

Nikolas Ferrall, you plead guilty to stealing and unlawfully setting fire to property. On 27 September 2019 you stole a van which had been left parked in the driveway of a residence in Launceston. For the next few hours you drove the van around north eastern Tasmania. The police were able to track the van through its GPS receiving device and eventually located it, and you standing near it, in a remote forestry area near Underwood. They arrived just after you had set the van on fire. You ran off. They arrested you nearby but the van was quickly engulfed by flames. It and its contents were destroyed.

The van was a commercial vehicle worth at least \$24,000. The equipment and commercial cleaning products it contained were worth a further \$20,000. Personal items of the driver worth about \$2,000 were also lost. No doubt the company which owned the van has suffered further loss as a result of the inconvenience and disruption to their business which you caused.

You were aged 36 when this crime was committed. You are single with no children. You lived in Tasmania until you were in your mid 20's during which time you had convictions including destroying property, assault, assaulting police, behaving in a violent manner and various driving and traffic offences. You were generally dealt with by fine or community based orders. Between about 2008 and 2018 you lived in Queensland where, from 2012, you committed further offences. They were mostly for minor dishonesty, but in early 2018 you were sentenced to imprisonment for a number of drug and dishonesty offences. After an appeal the sentence was reduced to an effective term of six months from 10 February 2018. You were released on parole and not long afterwards returned to Tasmania. On 22 May 2020 you were sentenced by a magistrate to imprisonment for 25 weeks, partly suspended on condition that you perform community service, for offences all committed following the crimes for which I am to sentence you, including one count of stealing, three counts of motor vehicle stealing, two counts of unlawful possession of property, bail offences and a number of drug offences including possession of methylamphetamine. You breached that suspended sentence by further offences including driving with an illicit drug, evading police, and common assault. That resulted in further sentences totalling 25 weeks from 29 December 2020. You are still serving that sentence. They are not prior convictions for sentencing purposes but are relevant to totality, whether I should make a parole order and to the prospects of your reform. They also discount, however, any claim you have that you were remorseful for your conduct on 27 September 2019 because you continued to offend.

It is in your favour that you have pleaded guilty but it is not an early plea. For periods in your life you have demonstrated a capacity to be a law abiding and productive member of the community. However, as your record indicates, your life has been affected by abuse of drugs. You were so heavily affected on this occasion that you claim no memory of it. That does not reduce your responsibility. I accept that this was an opportunistic crime because the van was left running in the driveway when you saw it and you took the chance to drive it away. However your decision to destroy it by fire was a wanton act of damage done, as is commonly the case, to destroy forensic evidence and so avoid detection and in disregard of the rights the owner and driver of the van. It is disgraceful criminal conduct. I will make an order that you compensate the owners of the van and contents but there is little chance that you will ever be able to pay them back.

Nikolas Ferrall, you are convicted on each count. I make compensation orders in favour of A Whistle and Co Pty Ltd and Eon Nation and adjourn the further terms of those orders to a date to be fixed. You are sentenced to imprisonment for nine months cumulative to the sentences imposed 22 January 2021. I order that you not be eligible for parole until you have served half of that term.