



**CrimeWriters Queensland
2008 Launch**

**Sunday 10 August 2008, 2.30pm
Queensland Contract Bridge Club
67 Ipswich Road
Woolloongabba**

The Hon Paul de Jersey AC Chief Justice of Queensland

You write, ladies and gentlemen, in a genre for which daily human experiences regrettably provide abundant material. The business coming before the criminal courts is relentless.

I have however to acknowledge that due to sit in Mackay this year, I faced what is termed a ‘maiden assize’ – no criminal work. The Mackay bar revived a four century old tradition and presented me with a pair of white kid gloves, said to symbolise the health of the community. The last recorded instance of this in Queensland was before Mr Justice Chubb in 1899, actually in Brisbane.

I am afraid we never have a maiden assize these days in Brisbane. And lest you think, by the way, I may have been wasting resources in Mackay, I should record that I needed to be there anyway for the North Queensland Law Association’s annual conference.

The work of the criminal courts is relentless, and as you would I think agree, our criminal work is the side of our jurisdiction which attracts the greatest public interest and scrutiny, particularly I suppose in the area of sentencing.

I am now in my 24th year of judicial office. That almost quarter of a century has seen increasingly lurid crime, much of which I would attribute to the movement from alcohol, as the frequent concomitant of offending, to unlawful drugs, and often their combination.

With “the seven deadly sins” your theme this year, I have endeavoured to call to mind, from the great variety of criminal cases which have come before me, the seven most notable for one thing or another: the viciousness of the execution, the evil character of the motivation, the sensational gravity of the crime, and in one case, the almost laughable duplicity of the attempts to avoid detection.

I mention these cases not to glorify them, but to illustrate the deplorable depths to which the human condition may degenerate.

The most grisly murder I have tried concerned the killing in March 1993 of Bart Vosmaer at Sir David Longlands Correctional Centre. Perceived as an informant, Vosmaer was set upon by as many as six assailants in the prison gymnasium, driven by the fifth cardinal sin, wrath. They battered him to death with gym equipment. Extraordinarily, they were able to accomplish this without alerting the prison guards. Also, they cleaned up immaculately after the event: there was I recall little trace of blood to speak of. The convictions went as far as the High Court, which was concerned to interpret the provision in the *Criminal Code* for criminal liability through joint enterprise.

As Ian Callinan wrote in “The Long Return” (‘Ticket to Trouble’, 2005), “Gaols (are) bad places full of bad people”.

Some years earlier, Shane Cameron Clarke was convicted before me of the murder of his former partner. He doused her with turpentine and burnt her to death. Then he went to the laundromat and washed his clothes. She had had the temerity to give evidence against him at an earlier drug trial.

More recent times exposed me to a vicious crime borne of rampant passion. Fifty-nine year old Antonio Exposito gave vent to unbridled jealousy over his ex-wife Delores' new relationship with one Antonio Sanchez. He ambushed Sanchez as Sanchez left a Gold Coast club at night, doused him with a bucket of petrol and ignited it using a cigarette lighter. It was a diabolical crime of passion sparked by bitter resentment: an example of the seventh sin, pride, and also the sixth, envy.

From a judicial point of view, one of the less than sensible constraints of our system was that I was in that case obliged to leave the defence of accident for the consideration of the jury.

Also driven by those passions in recent years was Hasan Abosoud, recently convicted before me of murdering his wife, having learnt of her affair with a co-employee. He struck her at least 20 times with knives, including “sawing” through her throat to the bone. During all of this his three children were outside the bedroom door, anxious over their mother’s screams, but he would not let them in. Then he drove them to school.

Case five is an illustration of callousness of the highest order. In 1992, probably because of a disagreement over drugs, 20 year old Anthony Stumer sped through the township of Esk while his passenger, Stephen Bradburne hung out the open passenger door, screaming over about 25 seconds while his head bounced along the bitumen until it ultimately split open. Stumer was apprehended by two courageous citizens who gave chase. Like much drug related crime, this one probably emerged from the third sin, greed.

Case six was Boyd Holbrook's 1994 murder of a five months pregnant Monique Hoffman. Holbrook was apparently enraged over Hoffman's failure to pay a debt. He killed her with a tomahawk, decapitating her. He then buried the head and the rest of the body in separate locations a substantial distance apart. He claimed to have been influenced at the time by LSD, but the jury disregarded that.

And finally, there is William Rushton, who shot his wife in the back of the head, then dismembered and burnt her body in a 44 gallon drum at a caravan park near Cooktown. Rushton saw his wife as a "hindrance" to his lifestyle. Her body was never found. The case was remarkable for Rushton's disparate claims, which I suspect the jury may have found a degree entertaining. They included: that he was an ASIO agent and shot his wife under government orders because she was threatening to disclose State secrets; that she had been shot when a front gunner in a battle in the Timor Sea while with

him on a secret mission to destroy enemy installations; that she ran off with a Baptist minister after committing 55 acts of adultery, recalling the first of our sins, lust; that his alter ego, one Sir Johnathan (sic) Clemments (sic), was knighted by Queen Elizabeth for saving her life by catching a hand grenade hurled in her direction; that his youthful looks were explained by injections administered to him, as some sort of human guinea pig, during top secret naval medical experimentation.

I confess I could not recall trials highlighting gluttony or sloth: I imagine those indulgences inhibit, rather than promote, criminal capacity.

Homicides and drug crime account for most of the Supreme Court's diet on the criminal side. While there is not a great deal of variety in the circumstances of the drug offending, there is no predictable pattern to the homicides. We judges regularly instruct juries to put emotions to one side. I sometimes think this may be difficult for jurors unused

to the trial experience. Unsurprisingly however we do our utmost to accommodate that.

When long-ago in my youth I read some of the works of Robert Ludlum, I was struck by the romance of his cavalcades through often a host of European cities, of which I had by then visited only a few. I was charmed, on the other hand, to read your 2005 stories, ladies and gentlemen, set in Brisbane and this State. Ian Callinan kindly lent me his copy. There was that wonderful ring of the familiar about them, though the stories were in the end distracting and engrossing.

Your most recent production, “The Seventh Book of Sins” displays crime, criminal intent, malevolence, at their brooding best. Its 21 stories present, I assure you, a much more “interesting”, if that is the word, collection of crime than usually features in our courtrooms.

For a start, these stories are attractively, even seductively, succinct. I fear observers of criminal trials are often disappointed by the mass of inherently uninteresting evidence which usually has to be put forward.

I read the book in a session, although the collection lends itself to the “dip in” approach. I thought “Bête Noire” was an absolutely inspired opener, although not to be recommended for reading as one is shortly to extinguish the bedside lamp.

As the selector, Sandy Curtis, says in her introduction, the authors “have provided readers of all things criminal many hours of entertainment”.

I congratulate CrimeWriters Queensland for its production of this elegant seventh collection. The fact that the proceeds of sale of the previous six books have been sufficient to fund this publication confirms the considerable appeal of your offerings.

In her preface, Helen Bowers refers to “a growing band of loyal readers”. In this field of human endeavour, loyalty can quickly evaporate. But you, ladies and gentlemen, have obviously earned the engrossed interest of your readers. You have secured that by consistently producing stories which, while basically mirroring the dark side of life which many of us find inherently fascinating, go on to transcend reality through captivating twists, executed with élan.

It is now my great pleasure to launch CrimeWriters Queensland’s latest tour de force, and may I say, apogee – “The Seventh Book of Sins”.