

The defendant, Shaun Brodie Parremore has pleaded guilty to one count of trafficking in a controlled substance, namely methylamphetamine.

The Crown case, which is not disputed by the defendant is that he was trafficking in methylamphetamine during the period 21 July 2018 – 7 October 2018, and that during that period he was involved in a drug-dealing business, such that there was a continuing trade or business engaged in by the defendant, which involved the acquisition and on-sale of methylamphetamine. It is not asserted that the defendant sold the drug every day, but it was a case that he was continuously involved in the business of trade in the drug during that relatively short period.

Methylamphetamine is a highly addictive and extremely potent central nervous stimulant. It commonly is sold in weights of: a 'point' (0.1g which has a street value of \$50), 'half balls' (1.75g with a street value of \$900-\$1000), a 'ball' (3.5g, \$1800-\$2000) and an 'ounce' (which is commonly sold for \$4,500 - \$5,500 or more).

As a result of an examination of his mobile phone, police determined that there were approximately 500 SMS and MMS messages which related to the sale and acquisition of drugs by the defendant.

Police were able to ascertain that the defendant sold drugs regularly to a number of contacts in his phone. Those messages demonstrate over the period 21 July 2018 to 7 October 2018 he was involved on a frequent basis in relation to the sale of the drugs to those contacts.

The messages showed that the defendant was sourcing the drug in large quantities from a contact known as Fat Mec, and he would on sell the drug in smaller quantities to a number of his contacts. The messages also demonstrate that the accused had incurred a significant drug debt to "Fat Mec".

To at least 13 of his contacts, the defendant was selling methylamphetamine in half ball amounts. He was also selling to another contact in much larger amounts, namely half ounces.

The Crown seeks forfeiture of the items 2, 3, 4, 5, 6 and 7 on Property Seizure Record 169428, a copy of which is contained in the Crown papers. I make that order.

The defendant is 31 years old and has prior convictions for selling a controlled substance in 2010 and 2015 for which he received suspended prison sentences.

He was 29 at the time of the offence. He has been in a healthy and supportive relationship for approximately 12 months. He has no children. His partner is supportive of him as is his mother, with whom he resides.

The defendant had a difficult upbringing; he was sexually abused by both an adult male family member, and juvenile female cousins as a young child. He experiences feelings of shame, humiliation, and embarrassment because of that abuse, and consequently did not report it until 2019. He suffers with intrusive thoughts, negative emotions, and nightmares.

In 2019, he came forward to his mother. Now that he has disclosed this abuse, with the encouragement of his mother, he has taken steps to obtain counselling. Before disclosing the abuse, and seeking treatment, he would self-medicate his trauma symptoms with illicit drugs,

to which his violent and abusive father had introduced him when the defendant was 15. His consequent addiction accounts for much of his criminal history.

Since committing this crime, the defendant has undertaken efforts to promote his rehabilitation. He has pursued regular counselling with Mr Peter Nelson, a psychologist. He has been engaging with drug counselling with the Salvation Army Bridge Treatment Centre since 20 December 2019, on a fortnightly basis. He has engaged with his General Practitioner, Dr Samuel Moloney for management of his mental health and drug addiction. He is medicated with anti-depressant and anti-psychotic medication. It is his intention to continue to engage with these support services into the future.

As a result of the rehabilitation efforts, he is sleeping better, suffering fewer nightmares, and fewer intrusive thoughts. Since January 2019, as far as I am told, he has not committed any further offences.

The Crown accepts that the defendant was conducting his business in the manner described by his counsel, Mr Scott, and that he was operating it for the most part at a relatively low level of the trafficking hierarchy. Your motive was to fund your own use of the drug. He pleaded guilty at an early opportunity and as a result he is entitled to a full discount on an otherwise appropriate sentence.

In a not dissimilar case my colleague Justice Brett, commented in terms that are entirely apposite to the present case. His Honour said:

"However, despite these mitigating factors, there are some serious features which need to be taken into account in assessing the objective seriousness of your conduct. You were engaged in a business which involved the regular and continuous sale of methylamphetamine over a significant period of time. It involved the sale of significant quantities of the drug, and can properly be described as a commercial operation, albeit at a relatively low level. As you yourself should well appreciate, this is a destructive and highly addictive drug, and your activities involved its dissemination, in a significant aggregate quantity, to others within the Tasmanian community. While I take into account that your motive was not one of pure financial gain, the reality is that you were making a profit from the sale of this drug and hence you were distributing misery to others for the sake of sustaining your own habit."

These are Justice Brett's words and I respectfully adopt them in the present case.

At the request of the defendant's counsel I ordered a report from Community Corrections as to the defendant's suitability for a home detention order and or a community correction order. He is assessed as suitable for both. The defendant is convicted of the crime of trafficking in a controlled substance and is sentenced to 15 months' home detention and 147 hours of community service.

All of the core conditions contained in s 42AD(1) of Part 5A of the *Sentencing Act 1997* are imposed.

With specific consideration to s 42AD(1) (g) and (h), the following conditions are added to the Order:

Mr Parremore:

- 1 You must, during all of the operational period of the order submit to electronic monitoring, including by wearing or carrying an electronic device.

- 2 During the period that you are required to submit to electronic monitoring:
- a you must not remove, tamper with, damage, disable or interfere with the proper functioning of any electronic device or equipment used for the purpose of electronic monitoring.
 - b you must not allow anyone else to remove, tamper with, damage, disable or interfere with the proper functioning of any electronic device or equipment used for the purpose of electronic monitoring.
 - c you must comply with all reasonable and lawful directions given to you in relation to the electronic monitoring, including in relation to the installation, attachment or operation of a device, or a system, used for the purposes of electronic monitoring by:
 - i a police officer;
 - ii a probation officer or proscribed officer; or
 - iii another person whose functions involve the installation or operation of a device, or a system, used for the purposes of electronic monitoring.

The following specific conditions are added to the Order:

- 1 You must, during the operational period of the order, remain at [address specified] at all times unless approved by a probation officer.
- 2 Prior to 10am tomorrow morning, you must attend the Community Corrections office at Glenorchy for induction onto this order.
- 3 You must, during the operational period of the order, maintain in operating condition an active mobile phone service, provide the contact details to Community Corrections and be accessible for contact through this device at all times.
- 4 You must submit to the supervision of a Community Corrections officer as required by that officer.
- 5 You must not, during the operational period of the order, take any illicit or prohibited substances. Illicit and prohibited substances include.
 - a Any controlled drug as defined by the *Misuse of Drugs Act 2001*
 - b Any medication containing an Opiate, Benzodiazepine, Bupropion, Hydrochloride or Pseudoephedrine, unless you provide written evidence from your medical professional that you have been prescribed the relevant medication.

As to community service, I make a community correction order for a period of 30 months, and order that within that operational period you undertake 147 hours of community service.