

STATE OF TASMANIA v JESSE DEAN BAKES
COMMENTS ON PASSING SENTENCE

25 JUNE 2024
BLOW CJ

Jesse Dean Bakes you have pleaded guilty to a charge of wounding. You committed this crime on 15 December 2022. On that occasion you were in a significant relationship with a young woman. You were 26. She was 22. You were at her address and her mother was present. You got into an argument with that woman and you struck her to the head with a glass bong. As a result she was wounded and started to bleed from the wound. You were arrested but later charged and bailed. The victim of this crime was taken to the hospital at Latrobe where the wound was closed with sutures. She has not provided a victim impact statement. As far as I know she has made a full recovery. As far as I know, she has not been left with any permanent scarring.

What you did was impulsive and unplanned. It is clear that you lost your temper with her. You have pleaded guilty and that counts in your favour but you have done so at a late stage in the proceedings, only after the case had been prepared for trial and the complainant had been served with a notice which led her to think that she was going to have to give evidence. If you had pleaded guilty at an earlier stage, when there had been no question of her giving evidence, you would have been entitled to more lenient treatment as a result of your plea.

At some stage after you were committed for trial you failed to appear in answer to your bail. You had gone to New South Wales. You were arrested there and extradited back to Tasmania. It would seem that you had not kept your location a secret. On the Court file there is a document indicating that you were living at an address at Uranquinty and that you were arrested and dealt with by extradition proceedings in the Local Court at Wagga Wagga.

The result of all this is that you have been in custody since 23 February. The only appropriate sentence in this case is a sentence of imprisonment, and the most sensible course is for me to impose a sentence that is backdated to date that you were taken into custody in New South Wales.

Apart from the plea of guilty there are other things that count in your favour. You have taken steps whilst you have been in custody to complete a course in relation to alcohol and drug dependency. You turned to drugs after the death of near relative when you were 20. You have abstained from drugs since December 2023, about the time that you went to New South Wales. You have spent just over 4 months in custody. I think the most appropriate course for me now is to impose a backdated prison sentence with the balance as from now suspended, but also to make a family violence order.

I convict you and sentence you to 10 months' imprisonment, with effect from 23 February 2024. I suspend the unserved balance of this sentence on condition that you commit no offence punishable by imprisonment for a period of 2 years. I direct that this crime be recorded on your criminal record as a family violence offence. I make a family violence order, to operate for 12 months from today, in the same terms as the police family violence order dated 15 December 2022 except that condition number 6 is omitted.