

STATE OF TASMANIA v QUADE MALAKYE CULLEN-JAGO
COMMENTS ON PASSING SENTENCE

8 JULY 2026
JAGO J

Quade Cullen-Jago, you have pleaded guilty to one count of assault. On 18 July 2024, you deliberately drove your motor vehicle at the complainant, who was standing on the nature strip of Chichester Drive in Devonport. You mounted the gutter and struck the complainant with the front passenger side of your vehicle, causing him to roll up and over the bonnet of your vehicle and strike the windscreen, before falling to the ground.

The background to all of this is that you and the complainant were known to each other. Your mother had been in a relationship with the complainant's father when you were aged approximately six. You and the complainant had lived together in the same household for several years during your childhood. The complainant is six years older than you. The complainant and his brother regularly taunted and bullied you and physically assaulted you during your childhood.

On the day in question, you were at your partner's house. Your partner lives in a unit complex that comes off Morris Avenue. The complainant and some of his friends were visiting other people within the same unit complex. You needed to leave the unit, so you and some of your friends got into your vehicle. The complainant's vehicle was parked in your way. You asked the complainant to move his vehicle. He became agitated and approached your vehicle. There was an argument. The complainant started accusing some of the other people who were with you of stealing money.

You drove your vehicle out onto Morris Avenue, near where it intersected with Chichester Drive. You stopped the vehicle in the middle of the road, and the complainant approached your vehicle, along with members of his group. At one point, one of the complainant's friends approached the driver's side window of your vehicle and tried to pull you from the vehicle. The complainant also attempted to hit your vehicle. You drove away from the area. As you did so, the complainant threw a glass bottle at your vehicle. This struck the rear windscreen and broke it. You stopped the vehicle, exited it and ran back towards where the complainant was. The complainant ran away. You then returned to your vehicle, and the complainant pursued you up the road. He was yelling at you. You got back into your vehicle, and the complainant threw another glass bottle at your vehicle. This bottle shattered against the vehicle. Up until this point I accept you were simply trying to leave the area, and it was the complainant who was behaving in an aggressive manner. What happened thereafter, however, was entirely unjustified and dangerous.

The complainant and his group remained near the intersection of Morris Avenue and Chichester Drive. You started to drive away, before performing a U-turn and driving back towards the intersection. By this point, the complainant and a female had moved onto the nature strip adjacent to the intersection. You mounted the gutter and drove up onto the nature strip. The female was able to move away. You drove at the complainant and struck him with the front passenger side of your vehicle and, as noted, he went up and over the bonnet, struck the windscreen, before falling to the ground.

You drove away. You then called police and waited for them in the nearby area. You were arrested and participated in a record of interview. You admitted to police what you had done. You said you were not trying to kill him, but that you had "lined him up". You said that you

had slowed to about 20 kph as you had to go up and over the gutter and you were not travelling quickly when you struck him.

I have not received a victim impact statement from the complainant. I am told that he did not sustain any serious physical injuries, but I have no doubt he found the incident distressing, even though I accept his behaviour in the lead up to it had been quite provocative.

You are 21 years of age. You were 19 when this crime occurred. You have a relevant prior criminal history. You have been dealt with in the Youth Justice Court in varying ways for four matters of assault. Two of them appear to be quite serious. One involved you kicking a person to the face and body repeatedly, whilst another involved you hitting a person to the neck with a metal bar. As an adult, you have convictions for using abusive language to a police officer, unlawfully possess dangerous article in a public place, destroy property and drive without proper control of vehicle.

Your personal circumstances have been described to me by your counsel, supplemented by a report prepared by Dr Michael Jordan. There is no question that you experienced a terrible childhood. Your biological parents separated when you were aged approximately seven. Thereafter, you had minimal contact with your father, and you have not had any meaningful relationship with him. Unfortunately, your mother suffered from significant substance abuse issues and that resulted in you being exposed to much adversity. You experienced violence at the hands of both parents, and at least one of your mother's subsequent partners. You were also exposed to drug use and, on occasion, violence from the drug associates who were a regular feature of your family home.

You were taken into the care of Child and Family Services when you were quite young, but the care you received in some foster placements was also abusive and traumatising. You were the victim of both sexual abuse and physical violence in foster care. Your upbringing caused significant disruption to your education. You went to a number of different primary schools at various times. Challenging behaviours were reported during your school years. You found schooling very difficult and did not complete it beyond Year 7. It is likely that you were suffering with ADHD, although not being appropriately treated for it. There is a suggestion in the material referred to by Dr Jordan, that such a diagnosis was proffered as likely in your early schooling years, but it seems there was not any ongoing treatment or counselling provided to you.

At one point during your childhood, you relocated with your mother and her then partner to South Australia. Your mother's partner was subsequently extradited back to Tasmania in respect to outstanding criminal charges. After the return to Tasmania, both your mother and her partner spent time in custody. You went to live with your grandmother for a period and this provided a degree of stability, but upon your mother's release, you returned to live with her. It was during that period that much of the Youth Justice offending occurred.

Dr Jordan notes that you were raised in "difficult, violent and chaotic circumstances". He notes that destructive and challenging behaviours were present from approximately five years of age, and it is likely you were suffering from ADHD. Additionally, he notes it is likely that you were experiencing periods of depression during your teenage years. You developed problems with substance use from a young age and you were drinking alcohol daily by the age of 15. Dr Jordan notes that there are features of PTSD recorded during some of the mental health

assessments that you participated in during your teenage years, and he opines that some of those features continue to persist to this day.

Dr Jordan also notes that whilst you are not considered to have a "full blown" personality disorder, it is likely that you have some borderline personality traits, consistent with exposure to childhood trauma. Dr Jordan opines the combination of these conditions, set against the violent and prejudicial upbringing that you endured, has led to you being impulsive and having difficulty in regulating your emotions. You have difficulties in trusting other individuals and can often respond in an aggressive manner when you feel under threat.

Dr Jordan is of the opinion that your "overall mental health conditions impacted upon your eventual decision to drive back towards the scene and ultimately assault the complainant with your vehicle." He considers that in that moment, the conditions from which you suffer, likely impaired your ability to make calm and rational choices.

Despite the significant challenges you have endured in your life to date, there are a number of positive factors. During your later teenage years, you were able to complete a building course and a Certificate II in hand tools. This led to you gaining full time employment in a tyre fitting company. You apparently did well during that employment. In the lead up to this crime, you were operating your own handyman business in Devonport, but that business came to an end when you were bailed to reside in Hobart. Your relationship with your then partner, and the mother of one of your children, also came to an end at that time. You have the ongoing support of your mother, however, who has now addressed her own difficulties.

I am told that you have reflected upon your behaviour, and you now appreciate the wrongfulness of it. You are very keen to address the root cause of many of your difficulties and are open to receiving support for both your mental health and your illicit substance use. You are very keen to return to employment; you see that as a positive stabilising influence in your life. You are hopeful that once you have achieved that, you will also be able to work on re-establishing a relationship with your daughter.

This sentencing exercise has some conflicting aspects. Clearly, your conduct was very serious and dangerous. You deliberately drove your vehicle at the complainant and, although I accept you were not travelling at high speed when the impact occurred, and no actual physical harm was occasioned to the complainant, the risk of very serious harm is obvious. There was sufficient momentum to propel the complainant up and over the bonnet and into the windscreen before he fell. You used your vehicle as a weapon, and it is entirely fortunate that more serious injury was not occasioned. You were in an agitated and emotional state by the time you drove your vehicle at the complainant. Your ability to measure the force of the impact with him, or control the consequences of the collision, was significantly diminished by your agitated state.

That, of course, must be balanced against your individual circumstances. As noted, you have had a most difficult upbringing, and it has left you with complex mental health conditions. In my view, your individual characteristics mean you are not a particularly appropriate vehicle through which to convey general deterrence to the broader community. In my view, the objective seriousness of your crime requires the imposition of a sentence of imprisonment, but given the circumstances I have outlined, and what I assess to be decent prospects for rehabilitation, bearing in mind your still young age and your past periods of stability, I am satisfied that it is appropriate to wholly suspend the sentence. I will impose a Community Correction order, with supervision, in the hope that it will provide you with some support.

I make the following orders. You are convicted of the crime of assault. You are sentenced to a term of imprisonment of six months; the whole of which will be suspended for a period of 18 months on condition that you are not to commit another offence punishable by imprisonment during that time. Additionally, I impose a Community Correction order, with an operational period of 12 months from today. The Community Correction order will carry with it all the core conditions, which includes that you must report to Community Corrections, Glenorchy, by no later than close of business tomorrow. The following conditions are also imposed:

- You must not commit an offence punishable by imprisonment;
- You must report to a probation officer as required by the probation officer;
- You must comply with the reasonable and lawful directions of a probation officer or a supervisor;
- You must not leave or remain outside of Tasmania without the permission of a probation officer; and
- You must give notice to a probation officer of any change of address or employment before or within 2 working days after the change.

I impose the following special conditions:

- You must, during the operational period of the order, submit to the supervision of a probation officer as required by the probation officer;
- You must undergo assessment and treatment for alcohol or drug dependency if directed to do so by a probation officer, including participating in residential rehabilitation if directed to do so; and
- You must, for the duration of the operational period of the order, submit to medical, psychological or psychiatric assessment or treatment or counselling if directed to do so by a probation officer.

Mr Cullen-Jago, you should clearly understand that the law is that upon breach of a condition of a suspended sentence being proved, a judge must activate it and make you serve it unless it is unjust to do so. Therefore, if you wish to avoid serving the prison sentence I have just imposed, you must strictly comply with the terms of its suspension. I strongly encourage you to engage with Community Corrections and take up the opportunity for support to give yourself the best chance of success into the future.