

Justin James Browne, you have pleaded guilty to the crimes of wounding, aggravated burglary and stealing. The crimes arise out of a violent home invasion, committed by you on 3 March 2023. On that day, you went to the home of the complainant. He was aged 57 years and was in poor health. You first went to his home in the afternoon. The complainant recognised you as someone with whom he had had some involvement many years earlier, but the two of you were not close friends. Nevertheless, the complainant invited you to have a drink with him. You did that before you abruptly left his residence via the backdoor and jumped into a neighbouring property. It seems you were behaving somewhat erratically, because the neighbour called police to report that you were banging on his door and causing him concern.

Some three hours later, after the complainant had retired to bed for the evening, he heard some tapping on his front door. He went and checked but did not see anyone there, so returned to bed. Approximately 15 minutes later, the complainant heard glass breaking at the front of his unit. He got out of bed and went to investigate. He saw you standing outside his unit, hitting his window with a hammer. You then forced your way into the unit and told the complainant you were going to kill him. You hit him to the forehead with the hammer. The complainant grabbed a piece of wood and tried to defend himself but was largely unsuccessful in doing so. He lost the piece of wood. You then hit him multiple times to the face, head and body with the hammer. Whilst you were doing this, you were calling the complainant a "dog" and accusing him of dobbing you in for something.

You demanded the complainant give you his television. When he refused, you again threatened to kill him. You grabbed the television and left the unit via the rear laneway. Meanwhile, the complainant's neighbour who had heard the violence, called police. They arrived a short time later. They found the complainant in the unit, badly injured. He told police that you were responsible for the attack and that you had stolen the television. The complainant was transported to the North West Regional Hospital. He had sustained multiple facial and scalp wounds. There was a six centimetre wound over the right forehead area, a wound over the nasal bridge, fractures to the outside wall of the hollow space in the bones around the nose, fractures to the left eye socket, a wound between the right index and middle finger, an abrasion over the front of the face, a bruise over the left shoulder and bruising around the right eye. The wounds were sutured and treated. The fractures were treated conservatively and did not require surgery. The complainant was hospitalised for two days for observation.

I do not have a victim impact statement from the complainant as he has since passed away. However, I have no doubt that the complainant found the ordeal quite terrifying. Not only did he suffer serious physical injury, but also, I suspect, considerable psychological harm. The very reason crimes of this nature are so serious is because of the potential impact on victims. At night, after the complainant had retired to bed, you invaded his home with a dangerous weapon. You had been there earlier in the afternoon and must have appreciated that he lived alone. You had a plan to steal. You forced entry to the property, using violence and then once inside, used additional extreme violence to achieve your purpose. The harm caused was bad enough, but quite frankly, given your repeated use of the hammer to strike him to the head and face area, it is most fortunate that more grievous injury was not the outcome. You were affected by drugs and/or alcohol when you committed this crime so your ability to measure the degree of force you were using, or direct the blows to a less fragile area, was significantly impaired.

You are 33 years of age. You have a long and relevant criminal history. You have been sentenced to imprisonment on several occasions. Your recorded criminal history involves matters of dishonesty, driving offences, offences against property, offences against police and bail offences. In respect to matters of violence, your criminal history is less extensive. You have prior convictions for common assault, but nothing involving violence to this extent.

I am told that much of your past offending has been associated with a long-term drug addiction and the excessive use of alcohol. It seems this criminal conduct had its genesis in the same difficulties. At the time you were using methylamphetamine heavily. I am told you have little recall of the incident itself.

I am also told that you now recognise that your drug addiction has been the bane of your existence. It has resulted not only in criminal conduct, but it has adversely affected your mental health, led to homelessness and fractured relationships within your family. Over the past two years or so, you have been trying hard to address your drug addiction. In November 2023, you participated in a drug withdrawal programme at Serenity House. You followed this up with a further stay at Serenity House in March 2024. Thereafter, you were an in-patient at the Bridge Residential Rehabilitation Programme for a period of two months. Despite these efforts, it seems you were not able to completely change your ways, because in the latter part of 2024, there was further offending, and you spent some time in custody.

Following your release from custody, you again entered Serenity House and then in December 2024 you were an in-patient at the Missiondale Programme for a period of two months. In July 2025, you were approved as a participant in the Bridge Residential Rehabilitation Programme, but before you could enter that programme, you were sentenced by me for the crime of perverting justice, which had occurred in June 2025, to a four-month period of imprisonment, commencing 25 October 2025. I also note that in March 2026, you were sentenced in the Magistrates Court for a number of bail and stealing offences that had occurred in September and October 2025.

Following your release from custody in February 2026, you re-entered the Missiondale Programme and stayed there until June 2026. You continue to undertake community-based drug rehabilitation programmes with YFCC and you are also a regular attendee at Alcoholics Anonymous meetings.

I am told that you are now drug free, and that is certainly to your credit. The Court recognises the complexities of drug addiction, and you should be proud that you have persevered to the extent you have. But prospects of rehabilitation is but one of a myriad of factors the Court must balance in passing a just sentence.

In my assessment, this is very serious criminal conduct, which caused significant harm. Conduct of this nature must be strongly condemned and punished. I take into account your pleas of guilty but, of course, they were entered at a very late stage and only after you had instructed counsel to run a legal argument challenging the admissibility of the complainant's evidence, given he had died. It could hardly be said that the pleas of guilty are reflective of any genuinely held remorse. Rather, I assess them as being a recognition of the inevitable. I certainly take into account the efforts you have made to address your drug addiction, but when assessed against your long history of offending, it is still early days. You were offending as recently as October 2025. It remains to be seen if the changes you have made bring about the long-term rehabilitation that is undoubtedly in your, and the community's interest. I will give

you the opportunity to demonstrate you remain committed to your rehabilitation by providing for eligibility for parole at the earliest opportunity.

Balancing all matters, I make the following orders. Justin James Browne, you are convicted of all crimes to which you have pleaded guilty. You are sentenced to imprisonment for a period of two years and nine months from 13 December 2025 to take into account time spent in custody and not otherwise allocated to a sentence. I order that you not be eligible to apply for parole until you have served one-half of the sentence of imprisonment.