Territory – dumped body in suitcase by side of road – planned to sexually assault child although not clear if this occurred – prompted in part by need to cover up killing of mother - bodies remained unidentified for many years – sent phone messages to victim's mother and accessed victim's bank account for several years Abusive childhood – regular drug user – actions show danger to community
93.	<b>ROGERS</b> (68) <a href="#">[2019] NSWSC 1622</a> Lonergan J	VG	18y NPP 12y		nil	Smothering  Intent to kill	<b>SNPP 20 years</b> Smothered wife with pillow during argument over wife's infidelity – spontaneous and unplanned – offence committed in victim's home - attempted suicide – mid-range gravity Suffering depressive disorder at time of offending making offender more vulnerable to highly emotive situations and reducing moral culpability – extremely out of character – remorse – very good prospects of rehabilitation – reduced life expectancy due to cancer

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94.	<b>SALES</b> (31 at offence / 56 at Sentence) <a href="#">[2020] NSWSC 1183</a> Garling J	PG (40% combined) Murder  Solicit murder	15y NPP 8y 6m  12y NPP 7y 2m  <u>Total:</u> 18y NPP 11y 6m		Recent lengthy sentences imposed for multiple sexual violence offences	Assault / choke  Intent to kill	(1995) - lured 54y male associate to bushland area promising search for buried money – victim dug deep hole – assaulted victim with baseball bat then choked him to death using bat – offence committed in presence of brother – body buried in hole and never recovered – planned offence – gratuitous cruelty – very serious example That evening solicited brother to kill offender's ex-partner – threatened to kill brother – careful planning to set mental health defence for brother – charged with breach of AVO against victim – brother shot at victim with shortened firearm in foyer of courthouse causing serious injury – toward upper end of range Some remorse – some discount for voluntary admissions – background of sexual and physical violence and abuse Sentence imposed partially concurrent to very lengthy existing sentence for sexual offences
95.	<b>REAY (No.2)</b> (47) <a href="#">[2021] NSWSC 901</a> RA Hulme J	VG	30y NPP 22y 6m		Lengthy record for violence – offence committed while on Extended Detention Order	Strangulation  Intent to kill	<b>SNPP 20y</b> Strangled cell mate – no explanation – spontaneous offence – vulnerable victim - very grave Violent childhood – early drug use – 'long demonstrated propensity for unprovoked and on occasion indiscriminate violence in custody and in the community' – severe personality disorder
96.	<b>DUKAGJINI (No.2)</b> (30 at offence – 65 at sentence) <a href="#">[2021] NSWSC 1668</a> Fagan J  <a href="#">[2023] NSWCCA 210</a>	VG	20y NPP 13y	AD	Record for housebreaking – no other violence	Strangled and assaulted	(1986) Broke into residential house and surprised by female occupant – panicked and killed victim with electrical cord and piece of wood – killing aggravated by being in home of victim Albanian – no risk of violent re-offending – long period of no offending On appeal: no error in refusal to apply s.22A facilitation of justice discount

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97.	<b>DARCY (No.9)</b> (46) <a href="#">[2022] NSWSC 135</a> Lonergan J	VG	40y NPP 30y		Breached parole – domestic related offences including poisoning and assaulting previous husband, setting fire to bedroom and fraud offences	Suffocation  Intent to kill	<b>SNPP 20 years</b> Female sedated male partner with drugs then used helium and plastic bag to cause suffocation – staged scene to appear as suicide – months of planning and setting of false trail to suggest victim suicidal – motivated by greed – aggravated by use of drugs and committed in victim’s home – murder committed in domestic setting attracts particular consideration of general deterrence, denunciation and community protection Personality disorder
98.	<b>JUNG</b> (56) <a href="#">[2022] NSWSC 1262</a> Harrison J	PG (25%)	18y NPP 13y 6m		Nil	Strangulation  Intent to kill	<b>SNPP 20 years</b> Strangled female victim with whom having an affair – strangled with telephone charger cord in vehicle – buried victim in park - stated motive was to prevent victim from exposing affair to offender’s wife – impulsive state of anger – cause of anger not capable of demonstration beyond reasonable doubt. Remorse - risk of reoffending small - prospects of rehabilitation good.
99.	<b>CAMELO-GOMEZ</b> (48) <a href="#">[2022] NSWSC 1559</a> Wilson J	VG	20y NPP 14y		Nil	Strangulation / stabbing  Intent to kill  Joint criminal enterprise	(2001) – Female - joint criminal enterprise with boyfriend CC to kill offender’s mother – financial motive – also motivated by wanting CC’s love - plan to kill victim to take control of victim’s assets for money to start business - offence committed in home of victim – not established whether offender or CC was assailant or whether both had role in inflicting fatal injuries - death by ligature strangulation from behind - when victim lay on floor, stabbed to neck – premeditated. Vulnerable to manipulation by CC – unstable personality – obsessed with CC - delay - special circumstances – separation from children

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100.	<b>SHERIDAN (No.2)</b> (24) <a href="#">[2022] NSWSC 1634</a> Garling J	VG	25y NPP 17y		Drugs, driving, common assault, affray	Intent to kill  Strangulation	<b>SNPP 25 years</b> Strangled 16y male - no motive - victim vulnerable with autism and intellectual disability, alone in apartment – offender impaired such that he did not know that act morally wrong - suffering from drug-induced psychosis result of self-induced acute intoxication - impairment caused solely by temporary effect of ingesting ice – experiencing command hallucinations, in form of voices directing or he would suffer certain consequences - smothering, manual strangulation with bare hands, and strangulation with cord. History of chronic mental illness, drug abuse and addiction (ice) – remorse – PTSD – special circumstances.
101.	<b>RUMSBY (No.6)</b> (30 / 31 at offences – 56 at sentence) <a href="#">[2023] NSWSC 916</a> RA Hulme AJ	VG Murder  Att choke with intent to sexually assault	27y NPP 19y  10y NPP 7y 6m  <u>Total:</u> 32y NPP 24y		Breached recog – subsequent conviction for indecent assault offences	Asphyxiation  Intent to kill	(1998/1999) Approached 18y female waiting outside house in early hours of morning – punched victim to face, forced her to ground, continued punching and attempted sexual assault – 12 mths later followed 17y female walking home along dark road in early hours of morning – sexually motivated attack – suffocated victim – spontaneous offences – elements of brutal violence Old sentencing patterns applied – facilitation of justice – difficult childhood – physical health issues
102.	<b>DOWLING</b> (35) <a href="#">[2023] NSWSC 1620</a> RA Hulme AJ	PG (25%)	22y 6m NPP 16y 10m		Significant – breached parole – includes personal violence	Assault  Recklessness	<b>SNPP 20 years</b> Assaulted frail 65y male victim during sexual foreplay – ‘on and off’ relationship – degree of trust – forced dentures down throat of victim causing asphyxiation – left body in offender’s room in boarding house for four days – callous indifference – not pre-mediated but prior violence – context of domestic relationship Remorse not established – mental health and substance abuse issues – childhood trauma involving exposure to substance abuse, violence and sexual abuse

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



	NAME (age if known)	PLEA	SENTENCE	APPEAL	RECORD	HOW KILLED	INVOLVEMENT & SUMMARY
103.	AA (a pseudonym) (18) <a href="#">[2024] NSWSC 409</a> Huggett SCJ	PG (25%)  Sched: Use offensive weapon with intent to intimidate	12y 3m NPP 8y		Assault, AOABH, receiving, driving unlicensed	Suffocate  Intent to kill	<b>SNPP 25y</b> Female - young mother suffocated 11-month-old baby daughter - precise mechanism of suffocation not known - no other violence, neglect or abuse - volatile relationship with child's father - irrational motive that her conduct would lead to resumption of relationship with child's father – belief arose from post-traumatic stress disorder and personality disorder existing at time of offence. Intent to kill but intention formed impulsively, without planning and fleeting - mental health impairments closely connected to offending that objective seriousness reduced. Traumatic background – remorse – positive rehabilitation prospects - special circumstances.

Last updated: April 2024