

STATE OF TASMANIA v LEON JEFFREY WATTS
COMMENTS ON PASSING SENTENCE

10 SEPTEMBER 2021
ESTCOURT J

The defendant, Leon Jeffrey Watts, has been found guilty by a jury of two counts of dishonestly acquiring a financial advantage and one count of making a false statutory declaration. The circumstances comprising these offences occurred on about 2 October 2019 and following, when Mr Watts falsely reported a motorbike and a utility he owned as having been stolen, and subsequently made an insurance claim in respect of the motor vehicle with Shannon's Insurance, and in respect of the motorbike with Swann Insurance. He was paid on those insurance claims, but the vehicles had not been stolen and were subsequently located by police in his garage after a tip-off to Crimestoppers by an anonymous person saying that he or she thought that there was fraud involved in the reported thefts. The money has been repaid to both insurance companies.

The defendant is a 46 year old man who had an unremarkable upbringing until he became addicted, in his early youth, to heroin, and started a long chain of offending in relation to crimes of dishonesty. He was able to change his lifestyle when he came to Tasmania and he has had 16 years offence free and has had all his time in Tasmania drug free. In all of the circumstances this is a case where I feel it is appropriate to deal with sentence by way of a wholly suspended sentence of imprisonment.

The defendant is convicted of making the false statutory declaration and false statements and of dishonestly acquiring a financial advantage on two counts and is sentenced to a period of 15 months' imprisonment, which sentence I wholly suspend for a period of 2 years on condition that he commit no offence punishable by imprisonment within that time.