

Liam Dougherty, you plead guilty to arson. At about 1.40 am on 15 November 2020 you walked to the property at 152 Bathurst Street in Launceston. You wore a hooded top, a cap, sunglasses and a face covering and carried a fuel container of petrol and a hammer. 152 Bathurst Street is a single fronted conjoined house with a verandah which at the time was being used by short term tenants performing erotic massage services. You used the hammer to prise open the closed shutters on the front window, smashed the window and an internal glazing panel and a sheet of plaster board which had been placed over the window. You then poured the contents of the fuel container, and then the container itself, inside the window and set fire to it by applying a cloth you had lit with a cigarette lighter. It immediately caused a fiercely burning fire which ignited the verandah, the awnings, the surrounds of the window and inside the premises.

The fire was spotted by police officers driving past, who used a fire extinguisher to put out the outside part of the fire. The fire brigade attended and put out the fire on the floor of the front room, but not before physical and smoke damage which cost about \$35,000 to repair was caused.

You were identified from evidence found at the scene and from CCTV footage, and arrested on 15 November 2020, that is, later on the same day. You made no admissions to the police but your plea of guilty, although it is not a particularly early one, is in your favour. You are about to turn 32. You had an unremarkable upbringing and your family is supportive and responsible. You began using illicit drugs in about 2012 and that has been a dominant factor in your life since then. You have no prior convictions for arson. Your record is for anti-social, drug and bail offences and dishonesty and becomes markedly worse in around 2018. You served a term of imprisonment during 2019 and on 4 November 2020 a drug treatment order was made, with a custodial part of nine months, for two counts of aggravated burglary, one count of burglary, three counts of stealing, stealing a firearm and unlawfully damaging property. The link between drug abuse and that offending is made clear by the making of the order. The sentencing judge made clear that they were serious offences and in setting the custodial part of the order took into account a further period of 12 months custody you had already served. You did not take full advantage of the opportunity offered to you. This crime was committed only 11 days after the order was made. It is an aggravating factor that it was committed while subject to the drug treatment order. I am informed that you relapsed into drug and alcohol abuse. You were affected by those substances when you lit the fire but that does not mitigate your crime. Although you were granted bail, and the drug treatment order continued for a period of time, it was ultimately cancelled on 20 October 2021. You were sentenced to imprisonment backdated to 12 August 2021. You would have been due for release on 11 April 2022 although you are also waiting on other charges to be determined.

Arson is the most serious property crime. It is easy to commit, has capacity to cause serious damage to property and to expose others to risk of death and injury. In this case the damage was considerable. There was considerable potential for the fire to spread to the neighbouring and nearby residential properties and possibly even further. The building itself was unoccupied at the time, but there were two people in the adjoining house. The property was part of a row of six conjoined buildings and yet more buildings were nearby. For that reason it was extremely fortunate that the fire was noticed so quickly by the police who happened to be going past. Otherwise the damage to life and property could have been catastrophic. It is of

course relevant that it was not. You believed that your former partner was working there and you were jealous of her activities. Presumably this was intended as a signal of some form of retribution or protest against her or those with whom she was associated. Your conduct was planned, although I accept that it was not planned for long. You went to the property disguised and with the intention of burning it. You took with you the means of setting fire to the building and went to some trouble to achieve it. I will allow for parole but only after the minimum term I consider is required to serve the purposes of punishment and deterrence.

Liam Dougherty, you are convicted on the indictment. I make compensation orders in favour of QBE Insurance (Australia) Ltd and Celeste Bates and adjourn the further terms of those orders to a date to be fixed. You are sentenced to imprisonment for 18 months cumulative to the term or terms imposed by a magistrate on 20 October 2021. I order that you not be eligible to apply for parole until you have served 12 months of that term.