

**STATE OF TASMANIA v JOEL ROBERT PURDON
COMMENT ON PASSING SENTENCE**

**13 OCTOBER 2025
SHANAHAN CJ**

Joel Robert Purdon, you have pleaded guilty to the single count of assault contrary to s 184 of the *Criminal Code* 1924 on indictment 190/2025. The matter has a lengthy history. The relevant events occurred in June 2022 now over three years ago. It is to be regretted that these matters take as long as they do.

The assault, the subject of the indictment, was captured on CCTV, and a copy of that CCTV was taken into evidence on sentencing as Exhibit A. The CCTV footage was played to the Court on the sentencing hearing. There were two clips on the disc, the first showed the assault and the second showed when the complainant entered his unit went into the bathroom and collapsed on the floor.

It was put by the State, at the sentencing hearing on 19 September 2025, that you initially pleaded not guilty on 2 May 2024 after numerous appearances in the Magistrates Court. Further, that you had your first appearance in the Supreme Court on 18 June 2024, and then went on to have nine further appearances in the Supreme Court and did not plead guilty until 11 August 2025.

It was accepted at the sentencing hearing by your counsel that there was some delay in resolving this matter. The explanation in relation to that, was that there was a significant delay in the provision of disclosure, specifically in relation to the CCTV footage. There was also a consequential delay in taking instructions in relation to this matter. It was put on your behalf that you have ultimately pleaded guilty and that you have accepted responsibility for your offending. As I indicated on the sentencing hearing, a plea of guilty always has utilitarian value, and that will always be taken into account on sentence.

You were born on 9 March 1999, and you are currently 26 years old.

The complainant is Nathan Dean Tatnell, who was born on 20 November 1985, he is some 14 years older than you. Prior to the offending, you and the complainant were known to each other.

At the time of the offending, you were both prisoners at the Risdon Prison Complex and were residents of the Rosebery Alpha and Barrington Charlie Units respectively. Each unit has its own telephone system.

On 2 June 2022, at approximately 3.30 pm, the complainant was standing on the upstairs level of Barrington Charlie Unit. At the same time, you were walking backwards and forwards on the concrete footpath below, whilst looking up at the complainant.

Shortly after, you ascended the staircase and moved in the direction of the complainant. The complainant waved his arm, gesturing for you to leave, and leaned against one of the seats, placing both of his hands in his pockets.

Immediately prior to the assault, you and the complainant had had an argument in relation to the Arunta telephone system in the Barrington Charlie Unit. The complainant wished to use the telephone system but was unable to do so because you were using it.

The complainant asked you why you were not able to use the system in the Rosebery Alpha Unit. You immediately became aggressive and clenched both your fists.

You approached the complainant and pushed him using your body. The complainant stood up and pushed you backwards using both of his hands. You and the complainant then began to grapple with each other and grabbed each other's clothing. You then punched the complainant to the face using your right fist and the complainant stumbled. The complainant then grabbed you by your throat and held you against the railing of the upstairs level.

The complainant held you against the railing for approximately three seconds before releasing you, and you went to the Rosebery Alpha Unit.

Immediately after the assault, the complainant entered the Barrington Charlie Unit and went into the bathroom. The complainant leaned up against the wall before collapsing on the floor. Prisoner, Nathan Rossiter, as well as another unidentified prisoner, arrived to assist the complainant. They reported the assault via the intercom system and applied compression to the complainant's face using towels.

A few moments later, correctional officers, as well as the dedicated response team and the Correctional Primary Health Services also arrived to assist the complainant.

The complainant provided his account to prison staff, and they escorted him to the healthcare centre for treatment. The complainant rated his pain at a seven on the zero to ten pain scale, and was given oxycodone and paracetamol. He returned to his cell at the Barrington Charlie Unit and later reported experiencing nausea and vomiting.

Whilst Correctional Primary Health Services staff were assisting the complainant, correctional officers and the dedicated response team entered the Rosebery Alpha Unit seeking to locate you.

Once inside the Unit, some identified prisoners informed the correctional officers that you had assaulted the complainant and that you were walking outside the Unit. Shortly after, they located you outside and placed you in handcuffs. You were escorted to the medium security unit and placed in one of the prison's holding cells.

At the time that you were located, you admitted to correctional officers and dedicated response team, that the assault occurred due to an argument between you and the complainant in relation to the telephone system.

Whilst inside the holding cell, you asked correctional officers to clean the complainant's blood from your clothes, and they asked you if you wished to be transported to the healthcare centre, but you refused. You were also invited to participate in a record of interview, but you declined. On 3 June 2022, prison staff escorted the complainant to the Royal Hobart Hospital for further treatment. The complainant had his wounds dressed and underwent a CT scan of his head. As a result of the attack, the complainant sustained a two-centimetre wound to his left eyebrow, a fracture to his left eye socket and blurred vision to his left eye. The complainant also sustained numbness to his left cheek, bruising to his left eye and left temple, and a headache behind his left eye and left forehead, as well as a small wound to his chin.

The injuries suffered by the complainant demonstrate the ferocious nature of the assault.

You have spent 409 days in custody in relation to this matter. Of that time, I understand that 260 of those days have been allocated and 149 of those days are unallocated. Since the sentencing hearing on 19 September, a further 24 days have elapsed making the total of unallocated days now 173 days or some five and a half months. Any term of imprisonment should be back dated to 23 April 2025.

Focussing on your prior convictions as an adult you have a very significant criminal history. The State put it in the following terms: convictions on six counts of common assault, one count of aggravated burglary, one count of discharging a firearm from a public place, one count of possessing a loaded firearm in a vehicle in a public place, one count of possessing a firearm when not the holder of a firearm licence of the appropriate category, and one count of possessing ammunition when not the holder of the appropriate firearm licence, one count of destroying property, two counts of injuring property, two counts of resisting a police officer, four counts of evading police in aggravating circumstances, 14 counts of breaching bail, two counts of contravening the conditions of a notice, one count of failing to appear and two counts of escape.

In terms of sentencing disposition, you have previously been in breach of six suspended sentences and two community service orders. I accept the State's submission that a suspended sentence or community service on their own are unlikely to be effective.

I have read the complainant's victim impact statement and his description of the assault and impacts on him.

Unsurprisingly perhaps, the State's submission, focussed on the importance of general and specific deterrence. Specific deterrence because you have a poor history of offending using physical violence, and general deterrence because deterring others from engaging in similar violent attacks is of some social significance. It was put that the assault was serious, and your responsibility was high.

Further, in-mate violence in prisons cannot be tolerated because it adversely affects the discipline and proper management of the prison. It also has resource implications in correctional facilities and puts other inmates at risk.

In mitigation it was put that you are a 26 year old Aboriginal man, and that you were 23 at the time of this offending. You grew up in Geeveston in the south of the State. You were raised by your mother and you were raised with four siblings. I am told you suffered abuse and emotional trauma from your childhood, and that your parents separated prior to your birth. I understand that you did not have any contact with his father until you were seven years of age.

Your mother has re-partnered. It was submitted that you were the subjected of physical abuse at the hands of your stepfather. You have a good relationship with your mother, and she is supportive of you. At 17 years of age, you lost one of your brothers, with whom you were close, to a motorcycle accident. Your instructions to your counsel indicated that you have struggled to cope with that loss, and that remains something for you to deal with.

Your father passed away in 2019 when you were 20 years of age, I am told that you had reconnected with your father later during your childhood, and that you were close to your father

at the time of his passing. You were in custody at the time of your father's death and you were not granted permission to attend the funeral. I am told that this has had a continuing impact on your mental health because you were released only one month after the funeral had occurred.

You have one child a daughter who's 16 months of age. She lives with your ex-partner. I am told that you speak to your ex-partner and your child from custody on every occasion that you can, that is when you are not when he is not in lockdown. I am told that your ex-partner is willing to share care of your daughter with you once you are released, and that this prospect is driving your rehabilitation.

You have a long history of drug use. You commenced using cannabis at the age of 13. Methamphetamine and morphine followed at the age of 17, it was implied that occurred after your brother's passing.

I am told that your offending is directly related to your drug use, and that drug rehabilitation is something that you have attempted over the years. Prior to being released from custody in 2024, you were able to access the suboxone program, however, your counsel submitted that you were not provided any information as to how to access that once released. You then relapsed into drug use and continued to offend, and you were then remanded in custody again.

You have accessed the suboxone program again whilst in custody. I am told that you have prepared for your release by seeking information as to how to access the suboxone program in the community. It was put on your behalf that drug rehabilitation will break the cycle of your offending. Certainly, at this point in your life you have a consistent pattern of re-offending on release from custody.

An email from Serenity House was tendered on your behalf at the sentencing hearing indicating that you have been allocated a bed at that service I was told that provides you with accommodation for approximately a two-week period. Then the program transfers to Missiondale, which is in Evandale located near to Launceston. That program is six months, I believe. It is unclear to me exactly what program is proposed as it was put that you would be sentenced by way of a drug treatment order in the Magistrates Court and be released into a residential facility. I can only be responsible for the sentencing disposition in this Court. I understand your desire to be eligible for a drug treatment order in the Magistrates Court.

I noted several times during the sentencing hearing that you have had no treatment or assistance with anger management. I was told that your offending in its various manifestations stems from your drug use, I am unconvinced of that proposition. I was told your offending whilst in prison was not drug affected. That suggests that there's an impulsivity or a spontaneity about your anger, which means that you are not controlling it. Any underlying anger management issue needs to be addressed. It was put to me that a drug treatment program will address underlying causes for your offending, and that any issue you have with anger will necessarily be addressed.

I was urged to consider imposing a term of imprisonment with the balance suspended. I was told that was because you are being assessed for a drug treatment order in relation to summary

matters that you have outstanding. It was submitted that you have been in contact with residential rehabilitation facilities, being the Salvation Army Bridge Program and Serenity House.

Your youth makes rehabilitation a primary sentencing consideration. I understand that you were sanctioned whilst in prison for this assault and you spent seven days in the 24-hour lockdown unit. You were then moved to maximum security, even though at the time you were classified as a medium security prisoner. Your access to the canteen was restricted. Whilst in prison you were subject to lockdowns which affected your ability to access services or telephones. Of course, the manner in which you were dealt with in prison at some level reflects your conduct whilst incarcerated. I was told that your anger management issues can be engaged through a drug treatment order, and further that you could not access the services you need whilst a maximum security prisoner.

Joel Robert Purdon, you are convicted on your plea of guilty to the single count on the indictment. I have set out the facts and the matters relied upon by the State and the points put in mitigation. This was a pointless and vicious assault which appears to have grown out of a dispute about the use of a telephone. That suggests you have an entrenched issue with anger management, whatever difficulties you may have with drug use. You have an extensive criminal history which is said to be linked to drug use, it is to be hoped that you receive treatment in that area. It has been put to me that you are hoping to be sentenced by way of a drug treatment order in the Magistrates Court, that is not a matter for this Court.

The complainant in this matter Mr Tatnell suffered significant injuries and I have had regard to the matters raised in the victim impact statement. A term of imprisonment is inevitable, but I will back date that term to 23 April 2025. I impose a single sentence being a term of imprisonment of 12 months but suspend the last six months of that term for a period of 2 years.