

Ms Langton, you have pleaded guilty to one count of wounding.

You committed the crime on 11 December 2024. You were homeless at the time and had attended the Vinnie's fan in Civic Square in the late afternoon. A number of other people had gathered there. One of those people was the complainant, who you recognised as a man who had sexually assaulted you a few weeks earlier. You had not expected to see him there and you became distressed upon doing so. You loudly and publicly accused him of the assault. A few minutes later, as he was seated on a bench, you approached him from behind and stabbed him twice in the lower back with a kitchen knife. The stab wounds were between 1.5 and 2 cm deep. He was transported by ambulance to hospital where the wounds were sutured. He has not provided an impact statement and there is no suggestion that he has suffered any lasting effects.

Clearly, your conduct was inherently and objectively serious. Your use of a weapon to stab this man is very concerning. The stabbing did not cause any lasting serious injury but it could have had much worse consequences. Further, it occurred in public and may have been witnessed by other people. Although you were upset because of what he had done to you, the fact that you decided to take the law into your own hands in such a violent way actually increases the objective seriousness of the crime. There is a need for a sentence which emphasises general deterrence.

You are now 53 years of age. You have a limited criminal history, which consists primarily of traffic offences. Prior to this matter, the only offences related to violence on your record were a minor assault committed 13 years ago and some more recent offences against police, for which you received a modest fine. The psychologist report presented to me demonstrates a pattern of declining mental health which has accelerated over recent years. This has been contributed to by a number of difficult experiences in your life, including a traumatic incident which occurred when you were aged 20, which has resulted in post-traumatic stress disorder, the breakdown of your long-term marriage and the fact that you have been prevented from having contact with your children, with consequent social dislocation, financial destitution and homelessness. You also suffered an acquired brain injury as a result of being struck in the head with a baseball bat a couple of years ago. You have also now been diagnosed with late onset bipolar disorder. At the time that you committed this crime, you were homeless, in poverty and suffering from the cumulative effect of these various conditions of mental illness. The distress arising from the sexual assault and your recognition of the complainant as the perpetrator was compounded by your mental state. The psychologist considers that you had impaired mental functioning at the time of the crime and that this causally contributed to your violent reaction. I agree that your mental state is a significant factor which mitigates your moral culpability for what objectively is a very serious crime.

You have now been in custody since 20 February 2025. You have been held on remand in respect of this matter and also for an unrelated allegation of crime, in respect of which a jury acquitted you two weeks ago. Clearly, all of the time you have spent in custody ought be attributed to this matter. In my opinion, you have now spent enough time in custody, although the actual sentence given the objective seriousness of the crime and the need for general deterrence will exceed the time spent by you in custody. In the circumstances, I think the appropriate sentencing formulation is the one suggested by your counsel, namely a sentence which will see you released immediately with the balance suspended on condition that you do not commit any further offence

punishable by imprisonment. Further, upon reflection, although you have developed a strong relationship with a supportive organisation while in prison which will continue after your release, I think some ongoing supervision would also be useful and will assist with your transition into the community. Accordingly, I will include supervision as a further condition of suspension of the balance of the sentence.

The orders I make are as follows:

- 1 You are convicted of the crime to which you have pleaded guilty;
- 2 You are sentenced to imprisonment for a term of 18 months, which will be backdated to 20 February 2025. The balance of the sentence from now will be suspended for a period of 12 months on the following conditions:
 - a that you are not to commit another offence punishable by imprisonment during that period.
 - b that you will be subject to the supervision of a probation officer. You must comply with this condition for a period of 12 months. That condition will commence from today. The court notes that the conditions referred to in s 24(5B) of the *Sentencing Act* apply to this condition. These include that you must report to a probation officer within three clear days of today. In addition to the core conditions the order shall also include the following special conditions:
 - (a) *you must, during the operational period of the order,*
 - i *attend educational and other programs as directed by the Court or a probation officer;*
 - ii *submit to the supervision of a probation officer as required by the probation officer;*
 - iii *submit to medical, psychological or psychiatric assessment or treatment as directed by a probation officer;*