

STATE OF TASMANIA v CHELSEA FAYE PRIOR
COMMENTS ON PASSING SENTENCE

18 FEBRUARY 2022
PEARCE J

Chelsea Prior, you are to be sentenced on your plea of guilty to dealing with the proceeds of crime. I will also deal with your pleas of guilty to the summary charges of possessing cannabis, possessing cannabis seeds and selling cannabis. In late 2020, not long before your 22nd birthday, you decided to make some extra money by selling cannabis. You did not have much money. You wanted to help your mother who was suffering pain through serious illness and to give the family a good Christmas. Beginning in November 2020 you purchased two separate quantities of cannabis. At your father's home you used scales to measure the cannabis into 1.6 gram deals in snap lock bags which you then sold for \$20 each to people you knew to smoke cannabis. On 17 December 2020 the police attended and searched your father's home. They found five snap lock bags containing cannabis, five snap lock bags containing cannabis seeds, a pink bag containing empty snap lock bags and electronic scales and two envelopes each containing \$1,120 in cash. When interviewed you admitted that all of the items were yours and that the cash was the proceeds of the sales of cannabis.

You are now 23 and have care of your daughter who is 6. You have full time employment but your income is supplemented by Centrelink benefits. You have no relevant prior convictions. Your admissions to the police and early plea of guilty are in your favour, especially at a time when the pandemic is so disruptive to the facilitation of justice. At a time when trials are delayed, the plea of guilty carries additional weight. The quantity of cannabis involved was relatively small and the period of offending short. Balanced against those factors is the need to make clear to you and others that selling drugs will have consequences. A community corrections order requiring community service will involve some punishment because it will necessitate you foregoing employment to complete the hours but it is the appropriate order.

You are convicted on complaint 31191/21, counts 1 to 4 inclusive. I am satisfied that the sum of \$2,240 is tainted property as the proceeds of drug sales and that no hardship will result from its forfeiture. I order, pursuant to the *Crime (Confiscation of Profits) Act 1993*, s 16(1) that the money is forfeited to the State. I order that the snap lock bags and electronic scales seized by the police are forfeited to the State. The charges are all related and so I will impose one sentence. I make a community corrections order for a period of 12 months from today. The core conditions of that order will be specified in the order you will be given and include that you not commit an offence punishable by imprisonment, that you report to and comply with the directions of a probation officer, that you must not leave Tasmania without permission and that you must notify of any change of address. I impose a special condition that you must, within the operational period of the order, satisfactorily perform 35 hours of community service, as directed by a probation officer or a supervisor. If you breach any of those conditions you may be brought back to court and re-sentenced.