

STATE OF TASMANIA v JADE JOHNSON
COMMENTS ON PASSING SENTENCE

26 SEPTEMBER 2025
JAGO J

Ms Johnson, you have pleaded guilty to one count of Criminal Code assault. On 13 September 2024, you assaulted your 12-year-old son, whom I shall refer to as "C".

On that evening, C had arrived home after spending some time with a friend. Shortly after he arrived home, the friend's mother contacted you and informed you that C had shown the friend a scary video. You confronted C about it. He denied it. You then became very upset with him because it was your belief that he was lying.

C went to his room, and it seems tried to go to sleep. You and C's father went into his bedroom and threw water at him; to wake him up so you could further chastise him. His father then smacked him on the bottom with a shoe on a couple of occasions. Whilst this might be considered by some to be within the realm of reasonable discipline, what you did, thereafter, was entirely unjustifiable, and clearly criminal in nature. You picked up a belt from a nearby table, held it by the buckle and struck C to the arm and back with it. You then picked C up by holding him behind his knees and neck and held him over a fireplace. There was a fire burning in it. C, understandably scared and upset, screamed and tried to get away from the fire. You covered his mouth with your hand to stop him making any noise. You then dropped C, and he struck the metal barrier around the fireplace as he fell. Whilst C was lying on the floor, you stood on top of his back with both of your feet. You were wearing boots. You then kicked him to the body, including to the stomach and the side. You slapped him.

C's father and one of C's sisters entered the room and queried as to what was occurring. C took the opportunity to flee the house. He hid in the yard of the house next door for approximately five minutes before he walked to the police station. At approximately 10:30pm, a passer by saw C standing in the street near the police station in his pyjamas. He was crying and had a bleeding nose. He was taken to the hospital where he was found to have around five abrasions to his back, the largest of which was six centimetres. He also had a large contusion to both of his buttocks, which almost covered the whole surface of his right buttock. There is nothing before me that enables me to determine whether this contusion was the consequence of your actions, or the actions of C's father.

You were arrested. You participated in a record of interview. You told police that you and C's father had awoken C by tipping cold water onto him. You said C's father had "smacked" him on the bottom two or three times; but you were still "fuming" and angry because you thought he had lied, so you "whacked" C with a belt to the leg and arm. You said after that "everything got a bit blurry" because you were agitated, and your adrenalin was pulsing. You admitted picking up C and holding him over the fire. You said you put your hand over his mouth because he was making too much noise, and he fell from your arms. You said you did not intend to drop him. You admitted stomping on C's stomach and kicking him whilst he was on the ground. You also admitted slapping him.

At one point you told police that you were just trying to scare C. At another point, you said that you were projecting "absolute hate and rage". You admitted your actions were entirely unreasonable and you accepted that you could have caused potentially serious injuries to C.

Following this incident, C was removed from your care for a period whilst a Child Safety investigation occurred. No formal Child Safety order was sought, and C was returned to your

care after approximately two months. I am told having C removed was a salient and upsetting experience for you and was the catalyst for you seeking out assistance for what had been some long-term mental health difficulties.

You are 32 years of age. You have five children and are currently pregnant with your sixth. Your children are C, aged 13, and other children aged 9, 6, 4 and 18 months. You are a stay-at-home mother. Your partner works full time. You were raised in a dysfunctional family. You had no contact with your biological father from about the age of three. Your mother went on to have a number of different relationships and had several children to different partners. The family home was chaotic, with the family moving frequently, and various "stepfathers" coming in and out of your life. You did not have a close relationship with your mother. You found her distant, with her focus often being on her next relationship. Because the family moved often, your schooling was disrupted. You left school towards the end of Grade 8, although subsequently returned to TAFE and obtained your Grade 10 certificate. You worked in a supermarket for a period before you met your partner. You fell pregnant at the age of 17. You have not returned to paid employment since.

As noted, you have experienced a number of mental health difficulties. You have struggled with post-natal depression following the birth of some of your children and you have always had a propensity for emotional dysregulation and impulsive behaviour. You have struggled with attachment issues. I have received two reports from Dr Michael Jordan relevant to your mental health. He indicates that you suffer from a significant personality dysfunction, appearing to have a combination of traits seen in a range of cluster B personality disorders, including anti-social personality disorder, borderline personality disorder and histrionic personality disorder. In particular, he notes that you have an unstable sense of self and are prone to impulsive and potentially self-damaging actions. He also notes you have difficulty in controlling anger, and on occasion have experienced transient periods of disassociation. He opines that when under significant stress, those traits can translate into periods of impairment in your mental functioning, which can lead to an inability to exercise appropriate judgment and can cause you to experience a lack of the inhibitory mechanisms that most people would be able to call upon at such times.

He is of the view that these personality features were mostly likely at play during this incident. Whilst I do not consider the nexus between your personality features and the commission of this crime to be so pronounced as to warrant a reduction in the weight to be given to general deterrence, what Dr Jordan reports is relevant to sentencing in two ways. Firstly, you now recognise that you have some mental health difficulties that require support, and secondly; and importantly, you have done a lot of work to ensure you better understand how you function, and how you can manage the stressors in your life.

Dr Jordan notes that in the past 12 months or so, you have had the benefit of access to both a psychiatrist and a psychologist. You have attended regularly at psychological counselling sessions. You have developed a better understanding of your personality structure and have developed tools to assist you with emotional dysregulation. Additionally, you are now taking medication which assists in controlling your emotions.

In addition to obtaining professional assistance for your mental health, you have also participated in some parenting programmes. You have completed the Doorways to Parenting course and have also completed a "tuning into kids" programme, directed at helping you to understand behavioural issues and communicate better with your children.

I accept this incident has been a turning point for you. Previously, you did not really understand or pay much regard to your mental health difficulties. You were living a fairly isolated life in Queenstown, just trying to get through each day and cope with the stresses of raising five children. You now appreciate you needed assistance. Since the incident, you have done a lot of work with a psychologist and have availed yourself, at your own cost, of the parenting programmes I have mentioned. I accept, given you reside in Queenstown, and travel was necessary, that this demonstrates a high level of commitment and a strong desire to change for the better. I accept the submission made that you are ashamed of your behaviour and are desirous of doing all you can to ensure it does not happen again. Your plea of guilty is a reflection of that, and importantly has also saved C the ordeal of having to give evidence.

That said, this was very serious criminal conduct. C was a young child. He was vulnerable. He was entitled to your love, care and respect. Instead, you assaulted him in a manner which caused him not only physical pain and harm, but undoubtedly caused him upset, stress and anxiety. Your anger was out of control, and in those circumstances, the potential for you to cause serious harm to C was real. This conduct involved a significant breach of trust.

A period of imprisonment is warranted, but given all the work you have done, I am satisfied personal deterrence is not a weighty consideration, and the risk of reoccurrence is slight. I therefore consider it appropriate to suspend the sentence I impose.

Jade Johnson, you are convicted of the crime of assault. You are sentenced to imprisonment for a period of 12 months. The whole of that sentence will be suspended on condition that for a period of two years, you commit no offence punishable by imprisonment. I warn you, Ms Johnson, that the law is, upon breach of the conditions of a suspended sentence being proved, a judge must activate that sentence unless it is unjust to do so.