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THE SUPREME COURT OF
THE NORTHERN TERRITORY

SCC 21915380

THE QUEEN

and

PRESLEY PRICE

(Sentence)

MILDREN AJ

TRANSCRIPT OF PROCEEDINGS

AT ALICE SPRINGS ON MONDAY 14 OCTOBER 2019

Transcribed by:
EPIQ

HIS HONOUR: Mr Presley Price, you have pleaded guilty to causing serious harm to JT.

I have heard how down at the Charles Creek you hit her with a stick on the top of her head, and when she tried to protect her head again from the stick, she put her hand up. The stick hit her on the arm and broke her arm. When you hit her that time, you must have used a lot of force to break that arm, because the result was a bad break that needed to be properly fixed.

Mr Price, you have pleaded guilty, so you have accepted your responsibility for what happened and I am going to give you a discount for that. Unfortunately, Mr Price, you have got a bad record. You have done this sort of thing before. One of those times, you caused serious harm to somebody else. That was the time when you caused serious harm to Richard Moore in 2011.

Every time it seems that you do this sort of thing, you have had too much too much to drink. So now it is about time you change the way you drink, Mr Price. You have got to learn not to drink so much.

You are now 45, and in the past, you had a lot of jobs, which is good. I know your partner does not want you to go to gaol for a long time, she wants you to come home, but the law says I do not have any choice. I have to give you at least 12 months' actual imprisonment.

I have listened very carefully to what your lawyer has said. She told me all about your childhood, how you grew up, about the jobs that you have had and about the relationship you had with your ex-wife, Lucy Kunoth, and your relationship with your wife, JT, which is also longstanding and you have a number of children.

Ms Cooper has told me about what you want to do when you get out of gaol, and all of this is very positive. I have taken into account that most of those other times when you assaulted people were a long time ago, and except for one, which was on 18 July of 2016. But before that, there was only one time when you were dealt, and that was the matter involving Mr Moore in 2012. You got a long sentence for that one: 3 years and 4 weeks.

I think, in the circumstances of this case, because the actual offending was only slightly less than mid-range, as Mr Dooley explains, I would have normally given you a sentence of 2 years and 6 months. But I am going to discount that by six months for the fact that you have given a plea of guilty.

So you are convicted and I sentence you to imprisonment for 2 years. I am going to backdate that to 19 July 2019 to take into account the time you spent on remand. I fix a non-parole period of 12 months.

Anything arising?

MR DOOLEY: Not from the Crown, your Honour.

MS COOPER: If I could just check the backdating, your Honour; July or April?

HIS HONOUR: I was told 19 July.

Is that correct?

MR DOOLEY: April, your Honour.

HIS HONOUR: April.

MS COOPER: April. Thank you, your Honour.

MR DOOLEY: Sorry, your Honour, I didn't pick that up.

HIS HONOUR: It is probably my handwriting. The 19 April.

MR DOOLEY: Yes.

HIS HONOUR: Yes, well, backdated to 19 April.

MR DOOLEY: Your Honour pleases.

HIS HONOUR: Thank you.

Thank you for pointing that out, Ms Cooper.

We will adjourn.
