

In court proceedings in September 2017 for driving offences, you provided a fake reference from your employer. Your purpose was to get a more lenient sentence, you were fearful of prison and that was your motivation. This fake reference had not been prepared by your employer and had not been signed by your employer. Fortunately, this came to light during the court proceedings. As a consequence of probing by the magistrate, the true situation was presented, and a legitimate reference was provided by your employer and handed to the magistrate.

In sentencing, the magistrate was aware of this misleading behaviour by you and it is abundantly clear from the comments of the magistrate that you did not receive any benefit at all from your dishonesty. Ultimately, the court sentenced you on the correct basis. Your employer was also well aware of your dishonest attempt and in the legitimate reference said: *"We have had serious discussions with Brodie and he has stated he has matured and turned over a new leaf."*

It must have been obvious to you that your dishonesty made your situation in court much worse. It also must have been apparent to you that if you had only been honest with your employer about your situation you would have been provided with a supportive reference. You were well regarded by your employer. Your counsel, Mr Heerey, has characterised your conduct as foolish and I must say that struck me as an accurate characterisation.

You have no relevant history for crimes of dishonesty. You were sentenced to a term of actual imprisonment in 2017, and it seems that that term of imprisonment has had a deterrent effect upon you and you have since been of good behaviour.

Your current situation is that you are completing your apprenticeship as a carpenter and you are hopeful of having that completed in November 2022. You are in stable employment, you have family responsibilities, you are the primary bread winner, in fact, effectively the sole bread winner for your family. An actual term of imprisonment would have a very serious effect upon your family as well as yourself and your future employment prospects.

In all the circumstances I am satisfied that a term of imprisonment which is wholly suspended is appropriate. People who are convicted of perverting justice are almost always sentenced to imprisonment not only to punish them but to deter others. In your case, given your personal circumstances and the nature of this particular crime, I am satisfied that that sentence may be wholly suspended. Accordingly, the order I make is to record a conviction with respect to the charge of perverting justice and to impose a term of three months' imprisonment which is wholly suspended on condition that you must not commit any offence punishable by imprisonment for a period of eighteen months from today. There is a victims of crime compensation levy and you have the statutory period of time to pay that.