

STATE OF TASMANIA v RHYS GORDON BARWICK
COMMENTS ON PASSING SENTENCE

8 APRIL 2026
SHANAHAN CJ

Rhys Gordon Barwick you have been convicted on your own plea of one count of aggravated burglary contrary to s 245(a)(iii) and two counts of demanding property with menaces with intent to steal contrary to 242 of the *Criminal Code* 1924 ("Code").

You were born on 31 December 1999 and you were 23 years old at the time of your offending.

The complainants are Bethanie Louise Taylor, born 23 August 1997, Emily Jane Free, born 23 August 1997 and Dylan Anthony Brian Burnett, born 15 March 1995. At the material time you were in an on-again-off-again relationship with Ms Taylor for some 8 years prior to your offending.

On 19 August 2023 at approximately 11 am, you and Ms Taylor broke up via messages on the application "Snapchat".

Throughout that day you and Ms Taylor continued to send each other messages over Snapchat. You sent Ms Taylor a number of messages alleging that she and Ms Free owed you money and complaining that you did not have any money.

You sent Ms Taylor threatening messages, for example, at 12:25 pm:

"You go out town tonight, you're fucking dead, both of you".

At 12:31 pm you sent a love emoji and then said, with three laughing face emojis:

"I'm going to slit your throat, right".

and:

"I'm not".

At 4:19 pm in a further message, along with three laughing emojis, you said

"I actually want to hold a knife to your throat, but that would probably make you wet".

At approximately 5:30 pm, Ms Taylor, Ms Free and Mr Burnett were at Ms Taylor's sister's house at [address specified] in Chigwell. At approximately 6 pm Ms Taylor and Ms Free left the address to pick up Ms Taylor's father.

Whilst they were out the power to [address specified] went out. At around 6:20 pm, Ms Taylor and Ms Free returned to that address and turned the power back on at the power box located outside the front door.

Approximately 10 mins later you turned the power to that house off.

At 6:34 pm you sent a Snapchat message to Ms Taylor , to the effect:

"You want the power back on? I see you".

Ms Taylor opened the front door and saw you standing there. You pushed past Ms Taylor and walked into the lounge room where Ms Free and Mr Burnett were sitting. You pulled a hunting knife from your pocket, the knife was some 25 centimetres long. You swung the knife around in the lounge room and said to Ms Taylor, Ms Free and Mr Burnett "give me money" or words to the effect.

You grabbed Ms Taylor's arm, forced her into the bathroom and locked the door. You stood in front of Ms Taylor and pushed the sharp edge of the knife blade against her neck and said "give me money". You then stood behind Ms Taylor put your arm around her neck and pressed the point of your knife against her neck. Ms Free attempted to open the bathroom door but was unable to do so. Ms Taylor threatened to call the police. You exited the bathroom went to the lounge room and took Ms Free's vape from the table and then left the house.

Mr Burnett then called the police who arrived a short time later. Police took statements from each of the three complainants. Ms Taylor did not suffer any physical injuries.

On 20 August 2023 you were offered the opportunity to participate in a police interview but exercised your right to silence. You were arrested, charged, bailed and served with a police family violence order.

It was submitted by the Crown that I record each of these three offences as family violence offences pursuant to s 13A(1) of the *Family Violence Act 2004*.

The definition of a "family violence offence" is "any offence the commission of which constitutes family violence.". "Family violence" is defined in s 7 of the *Family Violence Act*. Relevantly, that definition includes, at s 7(1)(a)(ii), any conduct committed by a person directly or indirectly against that person's spouse or partner, including "threats, coercion, intimidation or verbal abuse".

I am satisfied under s 13A(1) of the *Family Violence Act* that each of these three offences was a "family violence offence" committed in the context of your relationship with Ms Taylor, involving entering as a trespasser into [address specified] with intent to commit the crimes of stealing and/or assault therein, and demanding money with menaces with intent to steal. I will direct that each of the three offences be recorded on your criminal record as a family violence offence.

You have pleaded guilty to these offences but your plea was not an early one, the matter had been prepared for trial, and you were arraigned, as your trial was about to start.

There are no victim impact statements before the Court but it is very easy to infer how frightening this incident must have been for each of the complainants, especially Ms Taylor when you placed a knife against her throat having made threats to kill and turning off the power to the house.

Your actions were not without some premeditation, the messages you sent demonstrate your escalating mood culminating in your physical presence at the property. Turning off the power to the house suggests an intent to terrorise and frighten the complainants. This is not spontaneous offending.

It was submitted that this is a matter where general and specific deterrence as well as vindication of the complainants has a role to play.

I was told that as at 2 February 2026 there was 260 days unallocated and that calculation was accepted by your counsel. There have been a further two months and 6 days since the 2 February 2026, some 66 days, making a total of 326 days – almost 11 months. I will back date any sentence of imprisonment to 18 May 2025.

Prior to this offending the Crown submitted that you have one prior conviction for an aggravated burglary, and one for stealing. You were sentenced on 20 February 2024 to an undertaking that you be of good behaviour.

It was put that subsequent to the offending in this matter, your record comprises predominantly family violence related offending. That offending was against Ms Taylor or a subsequent partner, Ms Hales.

I was taken to s 29A of the *Family Violence Act* which applies where a person is convicted of a family violence offence. That section requires me to declare such an offender to be a serial family violence perpetrator if the terms of s 29A(2) are satisfied. In that regard I was taken to s 29A(2)(b) which requires such a declaration where, at (ii), the offender has on that conviction "been convicted of at least 3 family violence offences, whether indictable or summary, with at least 3 of those offences being committed on different days".

The dates I was taken to were (i) on 24 November 2023 you were convicted of four counts of breaching a police family violence order, one count of destroy property and one count of trespass, offending that occurred on 10 September 2023; (ii) on 29 January 2025, you were convicted of breaching a police family violence order on 5 May 2024, and (iii) on 30 May 2025 you were convicted of 25 counts of breaching an interim family violence order on 25 separate dates between 1 December 2023 and 20 February 2024. On that basis it is put that there is a foundation for a declaration under s 29A(2) of the *Family Violence Act* that you are a "serial family violence perpetrator". Of course that does not take into account the offences for which I am to sentence you today.

In mitigation your counsel explained that you are now 26, that you are single and, when released from custody, that you intend to reside with your father at your father's property at [address specified] in Magra, outside New Norfolk.

By way of explanation for the offending, it was said that it was to recover money that had been taken from you when asleep the previous night.

I was told that from 18 August 2023 you were staying at [address specified] with Bethany Taylor, who was your girlfriend at the time. Later that afternoon, you, Ms Taylor and Ms Free decided to go into the Hobart city and you caught an Uber into the city, which was paid for by you. You were working as an apprentice diesel mechanic at that time. The other two did not have any money.

I am told that you all went to a number of licensed premises in the Salamanca area, where you were all drinking alcohol. You then went to an organised Airbnb in Sandy Bay. All of you went inside. You laid on the couch. And I am told that is the last thing you remember. It was said that you had a wallet, which contained fifty-dollar notes to a total value of nine hundred dollars when you went to sleep, and that wallet was zipped in your jacket. I am told that when you woke around 7.30 the next morning, you got off the couch and went looking for the two girls, but they were not at the house. You picked up your mobile phone, went through the phone to see whether there were any messages from them. There were no messages. You then went onto "Snapchat" where you saw two new photos saved in your gallery. The photos

showed you asleep on the couch and both girls were standing behind the couch. One of them had extended their arm to take the photo. You then noticed that your wallet had gone and the contents had gone.

I was then told that you left and went to an address in Lindisfarne to see a friend. Then there was contact by you with Ms Taylor by social media, and that became quite acrimonious. You then went to Corranga Drive getting there round about 6 o'clock. I didn't receive any explanation as to why you took a knife with you. I find, consistently with the statement of facts, that you took the knife to scare the complainants.

I am not in a position to sift the account proffered on your behalf other than to observe that nothing described to the Court could justify your taking a knife to the premises at Corranga Drive with the intent to scare the complainants. I find that was your intent as that is consistent with the messages you sent, the turning off of the power to the house and your conduct whilst in the house.

Your offending was serious and could easily have ended in tragedy.

Your counsel then provided an account of what occurred after you left the premises. I was told you went to Brighton where you used your phone to get two hundred dollars. You then drove back to Corranga Drive that evening and walked into the house at about 9 pm. All three people were still present. You were asked whether you wanted a drink, you drank some alcohol, and then all four of you then went into the city in an Uber, where you visited several licensed premises. You later went back to Corranga Drive where it is said your relationship with Ms Taylor was re-engaged.

The next morning, you were picked up by your father. Your father explained to you that police had been to your father's house looking for you, and you then went to the New Norfolk Police Station where you handed yourself in to police. You were then charged and bailed. I was told that the relationship between Ms Taylor continued until August of 2024, during which time you often stayed at [address specified] where you were welcome.

Having heard that account from your counsel I queried whether it was accepted by the Crown. I adjourned for two weeks to allow the parties to identify what parts of that account following the commission of these criminal offences were accepted by the Crown.

On re-convening the Court it was explained that the Crown accepted that you had returned to the premises on the relevant evening but that you had not been invited to do so and that the complainant, Ms Taylor, did not want you to be there and asked you to leave. It was accepted that the relationship between you and Ms Taylor continued until January 2025. Your counsel conceded that you had not been invited to return with the complainants on the night in question. I find that on that evening you returned to Corranga Drive, I also find that your relationship with Ms Taylor continued until January 2025. It appears clear that was a troubled relationship from time to time.

I received a home detention assessment report dated 30 October 2025. Your counsel indicated that you adopt the antecedent information in that report. The report notes that you had a traumatic childhood with exposure to family violence and illicit substance use. Your parents separated when you were aged four and you lived with your mother until age seven. Between the ages of seven and sixteen you lived with your father, until you were expelled from college for selling illicit substances to other students. You lived with your mother between the ages of

sixteen and eighteen. You have not had a relationship with your mother since you moved out. You reported a loving and supportive relationship with your father.

In that report, the description of your relationship with Ms Taylor suggests that an initially loving relationship became violent after you both began consuming illicit substances.

You were involved in five incidents of family violence between August 2023 and October 2025. You were found suitable for only one of the four options for home detention, suitable for community supervision and unsuitable for community service. The option that you were found suitable for, being home detention, would require you to reside at [address specified] in Magra at all times unless approved by a probation officer. I understand that property is owned by your father and you have resided at that address for the last 25 years.

You were educated to year 10 at New Norfolk High School. You are literate and report reasonable levels of reading and writing skills. You were diagnosed with anxiety, depression, borderline personality disorder (BPD) and schizophrenia in 2024. You are currently engaged with a psychologist and prescribed Diazepam and Venlafaxine. You have a history of polysubstance use including methamphetamine and cocaine. You reported being prepared to engage with targeted drug interventions.

Rhys Gordon Barwick, you are convicted on three counts on the indictment. These are serious criminal offences which require general and specific deterrence. They were committed against the background of a troubled relationship and a substantial history of family violence. As I have noted they could easily have ended in tragedy.

The nature of the offending as ultimately revealed through the sentencing process is too serious for disposition by way of a home detention order.

I impose one sentence. I sentence you to 18 months' imprisonment backdated to 18 May 2025, the execution of 6 months of which is suspended for 18 months on the condition that you commit no offence punishable by imprisonment for a period of 18 months from your release. That means you will serve 12 months of that sentence. In that regard I do not make you eligible for parole.

I also make the order suspending 6 months of your sentence subject to the supervision of a probation officer under s 24(2) of the *Sentencing Act* in which regard I make the following community corrections order. The conditions I impose in respect of that order reflect recommended conditions set out in the report. I make a community corrections order under s 42AN of the *Sentencing Act* to commence on your release, and operate for a period 12 months. That order will include all the core conditions under s 42AO of the *Sentencing Act* and the following conditions will also apply:

- 1 You must, during the operational period of this order, submit to the supervision of a probation officer as required by the probation officer;
- 2 You must, during the operational period of this order, maintain in operating condition an active mobile phone service, provide the contact details to Community Corrections and be accessible for contact through this device at all times;
- 3 You must not, during the operational period of this order, take any illicit or prohibited substances. Illicit and prohibited substances include:

- (a) any controlled drug as defined by the *Misuse of Drugs Act 2001*;
 - (b) any medication containing an opiate, benzodiazepine, bupropion, hydrochloride or pseudoephedrine, unless you provide written evidence from your medical professional that you have been prescribed the relevant medication;
- 4 You must not, during the operational period of the order, consume alcohol, and you must if directed to do so by a police officer or community corrections officer, submit to a breath test, urine test or other test for the presence of alcohol;
 - 5 You must, during the operational period of the order, submit to medical, psychological or psychiatric assessment or treatment as directed by a probation officer, and
 - 6 If directed by a probation officer, you must attend, participate in, and complete the EQUIPS Addiction Program as directed.

You must attend the Community Corrections office at Hobart for induction into this order. You must attend that service for induction during business hours and no later than 10:00 am on the first business day following your release.

The effect of the order under s 24(2) of the *Sentencing Act* is that the community corrections order works as a condition upon which the suspension of your sentence rests.

If you breach those conditions you may be brought back to the Court for re-sentencing and required to serve the balance of the term of imprisonment imposed today. By making those orders under s 24(2) I further acknowledge the seriousness of your offending.

I record each of the three offences for which you have been convicted as family violence offences pursuant to s 13A(1) of the *Family Violence Act 2004*. I am satisfied that a declaration of the type sought is warranted under s 29A(2)(c) of the *Family Violence Act* and I now declare you to be a "serious family violence perpetrator". Further, I direct that the declaration is to be recorded on your criminal record pursuant to s 13A(1A) of the *Family Violence Act* and will be in place for a period of 5 years.

I also make a final Family Violence Order for a period of 12 months from today with the following conditions, that you are:

- 1 Not to stalk Bethany Louise Taylor;
- 2 Not to directly or indirectly threaten, abuse or assault, Bethany Louise Taylor;
- 3 Not to be within 50 metres of, or contact, Bethany Louise Taylor directly or indirectly including by any form of electronic or other communication except during an appearance in court proceedings involving the parties, or discussions in the court precincts for the purposes of those proceedings and consented to by both parties;
- 4 Not to enter the premises where Bethany Louise Taylor is living or any place where she may be staying from time to time;
- 5 Not to go within 50 metres of the boundary of the premises where Bethany Louise Taylor is living or any place where she may be staying from time to time;

- 6 Not to damage the premises at which Bethany Louise Taylor is living, or staying from time to time, or any furniture, household effects or other items which are there;
- 7 Not to damage any personal or other property owned or possessed by Bethany Louise Taylor.
- 8 To immediately surrender any firearm, part of any firearm or any ammunition, and any firearm licence or permit in your possession to a police station or police officer;
- 9 Not to apply for any licence or permit under the *Firearms Act* 1996, and
- 10 To forfeit and immediately surrender any licence or permit held pursuant to the *Firearms Act* 1996 in your possession to a police station or police officer.