

The defendant, Mr Robinson-Stacey, has pleaded guilty to one count of unlawfully setting fire to property. On 20 November 2019 he was an inmate of Risdon Prison and housed in the maximum security unit. He was and is serving a term of imprisonment of eight years backdated to December 2018. He will not be eligible for parole with regard to that sentence until he has served a period of five years. The unit in which he was located consists of four cells, and mostly houses between two to four inmates, with one inmate per cell. At the relevant time all four cells were occupied. At about 9am, the defendant covered the internal camera of his cell using paper, before creating a spark with a AAA battery and a piece of foil. The intention was to use the spark to set fire to the mattress in the cell, and the defendant achieved his purpose. The mattress caught alight and the fire spread throughout the cell. At about 9.10am the fire alarm sounded in the unit and a response team was activated. Correctional officers called out to the defendant to uncover the cell window, and he was then seen standing near a door to the adjoining exercise yard. He was told to move towards the entrance to get fresh air. The fire suppression system was activated, and a large amount of water was released from the ceiling. In the meantime correctional officers obtained fire fighting equipment and returned to extinguish the fire. Once the fire was contained, correctional officers handcuffed the defendant and took him elsewhere in the prison. Welfare checks on the three other inmates were carried out and they were moved to the Health Section. Police were called. Before the police arrived, the defendant was taken to a processing cell and asked to participate in a personal search. He was compliant, and when asked if he had any contraband, he took a AAA from his sock. He was asked why he had started the fire. He said, "I wanted to see therapeutics; the cunts won't see me". He said he knew the smoke would get the staff's attention. He declined to be interviewed by the police. As a result of the fire, the cell mattress and bedding were destroyed. Damage was caused to the cell door, the ceiling, paint on the walls and to the floor. The flooring had to be ground back and refinished. A new smoke detection system had to be installed. The value of the total damage is about \$12,250.

The defendant is now 26 years old. He has a lengthy record of serious offending starting in 2007. Offences of violence, destruction of property and dishonesty are prominent. The offences which led to the lengthy term arose from two separate incidents of violence. Charges faced included causing grievous bodily harm, two counts of aggravated assault, recklessly discharging a firearm, two counts of unlawfully injuring property and assaulting a police officer. As reflected in the sentence, the sentencing judge described the crimes as "very serious". The defendant seems to have had a relatively stable upbringing but has had behavioural problems from an early age. His formal schooling ended at 13 but he has had additional schooling since then, and is described as having good literacy and numeracy skills. The defendant abused alcohol and cannabis from an early age and from the age of 16 has had a methylamphetamine addiction. This addiction is heavily entrenched, and results in offending. A drug treatment order was made in 2013 but that was unsuccessful. In simple terms, the defendant has great difficulty in abstaining from drugs. Much of the time since his late teens has been spent in detention or prison. It seems he is effectively institutionalised. Within three weeks of being released on parole in 2016 serious offending was committed. Within weeks of being released on parole in respect of the resulting sentence, the crimes leading to the present sentence were committed. He has now been in custody since 8 December 2018. I was told that on the same day as this offending he assaulted a police officer, for which he received one month's imprisonment cumulative, and this was later followed by a violent prison offence which attracted a sentence of two months, again cumulative. The total non-parole period faced

is therefore five years and three months from December 2018. In relation to the offending, counsel for the defendant told me there was little to offer by way of explanation. Apparently the defendant had received some unspecified distressing news on the telephone, but does not seek to excuse his actions. I take into account the plea of guilty. He was originally charged with arson but once that charge was downgraded, the matter was quickly resolved. I also take into account the length of time the defendant has been and will be in custody.

Mr Robinson-Stacey, setting fire to bedding and the like in prison cells creates a risk for prison officers and other inmates. Events such as this defy and disrupt the orderly prison management. In this case, significant disruption was caused and the health of other inmates put at risk. Such conduct must be condemned. Attempting to deter others from similar behaviour is also an important factor. Hopefully, you will also be persuaded that further offending is not in your best interests. As you are aware, I have to make any term of imprisonment cumulative to your present terms unless there are exceptional circumstances. None have been claimed and none seem to exist. As I have said, I take into account the plea of guilty and the total length of the sentences to which you are presently subject. You are convicted and sentenced to six months' imprisonment cumulative to all the terms presently being served. I make a compensation order in favour of the State of Tasmania in the form of the Tasmanian State Prison Service, in the amount of \$12,252.77.