

Rikki Williams, you plead guilty to stealing. During the morning on 12 December 2017 you went with your then partner Sharnie Bosworth to a gift shop in Devonport. You looked at items in the shop including a gold necklace with a heart shaped pendant. You returned to the shop in the afternoon and, while Ms Bosworth spoke to the shop assistant, you put the box containing the necklace and pendant in your pocket. You were seen by the proprietor of the shop who confronted you. You denied having taken the necklace and attempted to leave. The proprietor attempted to keep the door closed, but you forced it open. He, outside the shop, grabbed your clothing in an attempt to restrain you and asked for the jewellery back. You were carrying Ms Bosworth's child at the time. But you left. When Ms Bosworth was interviewed on the following day she produced the necklace and pendant, together with a letter opener you had also stolen. The total value of the items was about \$120.

You were 27 when this crime was committed. You are now almost 30. You have a bad record for dishonesty and violence, as well as for other offending. On my count you have been sentenced to imprisonment fifteen times since 2011. In 2012 a drug treatment order was made but quickly cancelled for non-compliance. Whenever sentences have been partly suspended, you have breached them by re-offending. On 18 October 2017 you were sentenced to imprisonment for eight months from 7 August 2017, four months of which was suspended for two years, for offences of dishonesty and numerous family violence offences. The crime for which you are now to be sentenced was committed on 12 December 2017, which must have been almost immediately upon your release, while you were subject to the suspended sentence. The suspended part of the sentence has already been activated and served as part of a sentence imposed on 5 April 2018 for more serious family violence offences. They are not prior convictions for sentencing purposes, but your record since committing these crimes is relevant to the chance that you may reform, to the need to protect the public, and to totality. You have continued to commit offences resulting in imprisonment, although they are not for dishonesty. You were sentenced to a term of about six months from 19 December 2018 for further family violence offences. On your release you were, on 29 July 2019, sentenced to a further three months for breaching family violence orders. On 10 January this year you were sentenced to a term of 10 weeks for driving offences, and finally, on 23 March 2020, another 10 weeks from 15 February 2020 for yet more breaches of a family violence order. You are presently serving that term and you are due for release on 24 April 2020.

It is in your favour that you have pleaded guilty. The plea avoids the need for a trial and facilitates justice. It is now more than two years since the crime was committed but you were originally charged with more serious offences, and some of the delay is not attributable to you. However, this was a blatant example of planned shoplifting. It did not involve goods of particular value, and could have been dealt with by a magistrate, but was another demonstration of your persistent unwillingness to obey the law which has continued since then.

I take into account your counsel's submission in your favour that you have ceased using illicit drugs, and there has been a gap in time since the last offence of dishonesty. The whole experience must have been traumatic for the shop proprietor and the other staff member present. Business operators and employees are entitled to the protection of the law. Ms Bosworth was dealt with by a conviction and a bond. However your record is a lot different to hers, and I do not see that parity requires the same course. However I accept that the gap in this

type of offending is a reason to suspend the sentence of imprisonment I intend to impose so as to give you the opportunity to demonstrate that you can be a law abiding citizen.

You are convicted on the indictment, count 1. You are sentenced to imprisonment for two months. I wholly suspend that term for 18 months. The law imposes a condition on that sentence that if you commit another offence punishable by imprisonment during the time that order is in force, then the Court must order that that term be served unless that is unjust.