

***R v Storie* [2018] QSC 298 (30 November 2018) – Queensland Supreme Court**

‘Damaging property’ – ‘Physical violence and harm’ – ‘Protection orders’

Charges: Murder x 1; Burglary by breaking, in the night, whilst armed x 1; Entering premises, doing wilful damage x 1

Facts: In the early hours of the morning, the offender drove to his ex-partner’s house. No one was home. He broke into the garage, slashed the front tyres of her car, stole a child’s bicycle and returned home. He later returned, entered her house and sliced her throat with a knife.

Issues: Sentencing

Decision and Reasoning: The offender was found guilty of ‘premeditated conduct of the very worst kind’ by taking the life of his former partner in a ‘brutal’ manner in circumstances where he was subject to a protection order ([4]). Eleven years prior he had been convicted of breaching a protection order that the victim had taken out. Premeditation was evidenced by numerous statements to the effect that his ex-partner would be ‘a dead woman’ and that the protection order would not stop him. The offender took active steps to dispose of the evidence of the murder, however later made admissions of his involvement in the victim’s death. Boddice J found that, by pleading guilty, he cooperated with the administration of justice because he saved the community the cost of a lengthy trial. He also facilitated the administration of justice by making extensive admissions to police after the discovery of the deceased’s body, which preserved police resources. He was convicted and sentenced to six years’ imprisonment for entering the premises and doing wilful damage, and to 10 years’ imprisonment for burglary by breaking, in the night, whilst armed.