

**IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

**I TE KŌTI MATUA O AOTEAROA
TE WHANGANUI-A-TARA ROHE**

**CRI-2024-085-000325
[2025] NZHC 2644**

THE KING

v

JULIA DELUNEY

Appearances: S A H Bishop, N Jamieson and K J Werry for Crown
Q Duff for Defendant

Date: 5 September 2025

SENTENCING NOTES OF CHURCHMAN J

Introduction

[1] Julia Deluney, you have been found guilty by a jury of the murder Helen Gregory. I must now sentence you.

[2] The sentence for murder, unless it would be manifestly unjust, is life imprisonment. There has been no submission that such a sentence would be manifestly unjust. The purpose of today's hearing is therefore to decide the length of the minimum term of imprisonment you should serve before you can apply for parole.¹

[3] Before I sentence you, I wish to acknowledge Ms Gregory's whānau and friends who are in the Courtroom today and those observing by VMR link. The victim impact statements read to the Court indicate the profound consequences and depth of loss your actions have

¹ Sentencing Act 2002, ss 102–104.

caused to them and your own family members. It must have been very difficult for your family members to have provided statements.

Background facts

[4] I will sentence you based on the facts that I accept as proved, as the Judge who presided over your trial, and based on the essential elements of the charge of murder, which the jury found were proved.

[5] On 24 January 2024, you drove to your mother's address in Khandallah, arriving shortly after 6.00 pm. At some point during the evening, likely between 8.23 pm and 9.38 pm, you engaged in a violent and prolonged attack on your mother. The precise reasons for that attack remain something that only you know however, it seems that the most likely explanation is that you would have been aware that your actions of defrauding your mother of substantial sums of money would shortly be discovered and this was your way of avoiding that discovery.

[6] We are also left to try and piece together the precise details of how you killed Ms Gregory from the evidence given by the expert witnesses, particularly Dr Melinek the pathologist and Glenys Knight the ESR scene examiner. Their evidence supports a conclusion that you struck Ms Gregory's head at least 10 times with a blunt instrument, causing a large amount of blood spatter and saturation blood staining. Ms Knight's evidence was that one of the blows would have been so forceful that the spatter was similar to what might be produced from a gunshot wound.

[7] You struck your mother's head repeatedly. The evidence of the pathologist was that, sometime during the offending, you must have hit Ms Gregory with a heavy object, akin to a cricket bat. I accept that it is most likely that you attacked Ms Gregory with the heavy vase which had previously sat on a small table in the room in which you killed Ms Gregory. The evidence that was before the jury is also consistent with a conclusion that you bludgeoned her with that vase repeatedly while she was helpless on the floor. Dr Melinek's evidence was that you caused approximately 75 separate injuries to Ms Gregory, including contusions, lacerations, abrasions and fractures. The most serious of these was the skull fracture and two face fractures.

[8] You then staged the scene to make it look as though Ms Gregory had fallen from the attic. The evidence supports the Crown's contention that you applied swipes of blood, using a bloodstained cap, along the walls of the hallway, and in the utility cupboard, in an attempt

to conceal your actions and support your false narrative of Ms Gregory having injured herself by falling from the attic.

[9] In furtherance of this fictitious narrative, you initially told the police you did not know what had caused all the blood on the wall of the hallway in the house because the blood had not been there when you left.

Approach to sentencing

[10] As set out in the Sentencing Act 2002, the main purposes of sentencing you today, and fixing a minimum non-parole period, are to hold you accountable for the harm you have caused by your offending; to promote in you a sense of responsibility for, and acknowledgement of, that harm; to denounce your conduct and deter others from acting similarly; and to assist in your rehabilitation and reintegration into society.² I must consider the gravity of your offending and the degree of your culpability. Your sentence must be consistent with the sentences imposed in other reasonably similar cases,³ and I should impose the least restrictive sentence appropriate in the circumstances.⁴

Whether a sentence of life imprisonment is appropriate

[11] Under the Sentencing Act, when a person has committed murder, the person must be sentenced to imprisonment for life unless, given the circumstances of the offence and the person, a sentence of imprisonment for life would be manifestly unjust. The strong presumption in favour of life imprisonment reflects the sanctity of human life.⁵ It may only be displaced in compelling cases,⁶ having regard to the principles and purposes of sentencing.⁷ There is no doubt that there are no circumstances in this case that would make life imprisonment manifestly unjust. As a result, you will be sentenced to life imprisonment.

Whether s 104 of the Sentencing Act 2002 is engaged

[12] Where the Court imposes a sentence of life imprisonment on a charge of murder, it must also specify the minimum term of imprisonment that the offender must serve before being eligible to apply for parole.⁸ I will refer to this as an MPI. The minimum term must not

² Sentencing Act, s 7.

³ Section 8(a) and (e).

⁴ Section 8(g).

⁵ New Zealand Bill of Rights Act 1990, s 8.

⁶ *R v Van Hemert* [2021] NZCA 261 at [36].

⁷ *R v Rapira* [2003] 3 NZLR 794; (CA); *R v Smail* [2007] 1 NZLR 411 (CA) at [14].

⁸ Sentencing Act, s 103(1).

be less than 10 years and is required to reflect the sentencing purposes of deterrence, denunciation, the need to hold you accountable for the offending and the need to protect the public.⁹

[13] The Crown and your lawyer, Mr Duff, agree that this is a case where a 17-year minimum period of imprisonment, applies.¹⁰ The Sentencing Act requires me to impose an MPI of at least 17 years where your offending meets one or more of the circumstances set out in the legislation.¹¹

Section 104(1)(e): High level of brutality, cruelty and callousness

[14] An applicable circumstance in your case is that the murder involved a high level of brutality and cruelty.¹² I accept the Crown's submission that the evidence discloses that your attack was violent, frenzied and prolonged. The evidence of the scene examiner was that in order for the saturation blood stains to have formed, Ms Gregory would have been lying with her head on the floor, bleeding heavily, for a prolonged period of time. The number and patterns of the blood spatter stains on the walls and furniture in the room where the attack took place indicate that the attack was both prolonged and frenzied.

[15] The murder also involved a high level of callousness. The attack would have been totally unexpected by Helen Gregory, and she must have been terrified. Instead of immediately calling for an ambulance, you left your mother dead or dying on the floor and drove some 40 minutes to Paraparamu, spent some 20 minutes there and then drove 40 minutes back again.

[16] Your callousness is also evident in your attempts to conceal the murder and your involvement in it. You said that you changed out of your clothes because there was blood on them. However, there was no blood on the shirt that you gave to the police in response to being asked for the shirt that you had been wearing that night. That is because you had obviously washed your clothes to remove the blood stains.

[17] You attempted to dispose any evidence connecting you to Ms Gregory's death. The jeans you were wearing on that night and the vase from the bedroom have never been found.

⁹ Section 103(2).

¹⁰ Section 104.

¹¹ Section 104.

¹² Section 104(1A)(e).

You attempted to deceive the police by giving them a different pair of jeans when you were asked to provide the jeans you had been wearing.

Section 104(1)(g): particular vulnerability of the victim

[18] Another circumstance which justifies an MPI of at least 17 years is that Ms Gregory was particularly vulnerable because of her age, health and living circumstances. She was 79 years' old, had her hand in a wrist brace and was living alone.¹³ Mr Duff accepts that while you did not unlawfully enter her home, you murdered her in her own home.¹⁴

[19] I may only impose a MPI of 17 years if I am satisfied that it would not be manifestly unjust to do so. I agree with the Crown and Mr Duff that there is no manifest injustice here.

Whether an increase beyond a 17-year minimum period of imprisonment would be manifestly unjust

[20] The next issue I must decide is whether an increase to that 17 year period is required and, if so, by how much. The Crown submits that an MPI of 18 years' is appropriate for you due to the extreme brutality of the offending, the breach of trust involved and the vulnerability of the victim. Mr Duff submits that a MPI beyond 17 years is not required. He also submits that you should receive some credit for what he says is your prior good character and your age.

Case law

[21] I will now discuss comparable case law to determine whether I should impose an MPI higher than 17 years' imprisonment.

[22] Mr Duff submits that the cases of *R v Armon* and *Blake v R* support imposing an MPI of no more than the statutory minimum of 17 years in this case.

[23] *R v Armon* involved a defendant who had killed his mother.¹⁵ The victim was vulnerable, given her age and failing health. The Court identified the following factors which demonstrated a degree of callousness, namely the defendant attacking his elderly mother, taking her by surprise, striking her head with a crowbar and striking her again as she lay on

¹³ Section 104(1A)(h).

¹⁴ Section 104(1A)(c).

¹⁵ *R v Armon* [2025] NZHC 1480.

the ground defenceless.¹⁶ The Court noted that the defendant then stabbed the victim four times in the chest. Rather than seeking medical help or calling an ambulance, the defendant dragged the victim into the bathroom to conceal her body and left her there over the weekend until the following Monday morning.

[24] The Court in *R v Armon* held that a two-year discount from an MPI of 17 years was appropriate in light of the defendant's guilty plea which was entered at the earliest opportunity.

[25] Mr Duff also refers to the case of *Blake v R*.¹⁷ In that case, the defendant pleaded guilty to murdering his mother by striking her over the head with a blunt object and then stabbing her in the face and neck. The Court found that the offending was aggravated by the use of at least one weapon, the inherent strength imbalance, their relationship and consequent impact of the offending on their family, and the fact that the attack occurred in the deceased's own home.

[26] I accept that there are some similarities with the facts of *R v Armon*. You also attacked your elderly mother with a heavy blunt instrument, and during the offending you attacked her while she was on the ground and defenceless. You failed to seek medical help and manufactured a deceitful narrative about what had actually happened to your mother including by smearing her clotted blood on the hall walls and in and around the hall cupboard. The aggravating features of your offending can be similarly compared to the facts of *Blake v R* in that there was an inherent strength disadvantage between you and Ms Gregory, your relationship and the consequential impact on your family.

[27] Mr Duff submits that the vulnerability of Ms Gregory was less pronounced than in the cases of *R v Armon* and *Blake v R*, as those matters involved attacks by males against female.

[28] I do not accept his submission that your gender made Ms Gregory any less vulnerable. She was elderly with some infirmities. You were considerably younger and stronger.

[29] As Mr Duff has recognised, the MPI in *R v Armon* and *R v Blake* were reduced due to the defendants' guilty pleas. You have not pleaded guilty and indeed you continue to deny any involvement in the killing of your mother.

¹⁶ At [32].

¹⁷ *Blake v R* [2025] NZHC 1714.

[30] The only case the Crown has referred to where an MPI of 18 years was imposed is *Skilling v R*.¹⁸ The defendant had unlawfully entered the elderly victim's home to commit a burglary. He used a hammer repeatedly to strike the head of the victim, who was sleeping. The victim suffered 10 blunt force injuries to her head which led to her death. The defendant proceeded to steal items from the victim's property and drive away in the victim's car. The Court found that s 104 was engaged because:

- (a) The murder involved unlawful entry.
- (b) It was committed in the course of another serious offence, namely burglary.
- (c) The murder was committed with a high level of brutality.
- (d) The victim was particularly vulnerable because of her age.

[31] The Court adopted a starting point of 20 years' imprisonment but deducted two years for the defendant's guilty plea. Overall, the defendant received an MPI of 18 years' imprisonment.

[32] The facts of your offending are less comparable to *Skilling v R* which involved additional aggravating factors related to unlawful entry and burglary. This means that a starting point of a 20 year MPI is not required in your case.

[33] I now turn to assess the relevant aggravating and mitigating factors of the offending and of your personal circumstances.

Aggravating and mitigating factors of the offending

[34] There are no mitigating factors relevant to your offending.

[35] I have discussed the aggravating factors to your offending, namely the brutal manner of the offending, Ms Gregory's vulnerability and the lengths you went to conceal your involvement with the crime. I agree with the Crown that there was a breach of trust. Ms Gregory was your mother and as you claimed to the pre-sentence report writer, she was like your "best friend". Ms Gregory trusted and supported you, even going to the extent of giving

¹⁸ *Skilling v R* [2011] NZCA 462.

you the last of her savings when you falsely claimed they were needed to pay taxes and other costs relating to fictitious investments you had claimed to have made on her behalf.

[36] The evidence is that you were under financial pressure and had taken what you knew to be your mother's last dollar. You were not investing Ms Gregory's money into cryptocurrency on her behalf but instead using it for other purposes, including to pay off your debts. The provision of Advice to Court Report records you telling the report writer that you disagreed with the Crown's summary about your financial circumstances, claimed to have had a profitable cryptocurrency investment portfolio and denied that your cryptocurrency activities were a form of gambling.

[37] Your claims to the report writer indicate you are still in denial despite the evidence to the contrary being overwhelming.

[38] The evidence presented to the jury was that your cryptocurrency investments had been disastrous. Nicholas Turnbull, the cryptocurrency expert, described your transactions as having no structure or strategy and your actions being like playing a slot machine, "just tapping a button and hoping it will win." The evidence also was that you were unable to pay your debts as they fell due, you were having to ask creditors for payment plans, you were trying to sell personal assets and using money obtained from Ms Gregory to pay debts. You were clearly in a financial position of some desperation.

[39] A feature of this case is your complete lack of remorse for the offending. You have continued to deny killing your mother. Indeed, you have manufactured new facts to try and support your version of events that was clearly rejected by the jury.

[40] For example, you told the PAC report writer that you sat your mother in a chair before you left to fetch your husband from Paraparaumu. However, in your statements to the police on 25 January 2025, you said that you left Ms Gregory lying on a rug on the floor with her feet facing the window.

[41] You also told the pre-sentence report writer that you did not want to call an ambulance because your mother would be unable to regain her driver's license, and this would impact her independence. That is contrary to the reason that you told to the police. You said to the police that you did not call the ambulance because your mother did not like hospitals.

[42] Your unwillingness to accept what you have done has put Ms Gregory's family and friends through the anguish of reliving the events of Ms Gregory's death during a trial and in media spotlight.

[43] Your attempts to deceive people about your involvement in Helen Gregory's death started with your actions in smearing blood in the hallway, you telling your children that Helen Gregory had died because she had fallen from the attic, you attempting to deceive the Police by disposing of evidence and providing them with items of clothing which you had either washed or which were not the clothing you had worn at the time and has continued with you continuing to be dishonest with the PAC report writer about relevant facts. This, along with the other factors I have already discussed justifies an MPI of 18 years.

Personal aggravating and mitigating factors

[44] I turn now to consider personal aggravating and mitigating factors. You have eight previous criminal convictions, with the most recent conviction being in 2011. They are related to contravening protection orders, driving with excess breath alcohol and operating a vehicle carelessly. They do not relate to violent offending. The Crown does not seek to impose an uplift for your previous criminal convictions but argues that no discount is warranted for good character.

[45] Mr Duff submits that what he calls your prior "good character" is relevant to sentencing. Your prior convictions are not sufficiently recent in time or of a similar nature that they justify an increase in the MPI but, equally, given their existence, you cannot claim a deduction on your sentence for being of prior good character. Your actions in convincing your mother that you were investing her money on her behalf and that the "investments" were earning good returns when that was untrue, also tells against any claim of good character.

[46] Mr Duff also submits that your age is a relevant mitigating factor. Age is a factor that can be relevant for sentencing.¹⁹ You are currently 53 years old. Mr Duff says that if you are to be released after 17 years, you will be 70 years of age. He states that there is a real and appreciable risk that you will die in custody.

[47] The Court of Appeal has noted that the extent to which age and ill-health can mitigate a sentence depends on the circumstances of the offence and the offender.²⁰ In *M (CA91/12) v*

¹⁹ Sentencing Act, s 9(2)(a).

²⁰ *M (CA91/12) v R* [2013] NZCA 325 at [54].

R, the Court noted that if a full term of imprisonment were imposed on the 64-year-old defendant, that would consume the whole of his likely remaining life. Accordingly, the Court reduced a 16-year sentence by two years.²¹

[48] In your case, there is a difference in age of 11 years to the defendant in *M v R*. That case involved sexual offending, some against underage victims. The circumstances of your offending was a brutal murder. There is no evidence of you having any health condition that might cause you to die before the age of seventy.

[49] The Court of Appeal has recently confirmed that s 9(2)(a) of the Sentencing Act is primarily concerned with youth, not old age.²²

[50] As submitted by the Crown, the few cases in which old age has been treated as a mitigating factor on sentencing typically involve defendants of a more advanced age with declining physical and/or mental health associated with old age.²³ That is not your situation.

[51] I also do not consider your age would be a reason that would make an MPI of 18 years manifestly unjust.

[52] I am satisfied there are no relevant personal mitigating factors which would justify a lower MPI than 18 years' imprisonment.

Conclusion

[53] Ms Deluney, please stand. On the charge of murder, you are sentenced to life imprisonment. You must serve a minimum term of 18 years' imprisonment before being eligible to apply for parole.

[54] You may stand down.

Churchman J

²¹ *C (CA100/16) v R* [2017] NZCA 58 at [22].

²² *Mathews v R* [2024] NZCA 651 at [116].

²³ See, for example *KHP v R* [2015] NZHC 452 and *C v R* [2017] NZCA 58.

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