

STATE OF TASMANIA v JESSIE HUNTER TYLER-THOMAS CONNELL-KELLY

4 November 2025

COMMENTS ON PASSING SENTENCE

JAGO J

Jessie Connell-Kelly, you have pleaded guilty to one count of Criminal Code assault. The crime was committed on 23 February 2025. The victim is your wife. At the time, you and your wife were separated, although continuing to work on your marriage and maintaining what has been described as an on/off relationship. Both you and your wife were 26 at the time of the offending. You had been in a relationship for nine years and there are two children to the relationship.

On 22 February, you and the complainant went out to celebrate your anniversary. During the evening, both of you consumed alcohol. Sometime after midnight, you went for a walk along Victoria Parade. The two of you began to discuss your relationship. The complainant became upset and asked to go home. You started calling her names and told her to "fuck off". She picked up your shoe, which you had taken off whilst you were laying on the ground and slapped you across the face with it. You sat up and struck the complainant once to her face. You hit her in her right eye. The complainant immediately fell to the ground, with blood running from her eye and nose. You called your father for assistance. He drove the two of you back to his home.

The following morning, your mother insisted the complainant go to the hospital. When she presented, she had considerable bruising and swelling around the right eye, a graze on the right cheek and a sub-conjunctival haemorrhage in her right eye. A CT scan revealed that she had sustained a comminuted fracture on the right anterior maxillary sinus. Surgery was not required. It is unclear whether all the injuries were occasioned by your blow, or whether her impact with the ground caused some of the injury. It matters not. But for your blow she would not have fallen to the ground. Obviously, as is evidenced by what happened here, striking a person to the face is an inherently dangerous thing to do.

On 5 March 2025, police were notified of the incident. They spoke to you and you made several admissions to police about what had occurred. You pleaded guilty to this crime at an early point in time. This counts in your favour as not only has it facilitated justice, but it has removed the need for the complainant to be exposed to the additional trauma of having to give evidence.

As noted, you are 26 years of age. You have no relevant prior convictions. Since this incident, you have been living with your family who provides both you and the complainant with support. You and the complainant are continuing to work on your relationship. The intention is for the marriage to continue. There has been a Family Violence Order in place. Each of you has complied with that order. That has resulted in you not being able to see your children as frequently as you would like, which has served as a reminder of the serious consequences of your actions.

You are an industrious man. You are currently completing your fourth year of an apprenticeship as a roofing plumber. You have always held good employment.

I accept that this incident was out of character for you. You and the complainant were experiencing a number of stressors with two young children, and issues within your relationship. You were trying to work on your marriage and at times tensions escalated. Of

course, none of that, in any way, justifies the use of violence. I accept that you are sorry for what you did. The consumption of alcohol is likely to have played a part in all of this, but that does not excuse or lessen the seriousness of your conduct.

As is frequently pointed out, the prevalence and devastating impact of violence perpetrated against women within relationships is well recognised across Australia by criminal courts and the community. Family violence is an insidious, prevalent and serious social problem. Your actions involved a breach of trust that is inherent within relationships.

Punishment and general deterrence are always powerful sentencing considerations in a matter of this nature.

I have concluded that a period of imprisonment is necessary to recognise the importance of such sentencing considerations, but I have also concluded that it is appropriate that I wholly suspend that period of imprisonment given the circumstances I have described.

I make the following orders. You are convicted of the crime of assault. You are sentenced to imprisonment for a period of seven months. That sentence will be wholly suspended for a period of 18 months from today on condition that you do not commit any offence punishable by imprisonment in that time. I warn you that the law is, upon breach of a condition of a suspended sentence being proved, a judge must activate the sentence unless it is unjust to do so.

Pursuant to s 13A of the *Family Violence Act*, I direct that the crime be recorded on your criminal record as a family violence offence