

Mr Robaard has pleaded guilty to a charge of wounding. On a Saturday night in July of last year, he drank a large amount of alcohol and got involved in a fight in a bar in Devonport. He was taken to the floor by other patrons, and left the bar. He must have been very angry. He came back in, and saw the man he had been fighting with, who was standing with five other people. He picked up a steel framed bar stool and threw it at that man. He missed. It struck a 33 year old woman and caused a laceration to her head, about 6 or 7 centimetres long. It bled profusely. He did not intend the stool to hit her.

She was taken to the Mersey Community Hospital at Latrobe by ambulance. The wound was closed with seven sutures. She was given a tetanus booster and was then able to leave the hospital. She provided a victim impact statement in December. The wound was to the top of her head. The area around it had been shaved, and the hair around the scar had not grown back to a normal length more than four months after the incident. The victim reported that she sometimes gets a sharp pain in the area around the scar, and that it aches in cold weather. As at December, she had not resumed going out at night, and was anxious about going to work in Devonport during the day.

Mr Robaard is 31 years old. He has a large number of prior convictions. He has been to prison several times, beginning in 2007 when he was 18. His convictions are mainly for driving and dishonesty offences, though he does have a conviction for assaulting a police officer in 2015 and other convictions for offences involving violence committed in his teens. When he was 13 or 14 he left home, ceased his education, lived on the streets, and began using drugs. He has a long history of drug abuse involving heroin, methylamphetamine and morphine.

However he has made major changes to his life. He has stopped using drugs, stopped consuming alcohol, ceased contact with his anti-social friends and acquaintances, and obtained steady employment. He has stayed out of trouble since committing this crime in July of last year. Last November, a magistrate sentenced him to eight months' home detention for a series of crimes of dishonesty committed in January and February 2019. He has been fully compliant with that order. He has submitted to illicit substance testing and breathalyser testing since November and has successfully passed each test. He is participating in a Suboxone program and has been for some time. He is living in a caravan at his grandfather's home. He is employed in a sheetmetal business, and is highly regarded by his employer. He is very sorry that he injured the woman in the bar. A probation officer has reported that he is considered suitable for a further home detention order, but has recommended that I make a community correction order requiring supervision by a probation officer.

I am very impressed by the way Mr Robaard has turned his life around. If he had not done that, I would be sending him to prison for about 9 or 12 months. However, because of all the impressive changes he has made, I will make a home detention order and require a period of probation. Because today's home detention order comes on top of another one, I will order a slightly shorter period of home detention than I otherwise would have.

Jarrad Christian Robaard, I convict you and make a home detention order for an operational period of 6 months, commencing on 20 July 2020. The full conditions of the order will be set out in a document that you will be given. They include conditions, all of which apply for those 6 months, as follows:

- You must not commit an offence punishable by imprisonment.
- You must reside at [address].
- You must be there at all times, except when you are not there for a "relevant reason" specified in s 42AB(4) of the *Sentencing Act* 1997. That includes going somewhere with your probation officer's permission.
- You must permit a police officer, probation officer or prescribed officer to enter those premises.
- You must permit a police officer to conduct a search of the premises, conduct a frisk search of you, and take a sample of any substance found on the premises or on your person.
- You must submit to electronic monitoring, which may include wearing or carrying an electronic device.
- You must not consume alcohol.
- If directed to do so by a police officer, probation officer or prescribed officer, you must submit to a breath test, urine test, or other test for the presence of an illicit drug or for the presence of alcohol.

I also make a community correction order, to operate for 10 months from today, with conditions that, during the operational period of the order, (a) you must submit to the supervision of a probation officer as required by the probation officer; (b) you must undergo assessment and treatment for drug dependency if so directed by a probation officer; (c) you must submit to testing for drug or alcohol use as directed by a probation officer; and (d) you must not consume alcohol.