

STATE OF TASMANIA v SKYE KATHLEEN LATHAM
COMMENTS ON PASSING SENTENCE

4 OCTOBER 2021
MARSHALL AJ

Ms Latham has pleaded guilty to a charge of armed robbery contrary to s 240(3) of the *Criminal Code*. On or about 7 June 2020 she robbed two supermarket employees of grocery items valued at \$494.05 and at the time of the robbery was armed with a hammer.

Ms Latham filled a trolley with goods at the Woolworths store at Claremont and exited the supermarket without paying. One of the items stolen was a hammer. Ms Latham grabbed the hammer and swung it at one of the employees. She then left the area in a taxi and was later apprehended with the goods.

At the time Ms Latham was homeless although she had previously spent the night at Claremont House. She had mental health issues at the time. She has several previous convictions for stealing but none for anything as serious as armed robbery. She has served 7 months of imprisonment referable to this offence.

She is 25 years old and with proper support and encouragement to deal with drug, alcohol and mental health issues she has good prospects of rehabilitation. She has support from her father who will assist her upon her release from prison.

Ms Latham is remorseful. She has apologised to the complainants. She has been subject to family violence in the past. Her crime was born of desperation from being homeless and poor. That does not excuse the offending but it helps to explain it.

In sentencing Ms Latham I take into account general and specific deterrence and the importance of the concept that employees should be free to go about their duties without threats of violence from customers.

I also take into account the recommendation from community corrections that Ms Latham is a suitable candidate for an order for community based supervision for 12 months. Such case management would assist in addressing Ms Latham's previous poor decision-making including illicit substance use, and would also help her to find education and employment opportunities as well as psychological intervention and drug and alcohol counselling.

Ms Latham I convict you of the crime to which you have pleaded guilty and sentence you to a period of 7 months' imprisonment commencing on 4 March 2021 and to be treated as time served. I make a community corrections order. You must comply with the order for a period of 12 months and that period shall commence today. The core conditions of that order require you to report to your probation officer and to do so at the office of community corrections in Hobart within 3 clear days of today. In addition to the core conditions your order shall also include the following special conditions. You must during the period of the order:

- 1 Attend educational and other programs as directed by the Court or a probation officer;
- 2 Submit to the supervision of a probation officer as required by the probation officer;
- 3 Undergo assessment and treatment for drug dependency as directed by a probation officer;
- 4 Submit to testing for drug use as directed by a probation officer;
- 5 Undergo assessment and treatment for alcohol dependency as directed by a probation officer;
- 6 Submit to testing for alcohol use as directed by a probation officer;

- 7 Submit to medical, psychological or psychiatric assessment or treatment as directed by a probation officer;
- 8 Attend, participate in and complete the EQUIPS addiction program as directed; and
- 9 Attend, participate in and complete the EQUIPS aggression program as directed.