

Ms Kory, you have pleaded guilty to one count of wounding.

You committed the crime on 6 February 2021. You stabbed your partner in the back with a knife causing a 3 cm laceration below his right scapula. The wound was sutured, but fortunately, he does not seem to have suffered any long term injury. At the time you were very intoxicated, and there was some disharmony between you. However, it is not suggested that your partner did anything to provoke you or cause you to act in this way. You had been drinking all day and shortly before doing this, you had sent a Facebook message to a friend indicating that you were worried that you would do something bad, like starting a fire or stabbing your partner. You were also seen acting in a bizarre way after this. In fact, your crime was not reported to police by your partner, but rather by staff at the caravan park where you were staying, after they saw you walk onto a highway.

You are 43 years of age. You have had a difficult life. You did not know your father, and your mother and stepfather died in a motor vehicle accident when you were 5 years of age. You were brought up by your grandmother, but she passed away when you were in your early 20s. You have no other family support. You have a child now aged 16, according to the report, but you have not seen him since 2018. He lives with his father, whom you claim has undermined the relationship between you and your son, and effectively prevented you from having contact with him. You have had a serious problem with alcohol for a considerable period of time, and this was a significant factor in the commission of this crime. I should make the point that intoxication does not mitigate the seriousness of your culpability for the crime. I have been given a letter from you in which you demonstrate some insight into the underlying issues and express deep remorse and shame for the attack on your partner. You also explain the link between your problematic drinking and the grief and depression arising from the situation with your son. Your partner has also prepared an impact statement in which he acknowledges the volatility of your relationship and the impact that your mutual affinity with alcohol has had on it. He has clearly forgiven you and wants to continue with the relationship, but also expresses insight into the need for assistance with your alcohol problem.

This is not the first time you have acted in such a way. You do not have any criminal history in Tasmania, but in 2018 you were sentenced to imprisonment in New South Wales for assault occasioning actual bodily harm and reckless wounding. I have been given the facts relevant to those offences. That case has marked similarities to this offending, in that you attacked and cut your then partner with a knife, when you were both intoxicated. You are also currently on remand pending sentence for the breach of a family violence order made to protect your current partner. A pre-sentence report prepared for the magistrate in that case has been provided to me. The report assesses your need for supervisory intervention as medium, and recommends a period of supervision.

What you did was dangerous and brutal. You have acted in the same way before and the fact that you were intoxicated does not excuse or mitigate your conduct. You deserve a sentence of imprisonment. I intend to impose such a sentence but I will wholly suspend same. In making this decision, I am heavily influenced by the attitude of your partner, the fact that he was not seriously hurt, and the clear need to ensure that you address your alcohol problem. A suspended sentence with a condition requiring supervision will hopefully provide a rigid framework for this to be achieved. However, you must understand that if you keep acting this way, you cannot

expect leniency in the future. This is an opportunity for you to address the issues which see you before the courts, in particular your problem with alcohol.

Accordingly, the orders I make are as follows:

- 1 You are convicted of the crime to which you have pleaded guilty.
- 2 You are sentenced to a term of 18 months' imprisonment, the whole of which will be suspended for a period of 18 months on the following conditions:
 - (a) That you are not to commit another offence punishable by imprisonment during that period.
 - (b) That you will be subject to the supervision of a probation officer. You must comply with this condition for a period of 18 months. That period will commence from when you lawfully cease to be imprisoned, noting that you are currently on remand. The Court notes that the conditions referred to in s 24(5B) of the *Sentencing Act* apply to this condition. These include that you must report to a probation officer within 3 clear days of the day that you are released from custody. In addition to the core conditions the order shall also include the following special conditions:
 - (i) you must, during the operational period of the order,
 - (ii) attend educational and other programs as directed by the court or a probation officer;
 - (iii) submit to the supervision of a probation officer as required by the probation officer;
 - (iv) undergo assessment and treatment for alcohol dependency as directed by a probation officer;
 - (v) submit to testing for alcohol use as directed by a probation officer;
 - (vi) submit to medical, psychological or psychiatric assessment or treatment as directed by a probation officer;
 - (vii) attend, participate in and complete the EQUIPS addiction program as directed.