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THE SUPREME COURT OF
THE NORTHERN TERRITORY

SCC 22011337

THE KING

and

BRIAN REARDON

(Sentence)

KELLY J

TRANSCRIPT OF PROCEEDINGS

AT DARWIN ON MONDAY 11 MAY 2026

Transcribed by:
EPIQ

HER HONOUR: Mr Reardon, I am going to sentence you now. You can stay sitting down while I do that because I have to talk to you about quite a few things.

Brian Reardon, you have pleaded guilty to two counts of aggravated assault on SC, one between 11 April 2019 and 1 June 2019, and one between 11 April 2019 and 13 July 2019, each of which carries a maximum penalty of imprisonment for 5 years.

You have also pleaded guilty to one count of damaging property belonging to SC; the maximum penalty for which is imprisonment for 10 years. And one count of threatening to kill SC; the maximum penalty for which is imprisonment for 7 years.

You were also found guilty, following a trial by jury, of one count of recklessly endangering serious harm to SC; the maximum penalty for which is imprisonment for 7 years. I do note that this was an alternative charge to the primary charge on the indictment, which was causing harm to SC with intent to cause serious harm and that you indicated a plea of guilty to this alternative charge at the beginning of the trial, which carries a lesser maximum penalty.

I am going to talk to you now about what you did. The following are the agreed facts in relation to counts 1 and 2, which were put onto a separate indictment, those are the first two aggravated assaults.

In April 2019, SC entered a three-month residential alcohol rehabilitation program through Sunrise. She completed the rehabilitation program and graduated on 12 July 2019. You would visit SC at the program several times a week, taking her personal items and giving her rides when she was permitted day visits. You would also take her to church most Sundays.

During day releases, SC would clean the church and help out with the church's play group. You began your relationship while SC was at Sunrise. As a condition of that relationship, SC told you that you needed to stop drinking because she was. The relationship was initially good, but soon deteriorated. You would argue and you were jealous and suspicious of other men. SC broke the relationship off after about six weeks, but you continued to see each other on and off.

These offences took place in the context of an abusive relationship. For example, around the time of SC's birthday in June, you were driving with her. During the drive, you began to scream at her, accusing her of "fucking everyone" and being a "fucking slut." She got out of the car near the Hidden Valley Pub and walked back to Sunrise. And SC recorded some of that incident on the phone. That is not something you have been charged with. That is simply an indication of the nature of the relationship.

So the first incident, charge 1, the aggravated assault, one Saturday in April or May 2019, SC was allowed a night's leave pass from Sunrise. She stayed with you at your house in Humpty Doo. You both argued when she found alcohol lids and

realised that you had lied to her about not drinking. You made up and later went to bed.

SC woke up in the middle of the night to use the toilet. It was pitch black and on her way to the toilet, she bumped into a chair and table. The noise woke you up. You got up and screamed at SC and then pushed her with full force into a wooden tripod fan. She fell and hit her head on the concrete causing her to see stars. She got up and ran all the way home, about 7-and-a-half kilometres away. By the time she got home, her feet were bleeding.

The second charge, aggravated assault, which occurred on Lee Point Road. At some point during SC's stay at Sunrise, you were driving her to an appointment at the Royal Darwin Hospital. SC turned the music up in the car to take her mind off her appointment. You immediately turned the music down. She turned the music back up. You got angry and grabbed the stereo.

You ripped it out of the car and threw it out of the driver's side window on to Lee Point Road. You screamed at the complainant and then slammed on the brakes. The sudden stop threw SC forward and she hit her head on the windscreen causing her pain, and then she got out of the car. So those are the first two aggravated assaults.

I find the facts in relation to the charges on the indictment to which the trial related, to be as follows. As I said earlier, you and SC had been in an intimate relationship for a short time, but she broke it off. On the night of 3 September 2019 at about 11 o'clock at night, you went to her home with four to six stubbies of Beck beer and some cannabis. She was watching TV with her feet up. You walked inside, took your tracksuit pants off and sat on the floor. You were already very intoxicated when you arrived.

You drank the beer. You consumed the cannabis. She asked you to leave nicely a number of times, but you did not. At first, you seemed happy, but after about an hour, you had run out of beer and cannabis and you suddenly, in her words, "Turned into a psychopath." You began screaming at SC, calling her a "slut" and accusing her of sleeping with other men.

She reminded you that you were not together. You said, "Oh look at all the nice things you've got" and started smashing her things. You threw her TV outside and smashed it and you broke one or more other items in the house and threw things around.

Then you punched her in the face with full force, very hard, straight into her left eye and nose. She put her head in a pillow on the couch to try to protect herself, and you kept punching her on her back and on the back of her head. You were screaming and calling her names. She looked up from the pillow and you punched her in the face very hard again in the middle of her face under her right eye and on or near her top lip. You were still screaming at her.

You also threw things at her and trashed her bedroom. You had taken her phone, but she found a second phone in the couch and picked it up. She managed to get outside and tried to make a run for it, but you chased her. She got to the end of her demountable when you caught her. You got hold of her by the hair and started dragging her by the hair. You were still screaming at her. Her dogs tried to protect her, but you kicked them. She got free and ran off into the bush to hide. The dogs went to her and you laughed. You said, "The dogs gave you away." You found her and started screaming at her again. You got hold of her again and dragged her towards your car.

You told her that you were going to put her in the boot, take her to Adelaide River bridge and throw her into the river. You told her you hated her, that you had never hated anyone more and that you were going to kill her. You dragged her really close to your car. She was very afraid by this time. She got away from you and ran back inside. She sat on the couch and hid her head again. You went inside and punched her some more. You kept punching her, she said, until you got tired.

She was crying and begging you, "Please stop." When she cried, you kept saying, "Cry little baby, cry little baby." You were smiling as you punched her. She asked if she could have a smoke to try and stop crying. You said, "Of course you can" sarcastically. She was shaking, trying to roll a cigarette. You were shaking too. So she ended up rolling two cigarettes, one for her and one for you.

She said, "Please, can I pee?", and you said, "You can pee all over the couch." She said, "That's disgusting." The smoke calmed you down a little bit. You agreed that she could go to the toilet. She went outside to her water tank and then she ran. She ran out onto the road in bare feet and got dirt in the blisters on her feet. She had blisters from burns on her feet that she got when she accidentally stepped in a fire the night before.

When SC got to the road, she phoned a friend who arranged to pick her up. She stayed at his place that night and he took her to the hospital in Palmerston the next morning. From there, she was transferred to the Royal Darwin Hospital. As a result of your assault on her, SC sustained the following injuries:

- Multiple facial fractures.
- Severe nasal fractures.
- Maxillary sinus fracture.
- Zygomatic arch fracture.
- Left medial and floor fracture of orbit; that is multiple fractures around her eyes and on her nose.

- Bilateral periorbital haematomas; that means two black eyes.
- Left conjunctival haematoma; that is a bruise inside the eyelid bleeding into the eye. So her eye was all red.
- Severe bruising and swelling to the face and body.
- She also got dirt in the blisters on her feet. I am satisfied from the evidence of SC that this was as a result of you dragging her and her having to run away. That had to be treated surgically.

I have read a victim impact statement from SC. This was one month after the time that you attacked her. She says:

Every day when I look in the mirror, I see my both eyes as permanently black. I don't want to look at myself. When eating or talking, my jaw starts clicking and it hurts.

That may well be unrelated to what you did to her. She said she had to have dentures put in last year. Her right foot and ankle were still sore at that stage. She says, "Ever since this day, I wake up with a sense of doom and anxiety." She says the hardest thing is her inability to work full-time. She was on Job Seeker at that time.

She says, "Life's precious. I'm still here. I try and remind myself of that every day. I don't want him to do this to anyone else." She says she wants a ten-year domestic violence order with no contact conditions, and she wants you to go to prison which, of course, you did. And I am satisfied from the evidence that she gave at trial that the experience was terrifying to her, as well as extremely painful and that she suffered severe pain for some time thereafter.

In the hospital, she was on morphine and she was given Endone, which is a strong morphine derivative painkiller. When you dragged her towards the car and threatened to kill her, throw her off the Adelaide River bridge, she was terrified. She really thought she was going to die.

So on Wednesday, 4 September - so that is the following day - you went to the bush church in Humpty Doo and talked to the Pastor. You told her you had hurt SC and smashed up her house. You asked her to take you somewhere else. She declined and called the police. At that time, there is some suggestion that you were begging to be locked up. However, you changed your mind. This is partly to do with the fact, I think, that SC's brother came looking for you with a baseball bat and smashed the windows of your car.

And then you called your sister in New South Wales, and you called a friend who picked you up from the church. You were aware that you were wanted by the police, but you did not go to the police station, which you could have done to seek

protection from the brother. Your brother-in-law in New South Wales booked you a flight and on Thursday, 5 September, you flew from Darwin to New South Wales.

I was given a bit of procedural history of the matter, but it ended up that you failed to attend court on 27 April 2022 and a warrant was issued for your arrest and you were extradited from New South Wales in 2025.

You do have a criminal history in the Northern Territory, in New South Wales and in Queensland. It includes prior convictions for assault, failing to comply with domestic violence orders and property damage, as well as there seems to have been a stalking charge.

Your lawyer gave me some information about your background. You are 51 years old now. You were born in West Hobart, and you were adopted. You were a member of the Stolen Generation. You also have an adopted sister, who you are very close to and you maintain contact with her and her three boys. You disclosed at one time that your brother had been abusing the sister and that apparently tore the family apart and you have no contact with your mother.

You left school in Year 10 and did an apprenticeship and small engine mechanics. You completed that and also got a Certificate 3 qualification, and you have worked in a number of places, in mowing places, repairing lawnmowers and things of that nature. You have moved around a bit. In 1998, you moved to Western Australia, worked in a factory and then went back to Tasmania, again working with small engines. And then you moved to the Port Macquarie and the Wauchope area where you worked for Wauchope Mower and Chainsaw Centre for a while.

You have come to and from the Northern Territory at various times. You described yourself as, at one stage, having been a functioning alcoholic and you moved to Trippe Road in Humpty Doo living in essentially a tent with no power, a gas stove and oven and a small generator. And you lived there for 12 years before these events took place.

You say that since leaving the Northern Territory and going back to live near your sister in New South Wales, you have been able to control your drinking and you only drink moderately and you have returned to work full-time. And I have read a reference from your former employer at Medowie Mowers. She says she has known you since early 2024 when you started working for them. She describes you as a good worker and it was a demanding position requiring you to use your trade qualifications and years of experience to repair mowers. And she also says that you are capable of deep friendship and loyalty.

These are serious offences. I do need to talk to you a little bit about the things I have to think about when I am sentencing you. And they are serious examples of this kind of offending. Talking about the offences on the indictment that went to trial first, the property damage was not the severest of its kind. I consider it to be below the midrange of seriousness for this kind of offending. You broke several of her

things, but you also trashed her home. You did it deliberately and you did it out of spite and jealousy.

Count 3, that is the main one, that is the recklessly endangering serious harm by assaulting her. The assault on SC was vicious and prolonged. You caused her substantial injuries, intense fear and extreme pain. The fact that you were screaming abuse at her and then smiling and mocking her would have made the experience more terrifying. I consider this to be towards the upper range of seriousness for offences of this kind; that is recklessly endangering serious harm.

The threats to kill, that is count 4, were also serious. You were screaming and out of control when you made them, and the specificity made the threats more chilling; threatening to put her in the boot, take her to the Adelaide River bridge and throw her off, as you were dragging her towards the car. I consider this to be towards the upper range of seriousness for offences of this kind as well.

Domestic violence is prevalent in the Northern Territory, especially committed by men against their partners or ex-partners out of jealousy. So I place most emphasis on denunciation and general and personal deterrence. I need to send a message that the community and the court strongly disapproves of this kind of senseless violence and I need to discourage you and other men from committing these sorts of offences.

You have pleaded guilty and I can give you a reduced sentence for that, but I do not accept that you are remorseful. You deliberately fled the jurisdiction to escape the consequences for what you did. I am going to reduce your sentence by 15 percent. So I am going to start with the two earlier assaults that were not very serious.

So on count 1 on the severed indictment, I would have sentenced you to 4 months' imprisonment. Reducing that by 15 percent - it is actually a bit over 15 percent, closer to 20 - you will be convicted and sentenced to a term of imprisonment for 3 months.

On count 2, the starting point would have been 2 months' imprisonment. Reducing that by between 15 and 20 percent, you will be convicted and sentenced to a term of imprisonment for 6 weeks. I am going to order that those two be served concurrently; that is at the same time. So the total for those two is a term of imprisonment for 3 months.

Now, the offences on the indictment that went to trial:

Count 1, the property damage carries a maximum of 10 years. I would have sentenced you to a term of imprisonment for 12 months. Reducing that by 15 percent, you will be convicted and sentenced to a term of imprisonment for 10 months.

Count 3, recklessly endangering serious harm, carrying a maximum of 7 years. I would have sentenced you to imprisonment for 5 years. Reducing that by 15 percent, you will be convicted and sentenced to a term of imprisonment for 4 years and 3 months.

Threats to kill, again, a maximum of 7 years. I would have considered an appropriate starting point to be imprisonment for 5 years. Reducing that by 15 percent comes to 4 years and 3 months.

There needs to be some concurrence, because these were separate acts involving separate decisions to commit criminal conduct, even though it was part of the same course of conduct.

So I start with count 3, that is the recklessly endangering serious harm, 4 years and 3 months. I am going to direct that the sentence for count 4, 12 months of that will be served cumulatively and the rest will be served concurrently. So that brings your sentence for those two to 5 years and 3 months.

I am going to direct that 3 months of your 10-month sentence for count 1 be cumulative, which brings the subtotal to 5 years and 6 months. And I am going to direct that the 3-month sentence for the first two assaults be served totally cumulatively, which brings your total period of imprisonment to 5 years and 9 months. Then I am going to fix a non-parole period of 2 years and 11 months, which is roughly half.

When is the start date for the sentence? It was explained to me last time, but I have - - -

MS KELLY: It was 17 June last year.

HER HONOUR: Okay. So the sentence is to start on 17 June 2025.

MR MAYBURY: That is agreed.

HER HONOUR: Lovely. Thank you. All right. Well, thank you both.

Please adjourn the court.
