

Jarrold Shaw, you plead guilty to aggravated armed robbery. Just before midnight on 27 February 2020 you phone a taxi to attend an address in Trevallyn. Your purpose in calling the taxi was to rob the driver. You had formed this plan with another man who was also present. When the taxi arrived you approached the car and entered the front passenger seat. You pulled a cloth mask up over your face, produced a knife, pointed it at the driver's neck and demanded that he give you what he had. Your associate opened the driver's door. He was also wearing a cloth face covering and held a knife. While you took the driver's wallet and demanded he empty his pocket, your associate took the driver's bag and coin dispenser. In all you took the wallet, his cards and identification, a total of \$580 in cash, his phone, bag and medicines. The knife you used was from a Leatherman multi-tool stolen by you from a nearby house only a couple of hours earlier. The police found you at your home in Ravenswood the following day in possession of some of the stolen items, and clothing and face coverings worn during the robbery. You were arrested and taken into custody and you have been in custody since then.

When you were interviewed you admitted what you had done. You admitted that you planned the robbery to make money but said that your associate took the cash you stole. You also admitted holding the knife close enough to the taxi driver to make clear that if he did not co-operate it "wasn't going to end well". You did not identify your co-offender and he has still not been identified.

You were 18 when this crime was committed. You are now 19. I have been given details of your background by your counsel and by the author of a pre-sentence report I requested. You have had a very difficult life so far. From a very young age you were removed to foster care as a result of exposure to parental drug abuse, alcoholism and violence. Much of your family has been engaged in criminality although there have been a small number who have been a good influence. Your foster families have also had a positive impact, although your longest foster placement was three years. You managed to complete grade 10 but there are difficulties with reading and writing added to by dyslexia and ADHD. You have never been employed. Although you had been living with a stepbrother for some months before this crime, before that you had no stable accommodation and you were either couch surfing or living on the street. You began to use illicit drugs in many forms in your teens and became heavily addicted to cannabis and methylamphetamine. Your daily use of Ice was the primary factor which led to this crime. Despite all of the adversity you have faced, your only relevant prior conviction is for damaging a car in September 2019 for which you were fined. On the night of this robbery you committed some other offences, including the burglary and stealing from which you obtained the knife. You were convicted by a magistrate, who imposed no other sentence. I infer that was because the magistrate was aware that you were still to be sentenced for this crime. You engaged well with the author of the pre-sentence report. You have remained abstinent from drugs while in prison and express an intention to maintain that following your release. I accept that you now realise the seriousness of what you did and are sorry for it. I also think that you show enough insight and potential such that you are capable of living a productive and law abiding life.

It is in your favour that you quickly admitted to the police what you had done and you have pleaded guilty at an early stage. That avoids the need for the victim to give evidence at a trial and facilitates justice. I agree with your counsel that your plea carries additional weight at the moment when trials are significantly delayed.

Courts are reluctant to send young people to prison because it has the potential to be very damaging and to ruin their future. However, some crimes are so serious that prison is the only appropriate punishment. Threats of violence to achieve a stealing makes this a robbery. The use of knives makes it an armed robbery. That the crime was committed with another man makes it an aggravated armed robbery. The planning, premeditation and use of disguises makes it more serious. Such crimes are all too prevalent. Victims are usually badly affected. People in bottle shops, taxis, service stations and suburban shops are terrorised by frightening experiences like the one to which you and your companion subjected the driver. They are entitled to the protection of the law. He has a wife and children. He was terrified that he might die. The thoughts of what happened haunted him for weeks and no doubt continue to do so. The use of disguises would have added to his fear. In a statement of unusual insight from a person in his position he also expresses an understanding that your circumstances may have led you to commit such a crime, and his hope that you can become a responsible member of society.

It is my duty to impose a sentence which reflects the seriousness of your crime. That requires me to order a term of imprisonment of sufficient length to adequately punish you and to protect the community by a sentence which deters you and others, to the extent that it can be achieved by a sentencing court, from crimes like this in the future. It is also appropriate that I take account of your youth and prospects for rehabilitation by suspending part of the sentence on conditions providing for supervision, and allowing for the earliest eligibility for parole.

Jarrold Shaw, you are convicted. I make a compensation order in favour of the person whose name will appear in the formal order in the sum of \$580, and order that you pay that sum within 28 days from your release. You are sentenced to imprisonment for three years from 28 February 2020. I suspend one year of that sentence for two years from your release. It is a condition of that order that while it is in force you do not commit any offence punishable by imprisonment. If you breach that condition then a court must order that you serve the suspended part of that term unless it is unjust. I impose a further condition that, during the period the order is in force, you are to be subject to the supervision of a probation officer. The full terms of that order will be given to you on a document, but it means that after your release you will be required to report to Community Corrections and comply with the directions of a probation officer for two years. I order that you not be eligible for parole until you have served one year of the term just imposed, that is, half of the operative part of the sentence.