

STATE OF TASMANIA v NEKITA CHRISTA ROUND
COMMENTS ON PASSING SENTENCE

26 SEPTEMBER 2024
PEARCE J

Nikita Round, you plead guilty to one count of wounding. The crime was committed just after 3.00 pm on Saturday 7 October 2023. You and your partner, Peter Lush, drove to the ATM adjacent to the Rosny bus mall. The complainant, a young man aged 14, was one of a group of youths hanging around in the mall. As Mr Lush used the ATM one of the youths began to taunt him from across the road. Mr Lush crossed the road and chased after him. You followed and approached the group, close to the complainant. He ran past you and as he did so you raised a small knife which you were holding in your hand and stabbed him to his upper body. He continued running but then walked to the nearby shopping centre for help. The police and an ambulance were called. The police saw blood running down his torso from under a cloth he was holding against the wound. He was examined at the Royal Hobart Hospital and found to have a 3.5 centimetre by 2 centimetre laceration to his right armpit. The wound was treated with stitches. In infer that the knife did not penetrate deeply and that there was no serious damage to the underlying tissue, blood vessels or organs.

The complainant was not unknown to you. Your reaction to the position Mr Lush put himself in was influenced by a number of matters. It was your belief that this group was the same group who had seriously bullied your eldest son after he had been gravely ill. In addition you believed the same group was responsible for seriously assaulting Mr Lush some time earlier. By approaching the group on 7 October Mr Lush put himself in a vulnerable position particularly because he had himself been ill. You took the knife, which was part of a multi-tool which was already in the car fearing what might happen. Whilst that may partly explain your conduct, it does not excuse such an extreme act as stabbing a 14 year old boy to the upper chest with a knife. You did not act in self-defence or in defence of Mr Lush. It follows from your plea that you used the knife appreciating that you may injure the complainant and acting regardless of the risk. It was fortunate that he was not more seriously injured. The potential for serious injury or death arising from a stab wound to that part of the body should be obvious to anyone.

You are now aged 38. You have no relevant prior convictions. You have a stable family and have held employment in the past. I accept that this was out of character and is unlikely to happen again. You pleaded guilty at an early stage. Wounding is a serious crime, but does not necessarily require a sentence of actual imprisonment. The wound you caused seemingly resolved without any residual impact. There is no victim impact statement. There may have been psychological impact but nothing is specifically asserted.

A sentence of imprisonment is required but I will allow you the opportunity to avoid having to serve any part of it by wholly suspending it. Part of the reason for that sentence is an incentive for you to not offend again. The law imposes a condition on the suspended sentence that, while it is in force, you do not commit another offence punishable by imprisonment. You should clearly understand that if you breach that condition you will be required to serve the term of imprisonment I am about to impose unless that is unjust

You are convicted and sentenced to imprisonment for eight months, wholly suspended for 18 months from today.