

Mr Beechey you have pleaded guilty to a single count of persistent family violence. In August 2019, you and the complainant met at the Commercial Hotel in Launceston. Shortly thereafter you commenced a sexual relationship. You moved into her home in Youngtown in around October 2019. She has two children who were then aged 3 years and 4 years. The children resided part-time with her and part-time with their father. The initially happy relationship began to deteriorate and was characterised by arguments and angry outbursts by you. You began to verbally abuse the complainant and damage property at her home including a vacuum cleaner, two doors, cupboards and walls. On 20 October 2019, you told Ms Powell that you could easily break her neck and jaw and you asked her if she wanted to die. You then hit and/or smashed an unknown item. This was captured on video by the complainant.

Police were called by neighbours on 24 October 2019 who reported that they had heard an argument and seen you throwing a punch at the complainant. When police attended, they noted the complainant to be emotional but uninjured. She said that you had both been arguing.

On 23 November 2019, neighbours again called the police reporting hearing another argument and seeing you pushing Ms Powell. When police attended they noted the complainant was reluctant to let them in, but she did so. They saw you in the laundry bleeding from the head. You said that you had become angry and head butted the wall. There were upended draws in the bedroom. The police noted the complainant was emotional, but she maintained that there had been no violence. The police deemed the relationship not to be sufficiently established at that stage to take out any form of family violence order.

On 17 February 2020, you and the complainant argued. Whilst the complainant was sitting on the floor in the hallway at the residential address, you bashed her head against the wall a number of times and punched her in the face twice. These actions caused bruising.

On 19 February 2020, the complainant was sitting on the couch in the lounge room at her home. You became angry and you threw the TV at the complainant which hit her arm and then the wall. This caused bruising to the complainant's arm and a dent in the lounge room wall. The complainant got up from the couch and you pushed her to the ground, punched her in the face and stomped on her chest. You then got down beside her and choked her by placing one of your hands on her throat which restricted her breathing for a few seconds. You said "I am going to break your neck you dumb dog." You then got up and walked to the kitchen. The complainant ran to the bedroom. You then entered the bedroom and verbally abused her. She was able to clam you down by hugging you.

On 29 February 2020, a group of your friends came around to her home to socialise before going out for the evening at a pub in Launceston. You had brought a firearm onto the premises in the days before the 29 February 2020 as you thought you needed it for protection. The firearm was a .22 shortened bolt action rifle. Members of the group including you took turns firing the gun into a mattress in the rumpus room. The complainant began to pole dance which made you furious. You and your friends then left. The complainant remained at home with her children. She went to bed soon after in the main bedroom by the front door which she shared with you. You returned home between 3am and 4am and went to the main bedroom where she was sleeping. You woke her up. She saw that you were angry but you were initially fine towards her. You then became more angry with her and you accused her of sleeping with someone else

and you refused to leave the bedroom. You then pushed the complainant onto the bed and punched her head and body with a closed fist and an open hand multiple times. This caused bruising including a large black eye. You said "look at your fucking eye" when you saw it. You hit the complainant over the head with an empty wine bottle but did not break. You kicked the bedroom door causing damage to it. You dragged the complainant to the car outside to look for the firearm and said that you were going to use it to kill her. The firearm was not in the car. You told the complainant to get back inside and you kicked her and demanded that she go back into the bedroom which she did.

You periodically came and went from the bedroom to get a cigarette and/or drink. You pushed the complainant onto the bed so she was lying down. You put your right knee on her throat and put pressure on her neck with sufficient force that she passed out. When she came to she said "I passed out" to which you replied "no shit you dumb dog." You walked over the complainant's body and stomped on her chest which caused bruising and a broken rib. She was terrified and when you next left the room she texted a friend and asked her to call police, which the friend did. The text was sent at 6.01am. You came back into the room and broke her toaster which was in the bedroom being used as a cigarette lighter. You took the rope out of the complainant's dressing gown and said you were going to tie her up and beat the shit out of her for three weeks.

At 6.40am police arrived, but when you saw them coming up the steps to the front door you fled out the back door to avoid them. The complainant opened the front door, the police saw that she was naked, breathing rapidly and highly distressed. She had an obvious black eye and was complaining of chest and rib soreness.

Police searched the home and the local area but were not able to locate you. Police found the firearm on a shelf in the rumpus room under the house. Police then took a statutory declaration from the complainant. She went to stay with friends for a couple of days due to her level of fear of you and she then flew to Western Australia to visit her mother for a few weeks. While in Western Australia she sought medical attention for pain in her chest and left jaw and tenderness in her left cheek and chest. She provided a history of having being assaulted by you.

Imaging of the complainant's chest revealed a minimally displaced fracture in the region of the costochondral junction with associated soft tissue swelling. Imaging of her face was normal and she was described analgesia for rib pain. The assaults were all committed by you when you had been drinking heavily and/or taking drugs.

You were arrested by police on 2 May 2022. In interview you said to police that you are not in a relationship with the complainant and that you had simply been having sex with her for a couple of months. You said that it was the complainant that screamed at you and argued with you while you just smiled at her. You said that she had punched you in the back of the head as you walked out the door. You said that you may have grazed your arm on the way past, but she was on top of you and trying to drag you back in to the house at the time. You said that the complainant had slapped you in the face and assaulted you.

You claimed that in February 2020, a gun had turned up at her address and you had taken a turn of firing it into a mattress. You said you thought that one of your friend's had taken the gun away or put it in the car and it was not your gun. You said that the complainant had showed you up in front of your friends by pole dancing and you had "cracked the shits" and left. You said that you were very drunk when you came home, you said the complainant was screaming at you, slapping, punching and grabbing you. You said that you pushed her on to the bed and

sat on the couch in the lounge but she screamed at you again and slapped you in the face. You said that when police arrived you bolted out the back as the male party is always blamed in cases of domestic violence. You told police that you had been in Victoria between 29 February 2020 and your arrest in 2022.

You otherwise denied assaulting the complainant.

Mr Beechey, you are now 32 years of age. You were born in Tasmania and attended school until grade 10 when you left to begin working for your step-father in his business at Bridport.

You subsequently undertook an apprenticeship and you are now qualified as a painter. You have also completed a two year traineeship as an arborist. You have worked predominately as an arborist and painter subsequently.

I am told by your counsel that it is your longer term intention to move to Queensland to make a fresh start.

Your criminal history indicates substance abuse. You were introduced to alcohol at aged 13, and apparently developed a regularly drinking habit and a drug habit. You have struggled with addiction.

The need to obtain funds to maintain your drug and alcohol use lead to the commission of a number of crimes of dishonesty.

It is put to me that alcohol abuse and drug use are significant contributing factors in respect of the offending for which you appear before the Court for sentence today. You accept that your rehabilitation is dependent upon you being able to address these issues. It is regrettable that despite that insight you have not undertaken any formal steps in that regard.

In the period you have been in custody you have at least otherwise, used your time productively engaging in peer support work, as an education officer and food handler. It is to be hoped that upon sentence you progress to engaging with support within the prison to deal with your alcohol, drug, and anger issues.

Your plea of guilty is a step in that direction because it evidences an acceptance of your wrongdoing, and a willingness to take your punishment for it. That plea of guilty has some utilitarian benefit, but the complainant was required to endure the stress of preparing for trial, because your plea came at a late stage. The discount for the utilitarian benefit of your plea is therefore a moderate one which I fix at 5%.

Punishment is required in this case because of the very serious nature of your offending. Your crimes against Ms Powell were degrading and dangerous, and the act of choking her and stomping on her carried with it a significant risk of harm, even death. You engaged in this behaviour over a number of days and had numerous opportunities to desist but chose not to, thereby reinforcing a pattern of emotional and physical cruelty.

I accept the State's submission that your threats to shoot her, will have had much greater force and generated more significant fear because she was aware that there was a gun in the house. Further aggravating is the fact that her children were present on the occasion you made that threat.

You acknowledge through your counsel, the need for personal and general deterrence, and, as I have indicated, accept that you must be punished for this behaviour. You have not applied for bail, and I consider that in part recognises your acceptance of the fact that this offending requires the imposition of a significant sentence to mark the communities disgust at the way in which you have behaved towards the complainant.

Offending such as this requires a sentence which sends a very strong message to the community that family violence, occurring as it most frequently does behind close doors, will attract a significant penalty. It is to be hoped that recognition of that fact will in some way dissuade those who are minded to behave as you have to walk away, rather than engaging in the sort of physical abuse you inflicted upon Ms Powell. The impact of your offending upon her was profound and the effect continues as evidenced by her victim impact statement.

You have a number of relevant prior convictions – assaults in 2010, 2011, 2017, as well as breaches of family violence orders. You are not to be punished again for those offences but they cannot be ignored altogether in an assessment of your character, and my assessment of the need for personal deterrence.

This is a serious example of the crime, and that is reflected in the punishment I impose. I will impose a non-parole period to encourage you to seek help and the parole board can consider your progress in that respect if and when you apply for parole. That progress will be relevant to any grant of parole and the terms of it if it is granted.

I sentence you to 4 years' imprisonment backdated to the date you went into custody which was 2 May 2022. I further direct that you are not eligible for parole until you have served 2 years and 3 months of that sentence.