

STATE OF TASMANIA v SCOTT IAN DOUGLAS
COMMENTS ON PASSING SENTENCE

20 November 2025
JAGO J

Scott Ian Douglas, a jury has found you guilty of one count of persistent family violence. Ultimately the determination of the factual basis of sentence is a matter for me, however, it is a necessary implication that flows from the jury's verdict, that in substance, the jury accepted that the complainant provided an honest and reliable account of the critical events. With one qualification, I also accept that the complainant gave an honest and reliable account, and my findings of fact will be informed by an acceptance of her evidence.

The complainant was your wife. You had been in a relationship with her for approximately 17 years. You had two children together, a son aged 12 and a daughter aged 7. By December 2021, your relationship was plagued with difficulty. You worked away on a week on/week off basis and it seems you had developed a paranoia that the complainant was cheating on you. You would regularly accuse her of this, you would demand that she telephone you whilst you were away working so you could determine where she was, you would become angry with her if she wanted to leave the house to visit friends, and you would access her electronic devices to check for messages. This unfounded paranoia concerning the complainant's fidelity seems to have been the catalyst for the violence that you perpetrated on your wife. The State relied upon ten specified occasions of violence, which occurred on five separate dates between December 2021 and 19 March 2022.

The first occasion occurred shortly prior to Christmas in December 2021. You, the complainant and a friend, Megan, had attended a neighbour's house for Christmas drinks. Whilst you were there, you accused the complainant of flirtatious behaviour and suggested she was cheating on you. When she denied any wrongdoing, you grabbed her by the throat area with a hand and applied pressure for a couple of seconds before releasing her. You then left the neighbour's home and returned to your home. Shortly after, the complainant and Megan also returned home. The complainant and Megan went to bed in the main bedroom. At that point, you were out in a shed at the rear of the property. Your son and daughter were at the home, as were Megan's children.

Sometime later, you entered the bedroom and again began accusing the complainant of infidelity. You were angry. You demanded to see her phone and laptop. Wanting to appease you, she gave you her devices. You took them into the loungeroom and began looking through them. The complainant followed you into the lounge area. You told her that you were looking to see who she had been speaking with or messaging. A verbal argument followed. You grabbed the complainant and pulled her to the ground. You then sat on top of her, placed both hands around her throat and began to squeeze. The complainant found it hard to breathe. She was struggling to free herself from your grip. This is the second occasion left to the jury. Whilst you were sitting on top of her, you also punched her hard to the left side of her face. This is the third occasion relied upon.

Around this time her friend, Megan, came out of the bedroom and into the loungeroom. She yelled at you to stop. You did so. You then returned to the shed. Megan took photographs of the complainant following this incident. They show that the complainant was left with marks on her neck, bruises to her chest area and bruising and redness to her face.

As noted, there were several children in the home when these incidents occurred, and whilst there is no evidence to suggest they awoke during the incident, the fact that you were prepared

to perpetrate these assaults irrespective of the potential for them to wake and see their mother being assaulted by their father, speaks to your level of anger and loss of control.

The next episode of violence occurred in February 2022. The complainant's sister and her husband had been at your home for dinner. After dinner, the four of you again went to your neighbour's home for drinks. All of you were consuming alcohol. The complainant returned home and went to bed. When you returned to the home, you were angry and accused the complainant of doing something inappropriate with her sister and brother-in-law. An intense verbal argument followed. The complainant got out of bed. You grabbed her around the throat, up under the chin area, and squeezed. You lifted her off the ground. The complainant could not breathe. The complainant was hitting you trying to get you to let go. Eventually, you did. The complainant left the home and went and sat outside her parents' residence for a time, before returning home. When she returned, you acted as though nothing untoward had occurred. This is the fourth occasion relied upon by the State.

Occasions 5, 6 and 7 all occurred on 14 March 2022. On this day, a verbal argument occurred. You began chasing the complainant around the house. At one point, you grabbed her by her hair and dragged her heavily to the ground. She was left with a sore head. After this incident, the complainant left the house intending to drive away in her car. As she went to do so, she noticed you standing near the front door waving at her. She believed that you were taunting her, so she returned to the residence. By this time, you had gone inside and locked the front door. She banged on it. When you opened it, the complainant slapped you in the face. You responded by placing two hands around her throat and lifting her off the ground for a few seconds. Again, the complainant's breathing was impacted. This was the sixth occasion relied upon. You put her down. The complainant asked you whether it could all stop. You responded by saying words to the effect of "[**Name of complainant**], stop bashing me", presumably because the children were in the lounge room area, and you were wishing to convey to them that it was their mother who was being violent. Seeking to somehow involve or alert the children to what was occurring highlights your high level of moral culpability.

The complainant left the house again. She returned 15-20 minutes later and went to lay in bed. Shortly after, you entered the bedroom. You asked the complainant if you could talk. She did not wish to do so. You pushed her head down into the pillow and held it there for a period of time. Whilst doing this, you said to her that you had an axe in the shed and would cut her throat. This assault is the seventh occasion relied upon.

The eighth specified occasion of violence occurred on 19 March 2022. The complainant told you that she was going to visit her friend, Megan. You became upset about that. The complainant gave the children their evening meal and then went to the bedroom. She was lying face down on the bed when you entered and placed your forearm onto the back of her neck and pressed her face down into the bed. You applied pressure to her neck for about five seconds. You said to her words to the effect of "See, this is what you make me do. You make me angry". The complainant told you to leave her alone. When this assault occurred, the children were again in the home. There is no suggestion they witnessed your violence, but it is an aggravating feature of your conduct that you continually perpetrated the violence whilst the children were nearby. You obviously had scant regard for their well-being and the risk that they may be confronted by your violence.

The complainant and the children went to her friend's home. The complainant returned at around 10.30pm with your daughter. Your son had stayed at the friend's home for a sleepover.

Shortly after the complainant arrived home, an argument commenced. You locked yourself in the bathroom. The complainant knocked on the door. You unlocked it. As the complainant went to push the door open, you pushed it shut. Her hand was jammed between the door edge and the door jamb. This caused her pain, and she started crying. Your daughter was in the immediate vicinity, and you covered the complainant's mouth with your hand to try and quieten her because the child was becoming upset. At the time you said to the complainant that you did not mean to jam her hand, and that you had not appreciated that her hand was between the door edge and door jamb.

I cannot be satisfied beyond reasonable doubt that you intentionally jammed the complainant's hand in the door. The manner in which she described having her hand positioned on the edge of the door when she opened it was unusual. It was not where one might necessarily expect a hand to be if they were opening a door that swung inwards. Whilst I accept her hand was, in fact, jammed, I cannot exclude as a reasonable possibility that it was accidental. I think it is possible that you did not appreciate where her hand was positioned. I am not satisfied that this incident is an occasion of unlawful family violence.

The final occasion relied upon by the State was an occasion where you kneed the complainant to her genital area in the hallway of the home. There had been an argument about wedding rings. As you walked towards the complainant, you kneed her in the genital area. This caused her pain. She started crying and fell to the floor. This incident happened immediately outside of your daughter's bedroom, when your daughter was in there. There is the very real prospect that your daughter both saw and heard this incident.

After the incident on 19 March, the complainant called her friend. She was upset. Her friend called police. When police attended, they found the complainant sitting in the driveway, distressed and crying. The relationship came to an end following this incident.

The complainant suffered several injuries as a consequence of your violence. In respect to some of the incidents, she was left with considerable bruising and general soreness. I have also received an impact statement from her, which sets out the significant and ongoing psychological and emotional impact your conduct has had upon her. The complainant particularly notes the impact your behaviour had on the family unit, and the difficulties associated with explaining the situation to the children. It is well recognised that the exposure of children to family violence, almost inevitably, has a deleterious impact upon their development and psychological well being. As noted, whilst there is no evidence that either of your children saw any of the violence, it is a distinct possibility that in respect to at least one of the occasions your daughter did, and it is highly likely that they heard some of the violence. In my view, it speaks to the intensity of your anger and jealousy that you perpetrated violence whilst the children were present in the home and were willing to take the chance that they may be exposed to it.

Your behaviour was not only physically harmful, but it was degrading. You constantly accused the complainant of being unfaithful. You made a number of derogatory comments to her about her appearance. You would call her names and verbally abuse her. You threatened her. You suggested that she was somehow to blame for your violent conduct. Towards the end of your marriage, your behaviour towards your wife was simply dreadful.

You are soon to be 46 years of age. You have no relevant prior convictions. Your criminal history consists of traffic matters and some offences under the *Misuse of Drugs Act*. You have

a strong employment history. You have spent considerable time working in the mining industry. You are a qualified fitter and turner. You have always been well regarded in your employment. There has been a considerable delay associated with this matter coming on for trial. During that time, you and the complainant have divorced. Following the divorce, you had shared care of the children. You have developed a new relationship in the last 12 months. I am told that is a positive relationship.

The family violence perpetrated by you was very serious. Whilst the family violence occurred over a relatively short period towards the end of the relationship, given you worked on a week on/week off rotation, when you were at home, the violence must have been reasonably frequent. Whilst all the occasions of violence were serious, the occasions where you applied pressure to the throat of the complainant were particularly so. Acts of this nature are inherently dangerous and can easily result in serious injury or death, particularly when committed by a person in a state of high emotion and anger, and therefore unable to appropriately judge or moderate the force being applied.

Family violence is a matter of great concern to not only the Court but the community at large. Its insidious nature and controlling effect means that it often remains hidden within the relationship. That is exactly what occurred here. The complainant was reluctant to disclose what you were doing to her because she wanted to protect the children and was embarrassed about what was occurring. Family violence is simply unacceptable, and it must be condemned and punished by the Court. General deterrence and denunciation are primary sentencing considerations.

There is little which mitigates your behaviour. You did not desist with this conduct. It only came to an end when the complainant alerted her friend to what was occurring, and she was wise enough to alert police. You have not demonstrated any remorse nor insight and you are not entitled to the benefit of a plea of guilty. The only possible sentence is a term of imprisonment.

I make the following orders. You are convicted of the crime of persistent family violence and sentenced to a term of imprisonment for a period of three years. I order that you are not eligible for parole until you have served one-half of that period of imprisonment. That period of imprisonment will commence as of 24 October 2025.

Pursuant to s 13A of the *Family Violence Act*, I direct that the crime of persistent family violence be recorded on your criminal record as a family violence offence. I am not satisfied it is appropriate to make a serial family violence offender declaration and I decline to do so.