



# Hon Greg Smith SC MP

Attorney General  
Minister for Justice

---

## MEDIA RELEASE

---

4 May 2012

### NSW GOVERNMENT WELCOMES CRUMP RULING IN HIGH COURT

The NSW Attorney General, Greg Smith SC, has welcomed the High Court decision today which will help keep convicted murderer Kevin Crump behind bars for the rest of his life.

In a unanimous 7-0 decision, the Court dismissed a challenge to 2001 legislation which was designed to keep Crump and other convicted murderers in jail until they die.

The Court upheld the State law which means Crump can only be released on parole if he is in imminent danger of death or so incapacitated that he lacks the physical capacity to harm another.

In 1974, Crump and his co-accused Allan Baker were convicted of conspiring to murder Virginia Morse and sentenced to life imprisonment, with the judge declining to fix a non-parole period and saying they should spend the rest of their lives in jail. They were charged with conspiracy under NSW law, because the murder actually took place in Queensland.

Baker was also convicted of the murder of Ian Lamb during a robbery, and Crump of being an accessory to the murder of Lamb.

In his judgement, Chief Justice Robert French said “the killings were callous, and in the case of Mrs Morse, preceded by pitiless and degrading abuse”.

“Kevin Crump is one of the worst killers ever seen in NSW,” Mr Smith said.

“What he and Baker did to that young woman should not be forgotten.

“Crump is no better than a vicious animal and when he committed those crimes he forfeited his right to be part of society.

“I hope he spends the rest of his days reflecting on the misery he has inflicted on the Morse family.”

After the 1974 verdict, the law was changed to allow courts to fix a minimum term before someone was eligible for parole. Crump made an unsuccessful application to the Supreme Court in 1992, but in 1997 the Court imposed a minimum term which meant that he would be eligible for consideration for parole after 2003.

Section 154A of the Crimes Act was then enacted in 2001 and it meant Crump and others would not be eligible to be released on parole unless certain conditions were fulfilled. It was this section which Crump challenged in the High Court.

However, the High Court found the 1997 Supreme Court ruling had not created any right or entitlement for the plaintiff to be released on parole and that the legislation did not interfere with an order of the court.

The High Court said “the practical reality which faces a sentencing judge is the prospect of legislative and administrative change in parole systems from time to time”.

“Neither the substance nor the form of the 1997 Supreme Court determination had created any right or entitlement for the plaintiff to be released on parole,” the Court said. “Section 154A was therefore not invalid.”