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THE SUPREME COURT OF

THE NORTHERN TERRITORY

SCC 22307539

THE KING

and

CHRISTOPHER HOLLAND

(Sentence)

HUNTINGFORD J

TRANSCRIPT OF PROCEEDINGS

AT DARWIN ON THURSDAY 1 OCTOBER 2026

Transcribed by:
EPIQ

HER HONOUR: Christopher Holland, you have pleaded guilty to six counts on the indictment dated 29 February 2024. Each of those offences was committed on 8 March 2023.

Counts 1 and 3 charge that you unlawfully assaulted MR. The aggravating circumstances were that MR suffered harm and that she is female and you are male.

Count 2 charges that you unlawfully assaulted ES, with the aggravating circumstance that he suffered harm.

The maximum penalty for counts 1, 2 and 3 is imprisonment for 5 years.

Count 4 charges that you unlawfully entered a building with intent to commit an indictable offence. The aggravating circumstances were that the building was a dwelling house, and the unlawful entry occurred at night.

The maximum punishment for that offence is imprisonment for 20 years.

Count 5 charges that you unlawfully assaulted BC, with the aggravating circumstance that he suffered harm.

The maximum punishment for that offence is imprisonment for 5 years.

Count 6 charges that you unlawfully caused serious harm to BG, with the aggravating circumstance that he suffered harm.

The maximum penalty for that offence is imprisonment for 14 years.

Turning to the facts of the offending. You were 33 years old when you committed these offences.

Victim 1, MR, was a 38-year-old woman.

At the time of the offending, you and MR had been in a domestic relationship for about eight months. The two of you travelled from Perth to Darwin, arriving on 8 March 2023.

Victim 2, ES, is a 21-year-old man, victim 3, BC, a 42-year-old man and victim 4, BG, also a 42-year-old man. Victims 2, 3 and 4 were not known to you.

You and MR were staying in accommodation located at the Darwin Waterfront Precinct, where you became intoxicated after consuming an unknown amount of liquor.

At approximately 9 pm on 8 March 2023, you and MR started arguing at the accommodation. You pushed MR out of the bed with your foot. She then sat on the couch in the lounge room with a glass of champagne. You entered the lounge room and threw the contents of the glass of champagne at her face.

You then pushed her hard against the glass window and then out through the door of the unit into the common hallway area. The arguing between the two of you was heard by neighbours in the building. They are the facts of count 1.

Victim 2, ES, exited his unit and observed MR stumbling down the corridor as she was pushed from the doorway of the unit into the hallway. He saw she was crying with tears streaming down her face and he saw her fall to the floor in the hallway and lie in a foetal position. ES went to check on MR's well-being.

You then came out of your unit and saw ES attempting to render aid to MR. You asked ES what he was doing and said, "Are you looking for a fight" before proceeding to punch ES in the face, head and upper body with a closed fist.

ES covered his face with his arms in an attempt to protect himself and he attempted to retreat by moving backwards away from you as you continued to punch him.

You pinned ES at the end of the corridor against the wall and continued to punch and elbow him. While ES was pinned against the wall, you also started kneeing and kicking him to his legs and abdomen.

About this time, BC, BG and JG came into the hallway. They saw you repeatedly striking ES in excess of 30 times. They are the facts of count 2.

MR said to you, "He didn't do anything. Please, stop. Please, leave him alone" to get you to stop assaulting ES. MR then grabbed your right arm to try and stop you hitting ES. When she did that, you swung your right arm backwards at MR, causing her to hit the hallway wall.

BC and BG approached you, calling for you to stop. ES was seen not to be fighting back and cowering against the wall, protecting his face and head. They are the facts of count 3.

You ceased your assault on ES and turned to BC and BG before saying words to the effect, "So what, I have to deal with all three of you now?"

BG attempted to de-escalate the situation, telling you to "calm down, go away and settle down." He also suggested that you and everyone in the hallway return to their units. You then went back into your unit.

At 9:08 pm, JG phoned 000 and reported the incident to police. BC, BG and JG told ES and MR to come back into their unit for safety while waiting for police.

A short time later, you attended in front of the G's unit, calling out to MR and yelling at the people inside.

Without permission, you opened the front door of the G's unit and went in. You walked down the hallway towards the kitchen before being stopped partway by BC and BG, who blocked you from going further in. You were told to leave.

You pushed against BC and BG, moving them towards the kitchen opening of the hallway. You were again told to leave and you were told the police had already been called and would be attending shortly. You replied, "I don't care about the police" and made threats to harm them all.

You were unable to see into the living area where MR and JG were hiding behind the sofa, and you asked, angrily, "Is she here?" to which BC told you to leave. You said, "I will only leave [MR] tells me to leave". "I'm not fucking leaving without [MR]", and "give her to me."

You continued to yell make threats and became more aggressive, causing spit to hit BG in the face.

BG repeatedly kept saying, "Let's not make this worse than it is, police are on the way. You need to leave."

That is the unlawful entry, the facts of count 4.

You said, "Don't tell me to calm down, you guys are ganging up on me. I'll flog the lot of youse to get her." You proceeded to grab both sides of BC's chest with your hands and yanked him towards you, feigning to headbutt him.

Those are the facts of count 5.

However, you changed direction at the last second and instead headbutted BG, who was standing shoulder to shoulder with BC. You hit BG once in the nose and mouth area.

Those are the facts of count 6.

BG, feeling dazed, immediately called out "My nose and teeth are gone" and fell backwards. BC saw you headbutt BG then repositioning yourself to headbutt him, so he covered his face with his arms. You stopped and said, loud enough for all of the occupants to hear, "I'll just come back and shoot the lot of you."

You then left the unit and made your way back to your unit.

A short time later police arrived and spoke to the victims.

Police also attended your unit and called on you to come to the door. You refused to comply with police and remained inside.

At 11 pm, police gained entry to the unit and arrested you.

The victims received the following physical injuries as a result of your offending:

a. MR had red marks to her shoulders and soreness to the back of her head.

b. ES was treated at the Royal Darwin Hospital and suffered severe bruising to his face, neck, ribs, inner thighs and arms, as well as scratch marks on his collar bone.

c. BC suffered scratches and redness to his chest.

BG suffered a fracture to his front tooth which required immediate surface restoration and may require further dental work in future. He also suffered a fracture to his nasal bone, for which he underwent surgery under anaesthetic to manipulate the bone. He also suffered a bilateral nasal valve collapse, right caudal septal dislocation, with S-shaped septal deformity and left bony spur, which has led to chronic blocked nose. He will require further surgery for cosmetic and functional repair of his nasal injuries. BG's injuries constitute serious harm within the meaning of the *Criminal Code*.

The court has received two victim impact statements from victim 2, ES. In his first statement dated 9 March 2023, he said that he experienced physical pain during the assault and the following days and had reduced mobility in his neck. He said he had a pre-existing head injury and he worried that being hit to the head would make that worse.

He said he was scared of you and worried for MR and the other people present. He said he spent time in hospital and had to inform his supervising officers in the Army about what had happened to him.

In his second victim impact statement dated 8 July 2025, ES again summarised his injuries and said that the effects lasted for about a week.

A victim impact statement was provided by MR. She said that following the offending, she was left isolated in an unfamiliar place. She experienced fear, confusion and significant emotional distress.

She found her dealings with police and the criminal justice process difficult and intimidating. She reports ongoing anxiety, reduced self-esteem, feeling unsafe and having self-doubt and she says the offending has had a lasting effect on her sense of trust and personal security.

Counts 1 and 3 involved domestic violence. Intimate partner violence is always serious. The offending against MR was violent. She suffered red marks and soreness. The initial attack must have been terrifying. She was at one stage in a foetal position in the hallway outside the unit. The ordeal did not stop until you left after assaulting BG. The offending has had a significant emotional impact on her, as she says in her victim impact statement.

I note the following in relation to the offending against ES, BC and BG:.

i. All three were strangers to you.

ii. All three were trying to de-escalate your behaviour and were not a threat to you. They were trying assist MR.

iii. The offending occurred at their place of residence.

iv. There were multiple applications of force by you to ES and one each to BC and BG.

v. The victims had asked you to leave, which you did for a time; however, you returned and continued the assaults.

vi. ES, the victim in count 2, suffered severe bruising to multiple parts of his body which lasted about a week. He also suffered emotional distress, as set out in his victim impact statement.

In relation to the serious harm offence, count 6, the facts show you targeted the nose and mouth area of BG with your forehead in a headbutt manoeuvre. It seems to have taken the victim by surprise as you changed direction at the last minute. The victim suffered significant pain and distress and has had to undergo significant treatment, which is ongoing.

The unlawful entry occurred in the context you had intention to assault the people in the unit and proceeded to do that and when you had been repeatedly told to leave.

The offending in count 1 is somewhere on the border of the low and the mid-range. It was a sustained and frighting domestic violence attack with several applications of force, fortunately resulting in no lasting injuries.

Count 2, the assault upon ES, is a mid-range example of an aggravated assault. There were a large number of blows while the victim was held up against the wall. He was trying to assist MR. The attack was completely unprovoked and the impact upon him was significant. Although the injuries were not of the worst kind, he spent one day in hospital and suffered cuts and bruising which lasted a week.

Count 3, the second assault on MR, was a single application of force. Although it followed the other assault and was domestic violence, it did not result in any identified injuries. It is within the low range.

Count 4, the unlawful entry, is around the top of the low range as an example of that offence. You entered with intent to cause harm to the occupants of the unit and you had repeatedly been told to leave. You went on to commit those offences and to attempt to get at MR, demanding, "Give her to me." You did not, however, force entry and the duration of the offending appears to have been relatively brief.

Count 5 is an example of the offence in the upper part of the low range. Grabbing BC by the flesh of his chest would have hurt. It was a very aggressive move. Fortunately, he was not significantly injured.

Count 6 is an example of unlawfully causing serious harm, which is on the lower part of the mid-range. Although not of the most serious kind, the injuries caused were significant and it also appears that they have had some lasting sequalae for BG.

Turning to your personal circumstances.

You are now 35 years of age.

I am told that your parents are from Scotland and are they are currently living in that country. You spent part of your childhood there. You have a close relationship with your mother but, unfortunately, your father is presently very unwell.

You returned to Australia as a teenager at the age of 14 from Scotland and completed your schooling here before becoming a qualified carpenter. After that, you worked for a building company before registering your own business in 2019. You have a strong work history, having worked your entire adult life.

You have been a registered builder in Western Australia and successfully ran your own building company up until the time of this offending. I am told that you were building about 20 houses a year at that time.

I understand that since leaving gaol in Western Australia in May 2026, you have re-established your own business as a subcontractor, and in fact you were working until the time you were extradited on the warrant which brought you before this court in September.

You have two sons from a previous relationship, aged about 6 and 7 years old, of whom you share custody with your ex-wife. Your relationship with the mother of your children irretrievably broke down in 2020. You are said to now have a cordial relationship with her and continue to be involved in your sons' lives since you have been released from gaol.

You say the breakdown of your marriage led to significant self-esteem issues and chronic depression. At that point, your alcohol abuse, which had been a problem for a while, got right out of control. However, you say that you were able to refrain from alcohol even during that period when you had your children with you.

You were intoxicated at the time of this offending as you had been drinking significant amounts throughout the day. Voluntary intoxication is, of course, not mitigating.

You met MR on a dating application in or about July 2022 and thereafter you were in a committed relationship up until the time of this offending.

After this offending you were granted bail to return to Western Australia, but you were incarcerated for other alleged offending in that State, for which you did not get bail due to the application of the bail laws in Western Australia.

You were in custody between 25 February 2025 an 18 May 2026.

While you were incarcerated in Western Australia, you say that you underwent significant self-reflection and addressed your addiction and dependency issues. You say that you have not had any alcohol since you were released in May 2026 and that you intend to remain sober.

You say that you were able to access a group Alcohol and Other Drug program in prison in Western Australia and that since your release, you have been undertaking weekly counselling sessions with a private counsellor in Perth and monthly sessions with Holyoake. You say that you now accept that you are a person who cannot have alcohol.

You are now in a relationship with a woman who has three children. She does not work due to having sustained injuries in an accident. You are the breadwinner in that family. Since you have been in gaol, your partner and children have been living on your credit cards. You say that your partner remains supportive of you. You also say that you have a wide circle of friends in Western Australia, who also support you.

Your time in prison in Western Australia was spent without you being involved in any trouble in gaol. In addition to the counselling, you worked as a canteen supervisor and in a food distribution role, which I am told are both reasonably responsible positions available to suitable prisoners. I understand that a prison wage was paid for that work.

You say that you are remorseful for the offending and understand that your actions have caused considerable anguish to the victims, and you are embarrassed and ashamed of your belligerent behaviour.

As to your criminal history, you have no criminal history in the Northern Territory; however, the court has been provided with your Western Australian history. The most relevant offence prior to this offending was a conviction on 8 March 2010 for assault occasioning bodily harm, for which you received a suspended sentence of imprisonment.

The matters dealt with in the Perth Magistrates Court on 18 May 2026 relating to offending in November 2024, breaching a restraining order, common assault on 16 November and 21 December 2024, criminal damage on 1 December 2024, driving with excess blood alcohol on the same day and three breaches of bail from 15, 29 and 24 January 2025.

It appears that an aggregate fine of $2500 was imposed for all except the traffic offence, and there was a further fine of $1000 and a licence disqualification for that

matter. These matters postdate this offending and are primarily relevant to the question of rehabilitation.

Your record also includes older traffic offences for excess blood alcohol while driving in March 2020, failing to provide a breath sample way back in 2013. You were also fined for breaching a conditional release order back on 11 October 2010. Those matters and your history overall primarily speak to your long-standing issues with alcohol.

However, you do not come before the court as a person of prior good character.

The maximum penalties are indicative of the seriousness of each of these offences.

Domestic violence is disturbingly prevalent in the community, both here in the Northern Territory and around Australia.

Alcohol does not cause domestic violence. It is a produce of people's attitudes and the choice to solve perceived emotional problems by resorting to violence. However, it is often the case that alcohol consumption can make the situation worse by impairing judgment and lowering inhibitions.

Alcohol appears to have been a factor in this case, including the offending against the three men. Drunken violence among men is generally also prevalent. The community requires that both of these types of offending be denounced and that, so far as a sentence can do so, others are deterred from engaging in similar behaviour.

The sentence must make clear the Court's denunciation of violence against an intimate partner and of the serious and sustained violence inflicted upon those who attempted to assist her.

In this case, personal deterrence also has some work to do, bearing in mind you committed two acts of violence against your then-partner in a short space of time, and the other offending against those who attempted to assist and because you have other convictions for violence, albeit of a less serious nature.

A plea of guilty can be taken into account as an acceptance for responsibility and some evidence of remorse. Your pleas have utilitarian value. Some of the victims have been spared giving evidence and court time has been saved. However, this was not a plea at the first opportunity in relation to counts 1 and 3.

MR was required to give evidence, which significantly reduces the credit to be given to you in relation to those matters.

I am not satisfied on the evidence before me that genuine remorse has been demonstrated. In reaching that conclusion I take into account that you did not voluntarily return to Darwin to face these charges. There is no independent

evidence of insight into the impact of your offending on the victims. You did not evidence give on the plea.

I will reduce the sentence you would otherwise receive by approximately 15 percent on account of your pleas.

You were originally arrested two hours after the offending occurred on 8 March 2023 and you remained in custody until bail was granted on 28 March 2023. You therefore initially spent about 20 days on remand for those offences.

In addition, you were arrested in Perth on the warrant in September, and I am told that you have spent an additional 16 days in custody since then. I therefore calculate the backdating date for time spent as 26 August 2026.

You have no ties to the Northern Territory and therefore no family or other visits were available to you during your time in custody in Darwin.

Your sentence will be backdated to take into account your time in custody. Under s 63(5) of the *Sentencing Act*, I can only take into account, calculating the start date of your sentence, the time which you have been in custody on account of your arrest for these offences. That does not include the time you spent in custody in Western Australia. That was custody referable to the Western Australian offences, which I am told a number of which did not ultimately proceed.

There is no doubt that a term of imprisonment is the only appropriate sentence for this offending. I have also determined that the most appropriate sentence is an aggregate sentence of imprisonment.

In fixing the aggregate sentence, I have had regard to the totality principle. The offences arose from a related course of offending occurring over a relatively short period and two offences involve the same victims. The offence in count 4 overlaps with the facts of counts 5 and 6. I have therefore fixed a sentence taking into account the overall criminality of the offending conduct rather than a simple accumulation of sentences that might otherwise have been imposed for each individual offence.

I turn now to the question of suspension or the imposition of a non-parole period.

You have relevant convictions for violence, as I have explained, but you do not have an extensive record for that type of offending.

As I have already said, it appears that alcohol abuse is a significant criminogenic factor.

I am told that in recent times you have taken steps to address your alcohol abuse, as I have described, and it appears that there would be little to gain by returning you to prison so far as rehabilitation is concerned. In fact, that may have a negative effect.

You have spent considerable time in custody in Western Australia for offences which, as I have said, did not proceed due to a decision of the Western Australian prosecuting authorities, for reasons which I do not know.

It was submitted by your counsel that you were in custody in Western Australia due to the offending in the Northern Territory because it was offending that triggered the serious offence provisions of the Western Australian *Bail Act*. In short, that Act prevents bail being granted where a person is charged with a serious offence committed while on bail for another serious offence, unless there are exceptional circumstances.

You were not sentenced to imprisonment in relation to any of the offences for which you were found guilty in the Perth Magistrates Court on 18 May 2026.

I do not accept that the time you spent in custody in Western Australia is directly referable to the Northern Territory offending. You were in custody due to the operation of the Western Australian bail laws because of the charges which, I am told, at least in the main, did not proceed.

The time in gaol in Western Australia was essentially what is sometimes called “dead time”. I do not know whether it was taken into account by the magistrate who sentenced you in Perth in May but I assume that it was, because it would have been something the magistrate was aware of.

It is well-accepted that where an offender has committed offences in different States and due to jurisdictional issues is not dealt with at that time for all matters, a court should consider questions of totality in sentencing. The appropriate approach is to consider what the outcome might have been if the offender was sentenced for all matters at the same time.

That principle is most apparent in cases where an offender has spent lengthy periods of time in gaol in one State and is then released, only to be rearrested and prosecuted in another.

On the other hand, so-call ‘dead time’ refers to a situation where a person has spent time in gaol in relation to charges of which he was ultimately convicted but then falls to be sentenced at a later time in relation to different offending.

The principle set out in the Northern Territory case of *Kenny v Tencate* is that while the fact that a person has served ‘dead time’ in the past is irrelevant to sentencing for unrelated offending.

It can be considered as one of the relevant circumstances of an offender where, for an example, a person has had a negative effect on their employment, home or relationships or if they have had a particularly difficult time in prison. No matters were put to me that would lead me to believe that the latter situation applied to you. Although, time in gaol is never easy.

The Magistrates Court matters dealt with in Perth were unrelated offending. Based on the sentences, the magistrate formed the view that the custodial threshold was not reached. Therefore, had you been sentenced for this offending at the same time, you would have received a penalty in the way that you did, namely fines, in addition to the penalty you are to receive today, which is a term of imprisonment. It does not seem to me that the principle of totality is offended by that approach. They are completely separate matters.

As for the dead time, during the time you were gaol in Western Australia, which was a lengthy period, you were unable to work. You were also unable to see your children. That significant period would have produced some hardship to you, particularly with respect to the relationship with your children, because you were unable to progress the shared custody arrangement, under which you had had your children every second week.

You were also unable to work, and therefore, you suffered a financial hardship. Those matters are relevant and are taken into account.

In relation to whether I should impose a non-parole period or a partially suspended sentence, I take into account your relatively limited criminal record, your good work record, your social supports, your progress with rehabilitation, the impact of that lengthy period of imprisonment, as I have described, and the other matters relevant to your circumstances, and I form the view that it is appropriate to impose a partially suspended sentence.

I do not think that it is appropriate to require supervision, such that you should remain in the Northern Territory. And in fact, that is likely to be detrimental to your rehabilitation, in my view. However, I will impose a statutory condition that you not commit any offence punishable on conviction by imprisonment or that you not purchase, possess or consume any alcohol for the duration of the order and that you must submit to testing by a police officer upon request.

The offending demonstrates that you have a capacity for serious violence, particularly when you are intoxicated. Protection of the community is therefore a relevant sentencing consideration. That consideration is addressed through the term of imprisonment imposed and the conditions of the suspended sentence, particularly the prohibition on alcohol consumption.

Could you stand up, please.

You are convicted of each of the charges 1 to 6 on the indictment.

You are sentenced to an aggregate term of imprisonment of 3 years and 3 months, backdated to 26 August 2026.

The indicative sentences are:

Count 1, 5 months' imprisonment.

Count 2, 11 months' imprisonment.

Count 3, 3 months' imprisonment.

Count 4, 12 months' imprisonment.

Count 5, 3 months' imprisonment.

And count 6, 2 years and 5 months' imprisonment.

That sentence is to be suspended immediately for an operative period of three years from today on the following conditions.

1) You must be of good behaviour.

2) You must not commit any further offence punishable on conviction by imprisonment.

3) You must not purchase, posses, or consume any alcohol.

4) You must submit to testing for alcohol by a police officer upon request.

Do you agree with those conditions?

THE ACCUSED: Yes, your Honour.

HER HONOUR: Take a seat.

I turn now to the question of the domestic violence order. A 2-year domestic violence order was put in place in April 2023 in relation to MR, and that has since expired.

You are alleged by the Crown to have behaved inappropriately in relation to MR after March 2023 and also, the Crown relied on the fact that MR was prepared to give evidence in this matter in 2025. The Crown submitted that an indefinite domestic violence order should be in place, pursuant to s 83 of the *Domestic and Family Violence Act*.

It appears, on what I have been told, that your relationship with MR is well and truly over and that there is no need for you to contact her at all. However, in view of the nature of the offending, I think that a full non-contact domestic violence order is appropriate, but that a period of 5 years is sufficient. I therefore make an order in those terms.

You must not commit domestic violence against MR.

You must not contact her directly or indirectly, including by phone, social media, text or via any third party.

You must not go to her house, her work or anywhere where she is located.

So that means that if you are out and about and you see her in a location, you are the one who needs to leave.

That order is in force not only here in the Northern Territory but also in Western Australia and everywhere around Australia.

A breach of the order is a criminal offence, and, on conviction, you could be facing a gaol term. Of course, because you are on a 3-year suspended sentence, that would also be a breach of your suspended sentence by reoffending.

In relation to a breach of a domestic violence order, I must admit I am not sure what the penalties are in Western Australia, but in the Northern Territory penalties range between 2 and 5-year imprisonment maximum penalties, based on the circumstances.

You also need to understand that if you want to change the terms of that order, you need to go back to the court. It cannot be agreed, for example, by you and MR. But you could go back to change it in court in Western Australia if you wanted to make that application. Do you understand?

THE ACCUSED: Yes, your Honour.

HER HONOUR: All right. Thank you.

MR PHILLIPS: Your Honour, ES, doing his victim impact statement, also asked for a compensation order for $50 for a taxi fare. I ask that that order be made.

HER HONOUR: I see.

Mr Tippett.

MR TIPPETT KC: No objection to that, your Honour.

HER HONOUR: Yes. All right.

I also order a reimbursement of the taxi fare of $50 to be paid to ES. That is through the Fines Recovery?

MR PHILLIPS: Yes, your Honour.

HER HONOUR: Yes. Can be paid here in Darwin. It is a small amount of money. It is to be paid within the next 30 days.

Was there anything else?

MR PHILLIPS: No, your Honour.

HER HONOUR: Thank you for your assistance, counsel.

We will adjourn.
