

Ms Hickey, you have pleaded guilty to one count of perverting justice.

The crime relates to your decision to take the blame for an act of dangerous driving engaged in by a female friend in the early hours of 6 October 2019. You and she and your partners had been out for a social engagement. You were meant to be driving, but you had consumed some alcohol and it was agreed that your friend would drive the vehicle. Your reasoning is a little difficult to understand because you knew that your friend did not have a licence, had relevant prior convictions and you also believed that she had consumed some drugs. In any event, during the course of the journey, the police attempted to intercept the vehicle, but your friend sped off and then engaged in a serious course of dangerous driving which lasted for approximately 15 minutes and traversed a distance of about 30 kilometres. The driving was very dangerous and included travelling on the wrong side of the road on a number of occasions. The vehicle was eventually brought to a halt by the use of an immobilisation device.

At some point, you agreed to swap seats with your friend and pretend that you were the driver. You made this decision spontaneously, because you wanted to help your friend stay out of trouble and avoid what was likely to be harsh punishment. You believed that she could go to jail and you were concerned for her and her young child. You were interviewed by police and maintained your false story. The police accepted that you had been the driver and you were charged with relevant offences and released on conditional bail.

You very quickly realised that you had placed yourself in jeopardy of serious consequences. You are a single parent with a sick child, live in a relatively remote location and it had dawned on you that you could incur serious penalties, including a lengthy driving disqualification. It may also have occurred to you – I am not sure about this – that you could possibly be sentenced to imprisonment for that crime. Accordingly, two days after the crime was committed, you attempted to contact the police officers involved in order to admit what you had done and tell them the truth. It took a week for the police to get back to you. On 16 October 2019, you made a statutory declaration setting out the true version of the relevant events and then confirmed this information and your crime in a record of interview conducted on 22 October 2019. By then, of course, it was too late for your friend to be tested for the presence of alcohol or illicit substances in her body at the time of the driving. However, she has now been charged with dangerous driving and perverting justice.

You are 32 years of age. You are solely responsible for the care of your two children aged 10 and 9. The eldest child suffers from a chronic health condition which requires regular treatment, including surgery and hospitalisation from time to time. She is due to have further surgery before Christmas. Your prior convictions consist only of two traffic infringements and an assault which was dealt with by way of conditional release without conviction in 2012. It would seem that, apart from the commission of this crime, you are, in substance, a person of good character.

This is a relatively serious example of perverting justice, in my view. It related to an attempt to cover up and enable your friend to avoid culpability for a serious crime. Conduct such as this, on your part, undermines the proper administration of justice. Although you rectified your deceit at a relatively early time, the prosecutor has made the valid point that a permanent consequence of your crime is the inability of the police to test the driver for alcohol or illicit

substances. However, I take into account in your favour that you did contact the police and confessed your guilt at a relatively early time. You should also receive credit for your subsequent willingness to assist in the administration of justice, including by your plea of guilty and by your offer to give evidence against your friend if that is required.

General deterrence is a particularly important sentencing consideration for a crime such as this. However, in view of your lack of relevant prior convictions, your co-operation in the administration of justice and the health condition of your daughter, which I regard as an exceptional circumstance, I intend to proceed in a way that will not involve serving a sentence of imprisonment. I intend, instead, to require the performance of a period of community service.

Natasha Hickey, I convict you of the crime to which you have pleaded guilty and make a community correction order. You must comply with the order for a period of 30 months, and that period shall commence today. The core conditions of the order require you to report to a probation officer, and you shall do so at the office of Community Corrections in Hobart within three clear days of today. In addition to the core conditions of the order I also include the following special condition. You must, within the said period of 30 months, satisfactorily perform community service, as directed by a probation officer or a supervisor, for a period of 126 hours.