

## APPENDIX

## FEMALE OFFENDERS

Table A.1 Spousal homicide: female offender: murder: sentences in years and appeal results

| NAME        | JURIS | MINIMUM/<br>NON-PAROLE | ADDITIONAL | FULL TERM         | APPEAL                                |
|-------------|-------|------------------------|------------|-------------------|---------------------------------------|
| Agostinelli | SA    | 19 & 9 mths            | —          | life              | Severity: reduced 16 years and 9 mths |
| Barrett     | NSW   | 6                      | 6          | 12                | —                                     |
| Burke       | NSW   | 5                      | 4          | 9                 | —                                     |
| Merritt     | NSW   | —                      | —          | life <sup>1</sup> | Severity: dismissed                   |
| Osland      | Vic   | 9                      | 5 1/2      | 14 1/2            | Conviction & severity: dismissed      |
| Seddon      | Vic   | 12                     | 6          | 18                | —                                     |
| Woodruff    | Tas   | —                      | —          | 10                | —                                     |

1. Section 19 *Crimes Act 1900* (NSW) inserted *Crimes (Homicide) Amendment Act 1982* (NSW). This provided for discretionary sentencing for murder where 'it appear[ed] to the Judge that the person's culpability [was] significantly diminished by mitigating factors'. This was replaced by sections 19A and 442 *Crimes Act 1900* (NSW) inserted *Crimes (Life Sentences) Act 1989* (NSW).

Table A.2 Spousal homicide: female offender: manslaughter: diminished responsibility: sentence in years and appeal results

| NAME  | JURIS | MINIMUM/<br>NON-PAROLE | ADDITIONAL | FULL TERM    | APPEAL              |
|-------|-------|------------------------|------------|--------------|---------------------|
| Lalor | NSW   | —                      | —          | 3 (periodic) | —                   |
| Troja | NSW   | 8                      | 4          | 12           | Severity: dismissed |

Table A.3 Spousal homicide: female offender: manslaughter: provocation: sentences in years and appeal results

| NAME        | JURIS | MINIMUM/<br>NON-PAROLE | ADDITIONAL | FULL TERM                               | APPEAL                                    |
|-------------|-------|------------------------|------------|---|---|
| Bradley     | Vic   | —                      | —          | 3 (suspended)                           | —   |
| Chhay       | NSW   | 4                      | 4          | 8                                       | Conviction: upheld & plea to manslaughter |
| Collingburn | Vic   | 2 1/2                  | 1 1/2      | 4                                       | Conviction & severity: dismissed          |
| Cornick     | Tas   | —                      | —          | 4                                       | Conviction & severity: dismissed          |
| Denney      | Vic   | —                      | —          | 3 (suspended)                           | —   |
| Franke      | Tas   | —                      | —          | 3                                       | —   |
| Gardner     | NSW   | —                      | —          | Recognisance                            | —   |
| Gilbert     | WA    | —                      | —          | 3 probation & 150 hrs community service | —   |

|                         |     |         |         |               |   |
|-------------------------|-----|---------|---------|---------------|---|
| Hill                    | NSW | 1       | 3 1/2   | 4 1/2         | Conviction:<br>manslaughter substituted |
| King                    | NSW | 3       | 3       | 6             | —                                       |
| M                       | SA  | 3       | 2       | 5 (suspended) | —                                       |
| McIntyre                | NSW | 2       | 4       | 6             | —                                       |
| Morabito                | NSW | 8       | 2 1/2   | 10 1/2        | Severity: dismissed                     |
| Raby                    | Vic | 7 mths  | 21 mths | 28 mths       | —                                       |
| Rose                    | WA  | —       | —       | Unknown       | —                                       |
| Simington<br>& Saunders | NSW | 13 mths | 35 mths | 4             | —                                       |
| Simon                   | NSW | 2       | 3       | 5             | —                                       |
| Spencer                 | NSW | —       | —       | 3 (periodic)  | —                                       |
| Taylor                  | SA  | 2       | 3       | 5 (suspended) | —                                       |
| Vandersee               | NSW | 5       | 3       | 8             | —                                       |
| Whalen                  | NSW | 5       | 3       | 8             | Severity: dismissed                     |
| Young                   | NSW | 3       | 3       | 6             | —                                       |

Table A.4 Spousal homicide: female offender: manslaughter: unlawful and dangerous act: sentences in years and appeal results

| NAME       | JURIS | MINIMUM/<br>NON-PAROLE | ADDITIONAL  | FULL TERM                 | APPEAL   |
|------------|-------|------------------------|-------------|---------------------------|--|
| Babsek     | Qld   | 3                      | 6           | 9                         | Crown appeal re<br>sentence: increased to 10<br>with no recommendation<br>for parole |
| Billeley   | SA    | 12 mths                | 12 mths     | 2 (suspended)             | —  |
| Birch      | Qld   | 1 1/2                  | 4 1/2       | 6                         | Severity: dismissed  |
| Bobach     | NSW   | 2                      | 3           | 5                         | —  |
| Bogunovich | NSW   | —                      | —           | Recognisance              | —  |
| Brauer     | SA    | 2 1/2                  | 2 1/2       | 5 (suspended)             | —  |
| Britten    | NSW   | 2 1/2                  | 2 1/2       | 5                         | —  |
| Broadrick  | NSW   | 8 mths                 | 3 & 10 mths | 4 1/2                     | —  |
| Buzzacott  | SA    | 2                      | 2           | 4                         | —  |
| Coupe      | NSW   | 30 mths                | 10 mths     | 40 mths                   | —  |
| Edwards    | NSW   | —                      | —           | 3 (periodic<br>detention) | Crown appeal re<br>sentence: increased to 18<br>mths & additional term<br>18 mths    |
| Finn       | Qld   | 2 1/2                  | 4 1/2       | 7                         | Conviction for murder:<br>upheld & sentence for<br>manslaughter imposed              |
| Goddard    | WA    | 13 mths                | 18 mths     | 2 & 7 mths                | —  |
| Henschke   | SA    | 18 mths                | 18 mths     | 3                         | —  |
| Hona       | NSW   | 4 1/2                  | 2 1/2       | 6 1/2                     | —  |
| Kelly      | Vic   | 2                      | 2 1/2       | 4                         | —  |

|                   |               |             |       |               |  |
|-------------------|---------------|-------------|-------|---------------|--|
| Kennedy           | NSW<br>(2000) | —           | —     | Recognisance  | —  |
| Kennedy           | NSW<br>(1998) | —           | —     | Recognisance  | —  |
| Manning           | NSW           | 2           | 3 1/2 | 5 1/2         | Severity: dismissed  |
| Moore             | NSW           | 2 & 11 mths | 3     | 5 & 11 mths   | Severity: dismissed  |
| Nichols           | Tas           | —           | —     | 2 (suspended) | —  |
| Owen              | NSW           | 4 1/2       | 4     | 8 1/2         | Severity: dismissed  |
| Ratcliffe         | WA            | —           | —     | 5             | Severity: reduced to 4 & 8 mths to take into account time served |
| Rigney            | SA            | 2           | 4     | 6             | —  |
| Roberts           | NSW           | —           | —     | Recognisance  | —  |
| Rogers            | Vic           | —           | —     | 4 (suspended) | —  |
| Sharpe            | Tas           | —           | —     | 4             | —  |
| Sheppard          | SA            | 3           | 2     | 5             | —  |
| Varagnolo         | NSW           | —           | —     | Recognisance  | —  |
| Wang <sup>1</sup> | NSW           | 4           | 2     | 6             | —  |
| Woolsey           | NSW           | —           | —     | Recognisance  | —  |

1. Wang also killed her daughter and was convicted of manslaughter on the ground of diminished responsibility in connection with the death of her daughter. In respect of this offence, the accused was sentenced to a term of 2 years served concurrently.

## MALE OFFENDERS

**Table A.5** Spousal homicide: male offender: murder: sentences in years and appeal results

| NAME      | JURIS | MINIMUM/<br>NON-PAROLE | ADDITIONAL | FULL TERM                 | APPEAL  |
|-----------|-------|------------------------|------------|---------------------------|---|
| Audsley   | NSW   | 10 1/2                 | 3 1/2      | 14                        | —   |
| Baker     | NSW   | —                      | —          | natural life <sup>1</sup> | Severity: dismissed   |
| Barac     | NSW   | 20                     | 10         | 30                        | —   |
| Baraghith | NSW   | —                      | —          | life <sup>2</sup>         | Severity & conviction:<br>dismissed   |
| Berger    | NSW   | 21                     | 7          | 28                        | —   |
| Bruderlin | NSW   | —                      | —          | life <sup>2</sup>         | Severity: reduced to 18<br>with non-parole 8  |
| Capar     | NSW   | 11 1/2                 | 5 1/2      | 17                        | —   |
| Cheatham  | NSW   | 16                     | 8          | 24                        | Conviction: upheld  |
| Chetcuti  | NSW   | 18                     | 6          | 24                        | Severity & conviction:<br>dismissed   |
| Cheung    | NSW   | 13 1/2                 | 4          | 17 1/2                    | Severity: dismissed   |
| Clarke    | NSW   | —                      | —          | life <sup>2</sup>         | Conviction: dismissed   |
| Corrigan  | NSW   | 16 1/2                 | 5 1/2      | 22                        | —   |
| Croft     | NSW   | —                      | —          | life <sup>3</sup>         | Conviction: dismissed   |
| Dundas    | NSW   | 11                     | 5          | 16                        | —   |
| Edwards   | NSW   | 11 & 5 mths            | 4          | 15 & 5 mths               | Conviction: dismissed   |
| Everett   | NSW   | 18                     | 6          | 24                        | Severity: reduced to 16<br>with additional 5  |
| Frawley   | NSW   | 14                     | 6          | 20                        | —   |
| Gerrard   | NSW   | 12                     | 6          | 18                        | —   |
| Gillard   | NSW   | —                      | —          | life <sup>2</sup>         | Severity & conviction:<br>dismissed   |
| Glusheski | NSW   | 15                     | 5          | 20                        | —   |
| Heo       | NSW   | 11                     | 3 & 8 mths | 14 & 8 mths               | —   |
| Herring   | NSW   | —                      | —          | natural life <sup>1</sup> | —   |
| Holschier | NSW   | —                      | —          | life <sup>2</sup>         | —   |
| Huynh     | NSW   | 10                     | 4          | 14                        | —   |
| Kalajzich | NSW   | 25                     | 3          | 28 <sup>4</sup>           | —   |
| Keir      | NSW   | 18                     | 6          | 24                        | Conviction: upheld  |
| Keshow    | NSW   | 15                     | 5          | 20                        | —   |
| King      | NSW   | 18                     | 5          | 23                        | Severity: dismissed   |
| Leonard   | NSW   | 12                     | 4          | 16                        | —   |
| Ljubic    | NSW   | —                      | —          | life <sup>2</sup>         | Severity & conviction:<br>dismissed   |
| Maxwell   | NSW   | 10                     | 6          | 16                        | Severity & conviction:<br>dismissed   |
| Majdalawi | NSW   | 14                     | 4          | 18                        | Conviction: dismissed   |
| Monreal   | NSW   | —                      | —          | life <sup>2</sup>         | Severity & conviction:<br>upheld re sentence.<br>Reduced to 13 with 8<br>non-parole |

|            |        |             |       |                               |  |
|------------|--------|-------------|-------|-------------------------------|--|
| Obholz     | NSW    | 16          | 8     | 24                            | —  |
| Ritter     | NSW    | 12          | 4     | 16                            | Conviction: upheld   |
| Rosevears  | NSW    | —           | —     | life <sup>2</sup>             | —  |
| Rudkonsky  | NSW    | 15          | 5     | 20                            | Conviction: upheld   |
| Street     | NSW    | —           | —     | natural life <sup>1</sup>     | —  |
| Strong     | NSW    | 11          | 5     | 16                            | —  |
| Surace     | NSW    | 15          | 5     | 20                            | Severity: dismissed  |
| Tumanako   | NSW    | —           | —     | life <sup>2</sup>             | Conviction: dismissed  |
| Twala      | NSW    | —           | —     | natural life <sup>1</sup>     | Severity: reduced to 15 with additional 5                                      |
| Van Truong | NSW    | —           | —     | life <sup>2</sup>             | Severity: dismissed  |
| Webb       | NSW    | 11          | 3     | 14                            | —  |
| Baker      | SA     | 24          | —     | life                          | —  |
| Brady      | SA     | 15 & 5 mths | —     | life                          | —  |
| Case       | SA     | 20          | —     | life                          | Severity: dismissed. Crown: upheld & increased to 25 non-parole                |
| Dodd       | SA     | 16          | —     | life                          | —  |
| Lovec      | SA     | 18          | —     | life                          | Severity: dismissed  |
| Manly      | SA     | 15          | —     | life                          | —  |
| McKernon   | SA     | 19          | —     | life                          | —  |
| Perks      | SA     | 18          | —     | life                          | Conviction: dismissed  |
| Romano     | SA     | —           | —     | life                          | Conviction: dismissed  |
| Shaw       | SA     | 28          | —     | life                          | Severity: dismissed  |
| Walton     | SA     | 24          | —     | life                          | Crown re sentence: increased to 33 non-parole                                  |
| Wiffen     | SA     | 22          | —     | life                          | —  |
| Zubrinich  | SA     | 12          | —     | life                          | —  |
| Horrell    | NT     | —           | —     | life                          | Conviction: dismissed  |
| Parsons    | ACT    | —           | —     | Unknown                       | —  |
| Arrowsmith | Fed Cr | 9           | 7     | 16                            | Severity & conviction: upheld re sentence. Reduced to 14 with 6 1/2 non-parole |
| Anas       | Vic    | 9           | —     | natural life <sup>5</sup>     | —  |
| Anderson   | Vic    | 14          | 3     | 17                            | —  |
| Atik       | Vic    | 14          | 3     | 17                            | Severity: reduced to 14 with 12 non-parole                                     |
| Baker      | Vic    | 10 1/2      | —     | natural life <sup>5</sup>     | —  |
| Cook       | Vic    | 15          | —     | 19 (18 for murder conviction) | Severity. Reduced to 14 & 8 mths with non-parole 11 & 8 mths                   |
| Donnelly   | Vic    | 11 1/2      | 4 1/2 | 16                            | Severity: reduced to 15 with 10 non-parole                                     |
| Fiume      | Vic    | 14          | 6     | 20                            | Severity: reduced to 15 with 12.5 non-parole                                   |

|           |     |             |   |                           |  |
|-----------|-----|-------------|---|---------------------------|--|
| Hanley    | Vic | 11 & 3 mths | 4 | 15 & 3 mths               | Severity & conviction: dismissed           |
| Light     | Vic | 11          | — | natural life <sup>5</sup> | —  |
| Parsons   | Vic | 25          | — | life                      | Severity & conviction: dismissed           |
| Puchalski | Vic | 11          | 5 | 16                        | Conviction: dismissed                      |
| Sanftl    | Vic | 11 1/2      | — | natural life <sup>5</sup> | Severity: dismissed                        |
| Sutcliffe | Vic | 9           | — | natural life <sup>5</sup> | —  |
| Telford   | Vic | 12          | 2 | 17                        | Severity & conviction: dismissed           |
| Towns     | Vic | 15          | 5 | 20                        | Severity: reduced to 17 with 14 non-parole |
| Tuncay    | Vic | 14          | 4 | 18                        | Severity & conviction: dismissed           |
| Barnes    | Qld | —           | — | life                      | Conviction: dismissed                      |
| Brescia   | Qld | —           | — | life                      | Conviction: dismissed                      |
| Buttigieg | Qld | —           | — | life                      | Conviction: dismissed                      |
| Hughes    | Qld | —           | — | life                      | Conviction: dismissed                      |
| Rushton   | Qld | —           | — | life                      | Conviction: upheld                         |
| Wirdum    | Qld | —           | — | life                      | Conviction: dismissed                      |
| Carroll   | Tas | 15          | 6 | 21 <sup>6</sup>           | —  |
| Hutton    | Tas | —           | — | life                      | Conviction: upheld                         |
| Jones     | Tas | —           | — | Natural life              | —  |
| Leaman    | Tas | —           | — | 25 <sup>6</sup>           | —  |
| Murphy    | Tas | —           | — | 24                        | —  |
| Ritchie   | Tas | 12          | 9 | 21                        | —  |
| Sadler    | Tas | 14          | 7 | 21 <sup>6</sup>           | —  |
| Axford    | WA  | —           | — | life                      | Conviction: dismissed                      |
| Middleton | WA  | —           | — | life                      | Conviction: upheld                         |
| Perich    | WA  | —           | — | life                      | Conviction: dismissed                      |

1. Section 19A(2) Crimes Act 1900 (NSW) inserted Crimes (Life Sentences) Act 1989 (NSW).

2. Section 19 Crimes Act 1900 (NSW) inserted Crimes (Homicide) Amendment Act 1982 (NSW). This provided for discretionary sentencing for murder where 'it appear[ed] to the Judge that the person's culpability [was] significantly diminished by mitigating factors'. This was replaced by sections 19A and 442 Crimes Act 1900 (NSW) inserted Crimes (Life Sentences) Act 1989 (NSW).

3. Section 19 (until the amendment in 1982 in Crimes (Homicide) Amendment Act 1982 (NSW)) provided for mandatory life imprisonment for murder.

4. The accused made an application pursuant to section 13A Sentencing Act 1989 (NSW) (now repealed) for the determination of a minimum and maximum term.

5. The accused applied for fixing of a minimum term of imprisonment pursuant to the Penalties and Sentences Act 1985 (Vic). This has been replaced by the Sentencing Act 1991 (Vic).

6. The accused applied for fixing of a minimum term pursuant to the Criminal Code Amendment (Life Prisoners and Dangerous Criminals) Act 1994 (Tas).

**Table A.6** Spousal Homicide: male offender: manslaughter: diminished responsibility: sentences in years and appeal results

| NAME       | JURIS | MINIMUM/<br>NON-PAROLE | ADDITIONAL | FULL TERM    | APPEAL                                 |
|------------|-------|------------------------|------------|--------------|--|
| Bateman    | NSW   | —                      | —          | Recognisance | —                                      |
| Bourke     | NSW   | 10                     | 6          | 16           | Severity: dismissed                    |
| Brown      | Qld   | —                      | —          | 8            | Severity: dismissed                    |
| Bryant     | NSW   | 7                      | 4          | 11           | —                                      |
| EJ         | NSW   | 12                     | 6          | 18           | Severity: reduced to 12 with minimum 9 |
| Jans       | NSW   | —                      | —          | Recognisance | —                                      |
| Kable      | NSW   | 4                      | 1 & 4 mths | 5 & 4 mths   | —                                      |
| Kececki    | NSW   | 10                     | 3 & 4 mths | 13 & 4 mths  | Severity: dismissed                    |
| Kontaxakis | NSW   | 5                      | 10         | 15           | —                                      |
| Laurie     | NSW   | 5                      | 3          | 8            | —                                      |
| McKellar   | NSW   | 4                      | 4          | 8            | —                                      |
| Miguel     | Qld   | —                      | —          | 12           | Severity: dismissed                    |
| Nixon      | Qld   | 5                      | 1          | 6            | Crown re sentence: dismissed           |
| Shephard   | NSW   | 4                      | 16 mths    | 5 & 4 mths   | Severity: dismissed                    |
| Sokol      | NSW   | 6                      | 4          | 10           | Severity: dismissed                    |

**Table A.7** Spousal Homicide: male offender: manslaughter: provocation: sentences in years and appeal results

| NAME      | JURIS | MINIMUM/<br>NON-PAROLE | ADDITIONAL | FULL TERM    | APPEAL  |
|-----------|-------|------------------------|------------|--------------|---|
| Attai     | Vic   | 5 & 4 mths             | 1 & 8 mths | 7            | Severity: dismissed                                 |
| Alexander | NSW   | 2 1/2                  | 3 1/2      | 6            | Severity: dismissed                                 |
| Auberson  | Qld   | —                      | —          | 9            | —   |
| Button    | NSW   | 5                      | 3          | 8            | —   |
| Crossan   | Tas   | —                      | —          | 6            | —   |
| Davies    | SA    | 2                      | 3          | 5            | —   |
| Do        | SA    | 6                      | 6          | 12           | Severity: reduced to 10 with 6 non-parole           |
| Foulstone | NSW   | 7 1/2                  | 2 1/2      | 10           | Severity: dismissed                                 |
| Godwin    | NSW   | 4 & 8 mths             | 12 mths    | 5 & 8 mths   | —   |
| Khan      | NSW   | 2                      | 3          | 5            | Crown re sentence: increased to 4 with additional 2 |
| Low       | NSW   | —                      | —          | Recognisance | Crown re sentence: increased to 2 with additional 2 |
| Panozzo   | NSW   | 8                      | 2 & 6 mths | 10 & 6 mths  | Severity: dismissed                                 |
| Prasad    | NSW   | 5 1/2                  | 2          | 7 1/2        | —   |
| Wilson    | NT    | 3                      | 3          | 6            | —   |
| Wright    | NSW   | 15 mths                | 15 mths    | 2 1/2 years  | —   |

Table A.8 Spousal homicide: male offender: manslaughter: unlawful and dangerous act: sentences in years and appeal results

| NAME      | JURIS | MINIMUM/<br>NON-PAROLE | ADDITIONAL | FULL TERM              | APPEAL  |
|-----------|-------|------------------------|------------|------------------------|---|
| Baker     | SA    | 2 1/2                  | 1 1/2      | 4                      | —   |
| Bottruell | Vic   | 3                      | 2          | 5                      | —   |
| Donnelly  | NSW   | 1 & 9 mths             | 3          | 4 & 9 mths             | —   |
| Elder     | SA    | 5                      | 2          | 7                      | —   |
| Finn      | SA    | 1 1/2                  | 2 1/2      | 4                      | —   |
| Harris    | NSW   | 5                      | 1 & 8 mths | 6 & 8 mths             | —   |
| Lambadgee | WA    | —                      | —          | 7 1/2 (with no parole) | Severity: reduced to 3 3/4 (with parole)            |
| Lupoi     | SA    | 2                      | 1          | 3                      | Crown re sentence: increased to 8 with 4 non-parole |
| McMillian | NSW   | 5                      | 3          | 8                      | —   |
| Milera    | SA    | 4                      | 2          | 6                      | —   |
| Moore     | NSW   | 5                      | 20 mths    | 6 & 8 mths             | Severity: dismissed                                 |
| Nardoni   | NSW   | 2                      | 3          | 5                      | —   |
| Nettles   | NSW   | 3                      | 5          | 8                      | —   |
| Olig      | NSW   | 8                      | 4          | 12                     | —   |
| Pashalay  | Vic   | 5                      | 2          | 7                      | Severity: dismissed                                 |
| Peters    | Vic   | 3 1/2                  | 1 1/2      | 5                      | —   |
| Reynolds  | Vic   | 4 1/2                  | 1 1/2      | 6                      | Severity: dismissed                                 |
| Ryan      | NSW   | 3 & 3 mths             | 1 & 1 mth  | 4 & 4 mths             | —   |
| Shaw      | SA    | 7 1/2                  | 2          | 9 1/2                  | —   |
| Sherry    | NSW   | 3 1/2                  | 2 1/2      | 6                      | Crown re sentence: dismissed                        |
| Smith     | Qld   | 1                      | 4          | 5                      | Crown appeal re sentence: dismissed                 |
| Tjami     | SA    | 10                     | 2          | 12                     | Severity: upheld. Reduced to 10 with 6 non-parole   |
| Westley   | NSW   | 2 1/2                  | 2 1/2      | 5                      | —   |
| Whiting   | Qld   | —                      | —          | 11                     | Crown appeal re sentence: upheld. Increased to 11   |