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THE SUPREME COURT OF

THE NORTHERN TERRITORY

SCC 22541778

THE KING

and

JUWAN WURRAMARRBA

(Sentence)

HUNTINGFORD J

TRANSCRIPT OF PROCEEDINGS

AT DARWIN ON THURSDAY 24 SEPTEMBER 2026

Transcribed by:
EPIQ

HER HONOUR: Juwan Wurramarrba, you have pleaded guilty to three offences which were all committed on 30 July 2025.

Count 1 is a charge of burglary which was made worse because the building was a house, the burglary occurred at nighttime and you were in possession of a weapon, namely scissors. The maximum punishment for that offence, which is the aggravated form, is imprisonment for life.

Count 2 charges that you intentionally entered a unit in Malak, intentionally damaging or otherwise interfering with that building or the property and you were a trespasser at the time and you were reckless as to that circumstance. The maximum punishment for that offence is imprisonment for seven years.

Count 3 is a charge of assaulting AB. That was made worse because you threatened her with a weapon, namely the scissors, and because she is a female and you are a male. The maximum punishment for that offence is imprisonment for five years.

The facts of the offending are that at the time you were 24 years old and the victim, AB, was a 23-year-old woman. You and the victim are known to each other. In fact, you had previously been close. Although not related by blood I am told that you regarded her as your sister.

At about 11:25 pm on 30 July 2025 the victim was at a house in Malak in the company of her partner, her partner's teenage grandson and his friend. You went to the house drunk and looking for someone who used to live there. You had the scissors with you.

The victim walked downstairs because she heard the gate open into her yard and she saw the wooden door fly open. You had entered the house by kicking the door down. The door was damaged and was unable to be locked after you had kicked it in. That is the damage and the facts of count 2.

By entering the house armed with the scissors you also entered the offence charged as count 1, the aggravated burglary. The victim went upstairs to wake her partner and you followed her. When the victim and her partner asked what you wanted you said, "Do you want me to stab you? I'll do it. I'll do you right here, right now."

You presented the scissors with a blue handle and scared the victim into believing you were going to stab her by jabbing and swinging the scissors towards her and her partner. You said again, "I'll stab you in the head right now. I'll kill you." That action and those threats are the facts of count 3. The victim told you to leave because she was calling the police. As you went back downstairs the two teenagers in the loungeroom ran away in fear.

At 9:13 pm on 31 July 2025 the police found you sitting at a bus stop in Karama. You were arrested and you have been in custody since then.

This offending is both serious and senseless.

The victim, her partner, and the teenaged children were in their own home where they are entitled to feel safe. You forced entry by kicking the door and breaking the lock, and then when you threatened to stab the victim and her partner you were drunk. You say you were also under the influence of methamphetamine. You were also looking for someone else but that does make the offending any less serious.

Your actions would have been terrifying for the victim and the others in the home because you were brandishing scissors and making threats to use them. You clearly had the apparent means to stab the victim and her partner as you threatened them.

The fact that you were subject to a Community Correction Order imposed by the Local Court only about 15 days before this offending is an aggravating factor.

Count 1 is an example of the offence which is approaching mid-range overall given that you were armed with the scissors, your forced entry and the threats noting that some of those facts were also the facts of other offences charged and for which you will be sentenced today.

I should make it clear, I think that is within the mid-range not in the low range. The offending was unsophisticated and relatively brief and appears to have been spontaneous rather than planned. I note that you did not actually stab the victim as you had threatened.

Count 2 is an example of the offence which is around the top of the low range. The only property damage was the door and the lock, however the fact that it could not be secured afterwards is relevant. Count 2 is on the mid-range noting that the threats to the victim were extensive. You jabbed and swung the scissors towards her although she was not physically injured.

I am told that you were born in Darwin. You have four older brothers.

I am also told that all three of your brothers have spent time in custody, two of them having recently been in custody with you.

Your childhood was marked by neglect, instability, alcohol misuse and violence. Your brothers were also in trouble during your childhood and adolescence.

You have said that you felt that little attention was paid to you and that you had to raise yourself. You say that you felt invisible. Your father was a violent alcoholic who passed away when you were 13. You have described how your father assaulted your mother including breaking her arm on one occasion.

Your mother also abused alcohol and you feel that she was not present for you as a child and that she also sometimes used excessive physical discipline. I am told

that your mother's drinking worsened after your father's death. However, the pre-sentence report says that you now enjoy a good relationship with your mother.

She no longer drinks alcohol and is able to provide you with ongoing support including speaking with you by phone very frequently while you have been in gaol. You say that your brothers are not a good influence upon you because they are users of cannabis, methamphetamine and other drugs.

You recently described that you were a victim of abuse during your childhood. You have not received any assistance to deal with that trauma. The pre-sentence report says that you would benefit from appropriate referrals to receive support and counselling and you have said that you would participate in that process.

As to your education, you attended Karama Primary School and Sanderson High School. The pre-sentence report says that you left school in Year 11. Your aunt had sent you to boarding school in Queensland for a period but you were homesick and playing up and you returned home.

I am told that you began binge drinking about the age of 13 and that became worse around the time you left school. You were introduced to alcohol by family members. You started using cannabis when you were about 16 and methamphetamine aged around 18 or 19.

Drug use was normalised in your home and among your peers who were in similar circumstances to yourself. You acknowledge that you need assistance to recover from your addictions and you are willing to attend drug counselling including residential rehabilitation.

You previously tried the Sunrise Program in 2021 but your placement was terminated because you used cannabis in breach of the rules. I am told that you have been accepted into the FORWAARD Program with a bed available from 29 September 2026.

You have never had stable paid employment. You say that you want to work and you have an aspiration to get involved in youth work or work that would allow you to help younger people avoid the mistakes that you have made.

You have three children with your former partner. Those children are aged approximately 3, 4 and 5. There is presently a full non-contact domestic violence order in place to protect your former partner and the children.

You say that being unable to see your children plays with your head and that is a strong reason for you to remain sober, comply with conditions, and demonstrate over time that you can be a safe and stable parent in hope of restoring some lawful contact with those children in the future.

In relation to this offending, you say you don't remember all the details but you accept that the victim is correct in what she says occurred and that you made her feel scared and you acknowledge that your actions were wrong.

As to your criminal history, you have a relevant criminal history in the Northern Territory dating back to 2017 when you were a youth. You were most recently before the Local Court on 15 July 2025, only about two weeks before the date of this offence. On that day you were convicted of two offences of aggravated assault and some other offences. You were sentenced to a short period of imprisonment together with a 12 month Community Corrections Order. You were subject to that order when you committed these offences. That breach can only be dealt with in the Local Court.

You also have four previous convictions for aggravated assault; one for burglary, three for damaging property and various fines relating to not following various court orders including breaching domestic violence orders and breaching conditions of bail.

It appears that you have a history of domestic violence offending with offences committed in 2022, 2024 and 2025. You are not being sentenced again today for any of those old matters. However, you do not come before the court as a person of a good character, in particular it appears that violence is not out of character for you and you are not entitled to any leniency on that basis.

The maximum penalties are an indication of the seriousness of this offending. The most relevant principles are punishment, denunciation, deterrence and community protection. However, given your age rehabilitation is also relevant.

Regrettably this sort of offending is prevalent. The court must send a clear message that people are entitled to feel safe in their homes and that intoxication is no excuse for threatening and frightening conduct. The behaviour must be denounced.

There is also a need to give some weight to personal deterrence given your offending history. It needs to be impressed upon you that you must not do anything like this again.

I accept that you come from a background of significant childhood disadvantage involving neglect, family violence, parental alcohol misuse, grief, early school disengagement, early substance misuse, childhood abuse. The effect of that deprivation does not diminish over time.

Those matters mean that your moral culpability for the offending is less than would be the case in relation to someone who did not grow up with that disadvantage. The reduction in moral culpability has the effect of reducing the emphasis on general deterrence somewhat. However, that reduction is relatively small. You knew what you were doing was wrong.

It is also the case that you have shown that you have a history of resorting to violence when you are emotional, as you admit that you were on this occasion, probably made worse because you were intoxicated. You have, in the past, taken no notice of court orders when given the opportunity to rehabilitate only last year. There is, therefore, a need to give some significant weight to community protection.

You entered a plea of guilty at a relatively early opportunity meaning the victim and other witnesses 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.

On the other hand, I note that you have not always behaved in an exemplary fashion whilst in custody. The pre-sentence report recites an incident where you attempted to escape while in hospital. That behaviour was not indicative of true remorse.

However, you told the pre-sentence report writer that you accept now that what you have done was wrong and that you are accepting of rehabilitation measures. It does appear to me that you have now developed some insight into your behaviour. I will afford you a discount of 20 percent to reflect the utilitarian value of your plea and the remorse that you have shown to date.

You have remained in custody since your arrest and your sentence will be backdated to that date. Your lawyer submits that your time in custody has been onerous as you have spent most of that period in high security. You acknowledge that you behaved poorly when you first went into custody and you say that your behaviour has improved. Of course, your classification in prison is entirely a matter for the prison authorities.

Time on remand is generally more onerous than time spent as a sentenced prisoner including because there is limited access to programs. In addition, you have been in custody during a time involving more frequent lockdowns than has been the case historically and I will take those matters into account.

Upon release you propose to live with your mother at a residence in Gray after completing residential rehabilitation. You are still a young man although approaching the time when you are no longer young for sentencing purposes. It is, however, too early to give up on hope for rehabilitation.

The seriousness of the offending means that a term of imprisonment is the only appropriate sentence. In view of your history and your substance abuse problem your rehabilitation prospects must remain guarded. I considered imposing an aggregate sentence with a non-parole period across all three offences.

There was initially a suggestion that you could be released on a partially suspended sentence. The charge in count 1 is an aggravated property offence and there are no exceptional circumstances. That means that you must be sentenced to a term of imprisonment which is not suspended or, alternatively, an Intensive Community Correction Order with a home detention or Community Work Order in

relation to that offence. I note that count 2 is not an aggravated property offence because there is no evidence that the damage is in excess of $5000.

The pre-sentence report found you are not suitable for home detention. However, you have been found suitable for community work. In my view, a fit young man like you may benefit from performing some work which is also a form of recompense to the community. An ICCO must commence on the day that it is imposed unless it commences at the conclusion of a sentence of imprisonment for another offence for which you are sentenced at the same time.

Taking into account your circumstances and the opportunity for rehabilitation which seems to have presented itself I will impose an ICCO in relation to count 1 and that ICCO will include an obligation to engage in community work. The charges arise from a single incident with overlapping circumstances of aggravation. I have taken into account the time you have spent in prison in relation to setting these sentences.

Can you stand up, please?

You are convicted on count 3 and sentenced to imprisonment for 12 months commencing on 31 July 2025.

You are convicted on count 2 and sentenced to imprisonment for 8 months commencing on 30 January 2026 and concluding on 29 September 2026.

You are convicted on count 1 and sentenced to imprisonment for 18 months to be served as an ICCO commencing on 29 September 2026. That is in completion of the sentence on count 2.

The ICCO is subject to the following conditions:

- You must not commit any other offence punishable on conviction by imprisonment and you must be of good behaviour.

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

- You must work at an approved community work project for 120 hours which must be completed within the period of the ICCO.

- You must attend a residential rehabilitation program, that is the FORWAARD Program commencing on 29 September 2026. Whilst you are at that program you must have attached an approved monitoring device and you must comply with the directions of Probation and Parole in relation to that device.

- At the discretion of Probation and Parole you must submit to a curfew at the nominated address, and you must not leave without permission of a Probation and Parole officer.

- You must participate in assessment, counselling and/or treatment including men's behaviour change or other programs as directed by Probation and Parole.

- You must not purchase, possess or consume alcohol or any dangerous drug except as prescribed by a medical practitioner, and you must submit to testing as directed by a Probation and Parole officer or a police officer.

Do you agree with those conditions?

THE ACCUSED: Yes, your Honour.

HER HONOUR: Thank you. Take a seat, Mr Wurramarrba. Now, you heard what I said before, Mr Wurramarrba. You understand that those are very strict conditions.

THE ACCUSED: Yep.

HER HONOUR: You are going to be released on the 29th. You have to go to FORWAARD straight away. You have to do that program and comply with all the rules. No drugs. No alcohol. Participate in the program.

THE ACCUSED: Yes.

HER HONOUR: You have to make sure that you keep away from drugs and alcohol for the next 18 months. You must also, when you are told to do it, go to any counselling or anything that Community Corrections arrange for you. You also need to make sure that you do that community work that is arranged for you. And, of course, you absolutely must not commit any more offences.

Now, you understand that if you breach the rules, and in particular if you use drugs and, in particular, if you commit any other offences, you will be brought back to court and you could be sent back to gaol. You understand that?

THE ACCUSED: Yeah. I understand.

HER HONOUR: Thank you.

Was there anything arising there?

MR MACDONALD: Nothing arising from the Crown, your Honour.

MS WEIR: Nothing from defence, your Honour.

HER HONOUR: So it is 18 months to be served as an ICCO from the 29th. All those terms and conditions.

Thank you, counsel, for your assistance.

We will adjourn.
