

TASMANIA v QUINTON MICHAEL JARMAN
COMMENTS ON PASSING SENTENCE

12 JUNE 2007
TENNENT J

You have pleaded guilty to two counts of perverting the course of justice and one count of making a false declaration.

On 26 January 2007, at approximately 9.00 pm, police were called to the scene of a motor vehicle accident at 34 Poplar Parade, Young Town. Police spoke to the owners of the property who witnessed a vehicle braking heavily and then saw a white Ford Falcon registration number, DG 1621, slide across their front lawn, missing their house by 80 cm and knock over a tree and rockery. The driver of the vehicle then reversed it off the lawn, drove it up the road and parked it outside number 51 Poplar Parade, with two front tyres deflated. The driver then got out of the vehicle and walked in the direction of Launceston.

Police identified you as the owner of the vehicle and visited your home. You were not at home and so they left a calling card.

At 11.00 pm you reported your car as having been stolen and so police revisited you. You told them your vehicle had been stolen between the hours of 3.00 pm and 11.00 pm and that, at the time, you had been drinking with a friend, Timothy Rosier, at a hotel. Constable Murphy wrote this out in the form of a statutory declaration and warned you about the seriousness of making a statutory declaration and that it would be an offence to declare a false statutory declaration. You nevertheless signed the declaration.

The police investigated the matter and then spoke to you again on 1 February. At that point you admitted the falsity of your claim your car had been stolen, that you had in fact been driving and had the accident and that you had made a false statutory declaration.

You are 25 years old and single. You have no relevant prior convictions. You are in full time employment. You have been charged with offences arising out of the accident but have yet to be dealt with. I am told you realised what you had done and, while not making admissions to police until 1 February, you intended to do so as early as three days after the incident but were unable to contact the relevant police officer.

Unfortunately not only did you lie to police you asked a friend, Mr Rosier, to lie for you as well. He made a statement to police as a consequence backing up your false story. The result is that not only are you before the Court but he has been as well. He has acquired a conviction for his trouble. He was fined by the Court. In my view your behaviour is the more culpable.

The crimes you have committed are considered serious by the courts. I am not satisfied, however, that an immediate custodial sentence is warranted given your early plea and lack of history and the relatively short time between your offending and your admissions.

In all the circumstances, the orders of the Court are, that you be convicted of two counts of perverting justice and one of making a false declaration. You are ordered to perform 150 hours community service and pay a victim of crime compensation levy of \$150 within three months of today.