

SENTENCE

Gerard Baden-Clay, on the night of 19 April 2012, you murdered your wife, Allison.

The killing was not premeditated. But it was violent.

That night, you were under considerable stress.

Your financial circumstances were, as you confessed to police, dire.

Your domestic circumstances were no better.

You had resumed your affair with Toni McHugh. You kept telling her that you loved her.

You led her to understand that you intended to leave Allison and to be with her.

That afternoon, you told Ms McHugh that Allison would be at the conference Ms McHugh was to attend in Brisbane the next day.

Allison knew nothing about the resumption of the affair.

You deceived her into believing that it had ended in September 2011.

If the two women were to meet the next day, the consequences could have been dramatic, as you realised.

Your unsuspecting wife was doing her best to maintain the marriage.

A relationship counsellor had devised a plan. It allowed for Allison to express to you her feelings about the affair in a brief session every second day.

You had agreed, reluctantly, to that.

The first session happened the night before Allison died; and it had turned into an interrogation.

Allison remained tormented by the affair. She pressed you for details.

On the night she died, Allison again questioned you about the affair.

All the pressures proved too much for you.

The prosecution suggested that you smothered Allison; and that looks likely.

But whatever the mechanism, your violent attack caused her death.

Her fingernails scratched your face - the act of a desperate woman struggling for life.

Those marks are only consistent with your guilt.

Your shameful conduct after murdering Allison bespeaks a profound absence of remorse.

You took her body to Kholo Creek.

There you disposed of her in an undignified way: dumping her over a ledge to leave her lying in mud, exposed to the elements, insects and wildlife.

Then you put in place - and persisted in - a deception plan.

You used a razor to cut yourself near where she had scratched you, trying to disguise the injuries she had inflicted in defending herself.

You drove around the streets of Brookfield pretending to look for her.

You have insinuated that mental illness may have led to drug overdose or suicide. And besmirching Allison's memory in that way is thoroughly reprehensible.

You have no criminal history. But you are definitely not of good character.

You are given to lies and other deception: so much so that whatever you may say on any application for parole, 15 years or more hence, will need to be assessed with considerable scepticism.

The community, acting through the Court, denounces your lethal violence.

The impacts on Allison's family have been grave.

Their victim impact statements poignantly express their pain.

You took a devoted, loving mother from her three girls, blighting their lives.

Pursuant to s.159A of the *Penalties and Sentences Act 1992*, I declare the 762 days spent in pre-sentence custody from 14 June 2012 until today to be imprisonment already served under the sentence.

The law provides but one penalty for your awful crime.

I impose it.

You are sentenced to imprisonment for life.