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THE SUPREME COURT OF
THE NORTHERN TERRITORY

SCC 22551905

THE KING

and

ROSANDRA ANGUS

(Sentence)

GRANT CJ

TRANSCRIPT OF PROCEEDINGS

AT ALICE SPRINGS ON MONDAY 25 MAY 2026

Transcribed by:
EPIQ

HIS HONOUR: Ms Angus, you have pleaded guilty to causing damage to a motor vehicle by using fire contrary to s 243(1) of the *Criminal Code*. That crime is commonly known as arson and the maximum penalty for that offence is life imprisonment.

On 20 October last year you got very drunk. You took your husband's motor vehicle which he had only purchased one month previously, and you drove that vehicle around the streets of Alice Springs. It forms part of the general context of this offending that you did not have a licence to drive a motor vehicle at the time; that your blood alcohol was 0.198 per cent; and that you were driving around streets which are open to the public just before 4 o'clock on a Monday afternoon.

For reasons which were unclear and which remain unclear you stopped the vehicle in the middle of a road at what was a relatively major intersection in Alice Springs terms. A number of people, apparently known to you, came and went from the vehicle while it was stopped there. Again, their purpose in doing so is unknown. You had in the meantime got out of the vehicle, but you remained in the vicinity.

After the vehicle had been sitting there at the intersection for approximately 30 minutes, police started receiving calls from members of the public complaining about an abandoned vehicle obstructing the flow of traffic. At about the same time that police started receiving those calls, you returned to the vehicle, you set it on fire and then you quickly walked away.

When police arrived at the scene, they observed that the vehicle was engulfed in flames. It made loud popping noises as it was burning. Four firefighters were called to the scene which they described in their own technical language as a "fully involved vehicle fire." They established a perimeter around the vehicle due to the possible risk of explosion and they deployed a high-pressure hose to extinguish the flames. Police located you at the scene, and you were observed at that time to be highly intoxicated – as your subsequent blood alcohol reading confirmed. At that stage however the extent of your involvement was not known.

Once police were able to obtain the CCTV footage of what had happened, they immediately found and arrested you. You have been remanded in custody since 20 October last year, which means that to the present time you have spent a little more than seven months in prison referable to this offending. The appropriate date for backdating purposes is 20 October 2025.

You do not have much in the way of a criminal history, but you do have some recent involvement with the courts. Very unusually, in my experience at least, you have three convictions for breach of bail but no conviction in relation to the substantive offending for which the bail was granted. It appears that you were charged with aggravated assault causing harm and using a weapon and that the grant of bail was made for that purpose. The charge was presumably withdrawn for some reason and the only convictions with which you were left are the three convictions for breach of bail.

Although you do not have an unblemished record you are certainly not a recidivist offender, and you do not have a history of offending similar to the offence I am dealing with here today. The most that such history as you do have indicates is that you have an unwillingness or an inability to comply with court orders. Having said that, I suspect, having a look at the rest of your history, that that is most likely a consequence of your chaotic lifestyle and your chronic alcohol abuse rather than any contemptuous disregard for the conditions of conditional liberty imposed by the courts.

Turning then to your other personal circumstances, I am told that you are now 36 years old and that your home community is Kintore. You were raised there by your grandparents, and you had a relatively happy childhood. You attended school in Kintore and then later Yirara College in Alice Springs. Immediately upon finishing school you returned to your home community to care for your grandmother and various other family members.

You entered into a relationship with your husband in 2003 and you had two children together. I am told in submissions, and I accept, that your relationship was unfortunately blighted by domestic violence of which you were the victim. So much would appear to be borne out by the fact that you have been the subject of six domestic violence orders naming you as the protected person. In addition to those orders your husband was found guilty of causing serious harm to you in 2014. That assault caused you fractures to the arm which required surgical repair.

Your difficult circumstances were compounded in 2015 when you were the victim of a hit and run incident. You spent six weeks in intensive care at the Royal Adelaide Hospital, and you were confined to a wheelchair for a substantial period after your discharge from hospital. You initially said through your barrister that your difficulties with alcohol abuse only commenced after that accident but I cannot accept that to be true and correct. Most notably, you were heavily intoxicated at the time you were struck by the vehicle, and you were diagnosed with an alcohol abuse disorder while you were at the Royal Adelaide Hospital.

Against that background of personal circumstances, the Crown accepts that your guilty plea was entered at an early stage in these proceedings and you are entitled to a discount on your sentence for that. I am also prepared to accept that you are both guilty and genuinely remorseful for what you did on this afternoon.

However, there can be no doubt that arson is considered by the community to be a very serious offence. That is reflected in the very heavy penalty of life imprisonment which has been fixed by the parliament. The serious nature of the offence was addressed by the benchmark case in the Court of Criminal Appeal in *Ajax v The Queen* [2006] NTCCA 12.

In that case Mildren J, with whom the other two members of the court agreed, observed that the components incorporated into a sentence will depend upon the circumstances of the offending. Relevant factors in that respect include such things as the value of the property destroyed, whether the property was occupied at the

time, the level of risk to persons in neighbouring properties, the extent to which the conduct exposed police and firefighters to danger, whether the offender was intoxicated at the time and whether anybody was injured or killed as a result of the fire.

In these circumstances, the vehicle was destroyed, and it had cost your then husband \$7000 not long before this incident. That represents very substantial damage and financial loss, but sadly not as catastrophic as sometimes seen in arson cases.

This conduct on your part took place on a public road in the township in Alice Springs at knockoff time. There were people in houses nearby. You did not give any thought at all to the risk to which your conduct exposed those people. The police and firefighters who attended were also exposed to the risk of injury and particularly the risk of explosion. That is why firefighters had to impose a perimeter around the vehicle. It is only by good fortune that nobody was injured as a result of what you did.

Your conduct was not spontaneous. You drove the vehicle to that location, and you waited for about half an hour before you set fire to it. Although there may not have been planning or premeditation in the orthodox sense of those words you certainly had time to think very carefully about what you were going to do and made a considered decision to set fire to that vehicle.

When police came to the scene you provided them no assistance about the circumstances in which the fire had commenced.

Finally, going through that catalogue of relevant considerations, you were intoxicated at the time. That reflects a level of recklessness on your part which is an aggravating factor in the context of this offence.

Having regard to all of those matters I assess the objective seriousness of your offending as towards the middle of the range for this type of offence.

I will be imposing a term of imprisonment which is designed to discourage you from doing anything like this again in the future. You need to remember that if you make bad decisions like this you will be punished for them by the courts.

It is also important to send a message to other people in the community to discourage them from this sort of wanton damage using fire. It is the unfortunate experience of this court that arson offences are relatively prevalent in the Northern Territory, and particularly in the Aboriginal community. There is a tendency on the part of some people to use that form of offending as means of revenge or a means of seeking attention or sometimes as a means of dealing with jealousy issues involving the ownership of property. Those tendencies must also be discouraged as far as the sentencing process legitimately allows.

I would ordinarily have sentenced you to imprisonment for three years and four months for this offence. Having regard to your early guilty plea I will sentence you to imprisonment for two years and six months which is backdated to 20 October 2025.

Despite your previous breaches of bail, you are not yet an inappropriate candidate for an order suspending sentence. Your suitability for supervision has been assessed by Community Corrections. Although you have those previous breaches of bail you have not previously been subject to supervision or an order suspending sentence.

You have been assessed as suitable for supervision subject to conditions which include obeying the reasonable directions of Probation and Parole officers and participating in assessment, counselling and treatment as directed by a Probation and Parole officer. I also understand those conditions have been explained to you through an interpreter and that you have agreed to comply with them in the event you take the benefit of an order suspending sentence.

For reasons which are not apparent to either me or counsel involved in the matter there is no recommendation for a no alcohol condition. Having regard to the circumstances of this offending I will be imposing one on the order suspending sentence which I make.

Ms Angus, can you please stand up while I sentence you.

I make the following orders:

- 1) The offender is convicted of the offence charged by indictment dated 26 February 2026.
- 2) The offender is sentenced to imprisonment for 2 years and 6 months which is backdated to 20 October 2025.
- 3) That sentence to imprisonment will be suspended after the offender has served 8 months' imprisonment on the following conditions:
 - a) The offender will be supervised by Community Corrections for a period of 12 months from the date of release.
 - b) The offender must obey all reasonable directions given to her by a Probation and Parole officer.
 - c) The offender must not attend any place or district which she has been directed not to by a Probation and Parole officer.
 - d) The offender must participate in assessment, counselling and/or treatment as directed by a Probation and Parole officer.

- e) The offender must not purchase, possess or consume alcohol and will submit to testing by a Probation and Parole officer or a police officer.
- 4) An operational period of 1 year and 10 months from the date of the offender's release is fixed for the purposes of s 40(6) and 43 of the *Sentencing Act*.

Is there anything arising out of that, Ms Dadds?

MS DADDS: No, your Honour. May it please the court.

HIS HONOUR: Ms Richardson?

MS RICHARDSON: Nothing arising, your Honour.

HIS HONOUR: Thank you.
