

STATE OF TASMANIA v REBECCA ANN TRINDER
COMMENTS ON PASSING SENTENCE

9 OCTOBER 2023
ESTCOURT J

The defendant, Rebecca Ann Trinder, has pleaded guilty to one count of wounding and I have also agreed to deal with her plea of guilty to a charge of common assault.

The complainant is [name redacted]. She was 16 years old at the time of the offending. The defendant and the complainant were not known to each other at the time of the offences.

On 21 January 2022 in the late afternoon, the complainant and four of her friends were in an underground tunnel in Kingston. The defendant resided directly adjacent to one of the entrances to the tunnel. At approximately 5:45pm, three members of the group left the tunnel. The complainant and her friend, [name redacted], remained. As the three group members were leaving to exit the tunnel, the defendant approached them and began shouting at them. They continued to walk away from her and the tunnel.

The complainant and [name redacted] remained in the tunnel. The defendant ran at the complainant, who was sitting on the ground holding her phone. The defendant yelled at the complainant and asked her if she wanted "to have a go" and a "punch on", and said that her child had told her that the complainant and her friends were filming her. The complainant denied this. The defendant forcefully kicked the complainant's phone out of her hand. She grabbed the complainant around the throat with both hands and squeezed, and violently slammed the complainant's head into the ground. The defendant continued to scream at the complainant while she was on top of her. The defendant then leaned towards the complainant's face and bit the complainant on the right side in the jaw area. The bite caused a 3cm wound to the complainant's jaw which immediately started to bleed. She was also partially dazed.

Police were called and spoke to the defendant. They advised that they would contact her at a later date about the matter due to her level of intoxication and the fact of her care of her three children.

The complainant attended the Royal Hobart Hospital the following day for treatment of the wound. The wound had penetrated through the epidermis and dermis layers of the skin to the subcutaneous fat layer. She underwent surgery under general anaesthetic and required both internal and external stitches. She was discharged from the hospital on the same day.

On 5 February 2022, the defendant voluntarily attended the Kingston Police Station to participate in a formal record of interview. She was subsequently arrested, charged, and bailed.

The defendant has no relevant prior convictions and there has been no further offending since this incident.

I have had read to me a victim impact statement from the complainant. She states that she has been affected in every area of her daily life. The scar makes her feel unattractive and uncomfortable. I add that I have seen a photograph of the scar. She is anxious and can not cope with a lot of people around her. She feared that she might have contracted hepatitis C. She has seen a psychologist to help her cope, having self-medicated with alcohol.

The defendant is aged 31 years. She had a normal upbringing however her father died when she was 16 and I am told that she "went off the rails." She has three dependent children but she has been abused in two abusive relationships. She has a problem with alcohol issues.

This was a vicious and unwarranted attack and warrants a period of imprisonment, notwithstanding the defendant's lack of prior convictions. I propose however to suspend the sentence and, in addition, to make a community correction order.

The defendant is convicted of one count of wounding and one charge of common assault. She is sentenced to a term of six months' imprisonment, which sentence I wholly suspend on condition that she commit no offence punishable by imprisonment for a period of two years. In addition, I make a community correction order for an operational period of two years.

The statutory core conditions of a community correction order are imposed. These include that the defendant must not, during the operational period of the order, commit an offence punishable by imprisonment. She must report to a probation officer or supervisor at Community Corrections at Hobart, no later than 5pm on Tuesday, 10 October 2023 when the order will commence. She must report to a probation officer as required by a probation officer and comply with the reasonable and lawful directions of a probation officer or a supervisor.

I also impose the following special conditions:

During the operational period of the order the defendant must submit to the supervision of a probation officer as required by the probation officer, specifically as to complying with directions regarding compliance and engagement with Alcohol and Drug Service and mental health services; she must undergo assessment and treatment for alcohol dependency if directed by a probation officer; and she must submit to medical, psychological or psychiatric assessment or treatment as directed by a probation officer.