

Mr Roots has pleaded guilty to a charge of aggravated assault and to a charge of assault.

Both charges relate to an incident on 4 May 2020. On that day Mr Roots was travelling with a Mr Coomer. They were driving along a remote country road having done some work together. They encountered the complainant, Mr Beattie, who was travelling in the opposite direction. There had apparently been some ill feeling between Mr Beattie and Mr Coomer. They stopped and had an unpleasant conversation with one another. During that conversation Mr Roots got out of Mr Coomer's vehicle and went to the complainant's vehicle, where the complainant was still sitting in the drivers seat. He reached through the window and grabbed him, first by the clothing then by the throat, then got out a taser about the size of a cigarette packet, and applied it to the complainant's chest in the pectoral muscle area. An electrical current was discharged. That resulted in a paralysing pain for about two seconds. Applying the taser amounted to the crime of aggravated assault. That is because a taser constitutes firearm for the purposes of the *Firearms Act*. Then the complainant attempted to open his door. Mr Roots punched him to the face and took the keys from the ignition. The punch to the face is the subject of the assault charge to which Mr Roots has pleaded guilty.

As a result of the incident the complainant suffered a bruise over the left eye and eyebrow area and a graze to the left eyebrow and temple. He also had mild tenderness in the area of the left cheekbone. He had a small graze and bruise to his chest. He was taken to the Royal Hobart Hospital where he had to have a chest x-ray, a CT scan and an ECG. In the longer term the complainant has been diagnosed with post traumatic stress disorder. He is having continuing treatment from a psychologist. He was operating a farming enterprise. The assaults on him have interfered with the productivity of that enterprise and therefore with his income.

Mr Roots was 29 on the day in question is now 31. He is a single father, responsible for the care of an 11 year old daughter. He has no significant prior convictions. He has a good industrial record. He deeply regrets what he did. What he did was out of character.

It was a serious assault in that it has resulted in severe psychological and financial consequences. However, because of Mr Roots' general good character I think it would be most inappropriate to send him to prison. However the assault is serious enough to warrant a wholly suspended sentence and an order requiring some community service.

Arron David Roots, I convict you and sentence you to four months' imprisonment, wholly suspended on condition that you commit no offence punishable by imprisonment for a period of two years. I also make a community correction order to operate for two years, with a condition requiring you during that period to satisfactorily perform and complete 100 hours' community service as directed by a probation officer or a supervisor.