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THE SUPREME COURT OF

THE NORTHERN TERRITORY

SCC 22544909

THE KING

and

FLORA WILLIAMS

(Sentence)

HUNTINGFORD J

TRANSCRIPT OF PROCEEDINGS

AT DARWIN ON THURSDAY 1 OCTOBER 2026

Transcribed by:
EPIQ

HER HONOUR: Flora Williams, you have entered a plea of guilty to a single charge on the indictment dated 27 July 2026 of assaulting IM with intent to steal with the aggravating circumstance that you were in company.

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

The facts of the offending are as follows:

You were 50 years old when you committed this offence.

The co-offender was your son, Bruno Taylor and an unknown person.

At 10:40 pm on 22 April 2024, the victim, IM, was finalising her cash register balances at the Snapper Rocks Bar and Grill Restaurant where she is the manager.

The restaurant doors were closed but not locked as the victim was still finishing her shift. She was sitting at a table when you, Mr Taylor and a third unknown person entered the restaurant. Mr Taylor said, “I just want to get something to eat.” The victim told him the restaurant was closed and asked you all to leave.

The three of you then spoke between yourselves before again being asked to leave. Mr Taylor walked towards the bar area while again being asked to leave.

At this point, the victim and Mr Taylor were standing very close to one another.

You then took money from the table. The victim got hold of your hand and wrestled the money out of it before directing you all again to get out. The victim collected a number of items from the table and took them to a side room. While she was doing this, Mr Taylor walked behind the bar area to where the bottles of spirits were located.

The victim yelled at you all and Mr Taylor then reached up with his right hand and took three bottles of alcohol. The victim rushed to the bar area and approached Mr Taylor as he was taking a fourth bottle of alcohol before he attempted to strike her with the bottle. The victim grabbed hold of two bottles and a short wrestle ensued.

Mr Taylor then said, “I’ll smash you right now.” The victim again told Mr Taylor to leave and eventually pulled two of the bottles away from him. He then gripped one of the bottles he retained in his possession and swung it back with his right arm to above shoulder height, causing the victim to flinch and turn away while yelling for him to stop. Mr Taylor then lowered the bottle and returned to leave.

The victim followed Mr Taylor, continuing to tell him to leave before a short tussle occurred. Mr Taylor pushed the victim using his left arm and the victim then struck at him and yelled “Hey” in a loud voice.

You then moved to behind the bar area. The victim yelled at you to get out before a short physical altercation with you occurred and she told you to leave. You kept saying, “Give us that.”

The victim then placed the two bottles of wine she was carrying on a table and followed you, Mr Taylor, and the unknown person to the entrance of the restaurant.

There was then further yelling between Mr Taylor and the victim at the entrance to the restaurant. While the victim was distracted by this engagement, you briefly re-entered the premises and took one of the bottles of wine from where the victim had put it before immediately leaving the restaurant and the three of you then left the area.

When she went back inside the restaurant, the victim realised that one of you had taken her phone. She searched the restaurant before going outside and was later able to retrieve the phone from you with the assistance of security.

The two bottles of alcohol which were stolen were of unknown value.

This offending was opportunistic, but brazen. It was an offence committed against a young woman while she was alone and vulnerable at her place of work, an otherwise empty restaurant.

You were in company with two co-offenders, one being your son and the other an unknown person.

The offending extended over a number of minutes, during which both you and Mr Taylor engaged in multiple attempts to steal items from the victim resulting in several physical confrontations.

Your involvement in the physical confrontations was limited to two instances. The firstwhen you took money from the table and the victim wrestled the money out of your hand, and the second towards the end of the offending when there was a short physical interaction between you while the victim told you to leave the premises. The offending was also committed at night.

As to where the matter sits on the scale of seriousness compared to other offences, I note that you were not the primary aggressor, nor did you play a direct role in the most serious violent conduct.

The victim did not suffer any physical harm and there was little to no planning involved. The offending was spontaneous and opportunistic. You were walking past the open door of the restaurant when you decided to go in.

The offending was unsophisticated. Neither you nor Mr Taylor made any attempt to conceal your identity.

While the exact value of the items stolen is unknown, they were of ostensibly low value.

This is an example of the offence falling towards the lower end of seriousness compared to other offences of its type.

As to your personal circumstances, you are now 53 years of age.

You were born in Darwin and raised by your mother and father on your father's country of Minjilang, Croker Island. I am told that your mother passed away from cancer when you were 13 years old and your father also passed away from alcohol-related illness while you were growing up.

After your parents died, you moved to Gunbalanya to live with your grandmother. However, your grandmother also passed away when you were 16 years of age and then you moved to Maningrida to live with your elder sister.

It was in Maningrida where you met your former partner with whom you have five children, including Mr Taylor, your co-offender in this matter.

I am told that four of your children were still living in Maningrida until recently with your six grandchildren. You say that your primary intent in recent years has been to provide care and cultural education for your grandchildren in community.

When you were residing in Maningrida, you worked for the Bawinanga Night Patrol and Child Safety Service for a period of approximately 12 years and you assisted with taking children out on country to learn cultural practices, including hunting, foraging and cooking.

You separated from the father of your children in about 2000 and you then met a new partner in 2010. You say that that new partner was highly abusive and engaged in problematic alcohol abuse and that you were physically and emotionally abused on numerous occasions by him. You remained in the relationship with him until he passed away in 2015.

You say that following that relationship, you struggled to manage your newfound alcohol addiction and you found yourself getting into trouble.

I am also told that you had heart surgery in Adelaide for a form of heart disease, however, the exact circumstances or date when that occurred is unknown, and I am told that you no longer take any medication for your heart.

You told your lawyer that due to a number of family members living in Darwin, you regularly moved between here and Maningrida to visit family, and that when you travelled to Darwin you would often long grass and fall into alcohol abuse. You say that that transience and alcohol abuse has contributed to your offending.

During your time in custody, you gained employment in the prison at the breakfast counter and receive a prison level wage for that work.

You have been a residential client at the CAAPS Aboriginal Corporation Residential Rehabilitation Centre in Berrimah since 26 July of this year. It appears that you have remained compliant with your bail conditions and you have engaged meaningfully with the therapeutic components of that program.

I have seen the letter from the Alcohol and Other Drug counsellor, Ms Hardie, who says that you have made a real effort to make positive changes in your life since you have started on that program.

Your lawyer says that you speak positively of the impact the alcohol and offence-specific counselling sessions have had upon you and you say that you have spent your time forming positive connections with other participants, focusing on your painting and artwork and building a constructive plan to remain abstinent from alcohol issues in future.

I am also told that your caseworker, Ms Hardie, is assisting with housing applications because you do not have a permanent residence of your own. You reside with your daughter when you are in Maningrida.

You are set to complete the CAAPS program on about 28 October 2026 and following this you hope to have housing in Darwin. You hope to support and care for your grandchildren and also to re-engage with your art.

I am told that your daughter has recently been ill and has now moved to Darwin and that she may require your assistance with the children.

As to your prior criminal history, it dates back to 2013 and is comprised of a range of offending, including driving offences, aggravated assault and stealing. The tenor of your offending is one of alcohol abuse.

This includes previous breaches of bail and a breach of a suspended sentence back in 2019.

You are not being sentenced again today for any of those old matters. However, do you not come before the court as a person of good character.

Your history is also relevant to your rehabilitation prospects.

In the s 103 presentence report, Community Corrections found you unsuitable for home detention because your housing situation was unstable. I understand that that may have changed. However, you have not been re-assessed today. You were found suitable to perform community work in the s 103 report.

I am told that you have confirmed that you understand the requirements of that type of order and that an approved work project is available. Based on your

circumstances and project availability, you will be able to complete 10 hours of community work per week.

You were also found suitable for general supervision by Community Corrections with conditions.

The maximum penalty is an indication of the seriousness of this offending.

The most relevant sentencing principles are punishment, deterrence and community protection.

Property offences, including offending of this nature, are prevalent in the Northern Territory and are often directed towards business premises selling alcohol. Crimes of this type cause disquiet in the community and therefore have an impact beyond the individual victim. As such, general deterrence and denunciation are important sentencing considerations.

The community should be protected from this sort of offending.

You have a history of property offending with some violent offences and breaches of court orders, including a suspended sentence as I have mentioned. That tells me that this sentence must also attempt to stop you from doing anything like this again. Also, your past breaches of suspended sentence and court orders generally shows that you have not always found it easy to follow rules. I note that that has occurred in a setting of your admitted longstanding alcohol abuse.

Your childhood was marred by the kind of disadvantage contemplated by the High Court in *Bugmy*. Your parents both passed away when you were young and your father was an alcoholic, a disease which ultimately led to his death. You frequently moved and lived in remote communities without significant resources.

That background has an effect upon your moral culpability reducing it and therefore the emphasis upon deterrence in the sentence. But that effect is very small. You were well aware that what you were doing was wrong.

You have also shown that you can lead a prosocial life, as you did before 2010; that was before you became addicted to alcohol.

Your rehabilitation prospects are assessed as moderate at this time. If you can remain abstinent from alcohol and concentrate on family and other activities such as art, then your prospects would be greatly improved.

It would, I think, be very helpful if you could have a home of your own as well, but your daughter moving to Darwin may be of some assistance there. Clearly, long grassing has had a negative impact upon your alcohol abuse problem and likely also your general health.

I am told that you were not charged with this offence until 17 months after the offending had occurred. The proceedings were initially commenced by summons.

A warrant of apprehension was later issued by the Local Court on 8 April 2026 when you failed to appear at a preliminary examination. I understand that you had lost contact with your lawyers. You were arrested on 26 April 2026 and granted bail by this court on 28 July 2026, but actually released on 29 July when you were granted bail by the Darwin Local Court in respect of another file.

This is an early plea of guilty which is of significant utilitarian value. The victim did not have to give evidence and the expense of a trial was saved.

A plea is an acceptance of responsibility and some evidence of remorse. There was no additional evidence of remorse in this case. I will afford you a discount of approximately 20 percent on the sentence I would otherwise have imposed to reflect your plea.

Your co-offender, Mr Taylor, was sentenced in this Court on 10 April 2025 to a term of imprisonment of 18 months from 1 May 2024 with a 12-month non-parole period in relation to his role in this offending. The CCTV footage tendered on the plea shows that his conduct was much more serious than yours so far as physical involvement with the victim was concerned.

It is noted that Mr Taylor also has a long history of violent offending as well as dishonesty and most importantly, he was sentenced for a different and much more serious offence.

As to the time you have spent in custody, I note that you have been in custody during a period when there has been an increase in prison population which is reported to have impacted the availability of programs and the frequency of lockdowns, and I take that into account.

You have demonstrated that you have an ability to comply with the stringent bail conditions whilst engaging in residential rehabilitation at CAAPS in recent times.

This offence is an aggravated property offence and in accordance with s 78B of the *Sentencing Act*, a term of imprisonment cannot be suspended in whole or in part. There is no doubt that a term of imprisonment is the only appropriate sentence in this case.

However, a sentence to imprisonment can be served by way of an Intensive Community Corrections Order provided that there is either a home detention or a community work condition imposed. The purpose of an ICCO is to hold an offender to account while, at the same time, allowing for appropriate rehabilitation. Both of those purposes appear to be particularly apposite to your case.

I note that an ICCO must commence on the day that a sentence is imposed. It cannot be backdated, but the court can take into account the time you have spent in custody which is 94 days in setting the length of the order.

Can you stand up, please, Ms Williams?

You are convicted of the offence on the indictment.

You are sentenced to imprisonment for 9 months.

That sentence is to be served as an Intensive Community Corrections Order on the following conditions:

1) You must not commit another offence punishable on conviction by imprisonment.

2) You must be of good behaviour.

3) You will be under the supervision of Probation and Parole officer and you must obey all reasonable directions.

4) You must live at an address approved by a Probation and Parole officer.

5) You must work at an approved community work project for 60 hours which must be completed within the term of the ICCO.

6) You will, at the discretion of probation and parole officer, have attached an approved monitoring device as directed by a Probation and Parole officer and you must comply with any directions given in relation to the operation of that device.

7) At the discretion of a Probation and Parole officer, you must submit to a curfew as directed.

8) You must participate in assessment, counselling and/or treatment as directed by a Probation and Parole officer.

9) And you must not purchase, possess or consume alcohol and you must submit to testing as directed by a Probation and Parole officer or a police officer.

Now, do you understand those conditions, Ms Williams? Do you agree to comply with those conditions? Yes. So you understand that you cannot have any alcohol at all.

THE ACCUSED: Yep, I understand.

HER HONOUR: Okay. Thank you. Take a seat, Ms Williams.

Was there anything arising?

MR GOLDSBROUGH-REARDON: Nothing arising. May it please the court.

MR BANWELL: Nothing arising, your Honour.

HER HONOUR: All right. Thank you, counsel, for your assistance.

We will adjourn.
