

Mr Dobson, you have pleaded guilty to one count of dangerous driving. You have also pleaded guilty to the following associated summary offences: one count of evading police with aggravated circumstances, two counts of driving while disqualified, two counts each of using an unregistered and uninsured motor vehicle, one count of stealing, and one count of unlawfully tampering with a motor vehicle.

The offences were committed over two separate days. On 2 January 2022, you drove your Kia van, which I am told you were then living in, into a service station at Latrobe. You filled it with \$90 worth of diesel and then drove off without paying. The van was unregistered and uninsured and you had been disqualified from driving by a court on 31 January 2020 for a period of two years for offences under the *Road Safety (Alcohol and Drugs) Act*.

The dangerous driving was committed on 4 January, after your vehicle was spotted by an off duty police officer. Police were looking for you because of the stealing offence. Soon after you were first seen, a marked police car attempted to intercept you by activating its emergency lights and sirens. You evaded interception by accelerating away from police at high speed. This commenced a course of dangerous driving which took place over a distance of approximately 24 km and lasted for approximately 26 minutes. You drove dangerously through suburban areas and on busy roads which contained a moderate to heavy amount of vehicular and pedestrian traffic. On a number of occasions, you drove for sustained distances on the incorrect side of the road and often in the path of oncoming traffic. Numerous vehicles found it necessary to take evasive action, including by driving off the road, in order to avoid collision with your vehicle. One of these occasions involved driving for approximately 300 metres on the incorrect side of the road in order to avoid police immobilisation devices. You travelled at excessive speeds, including travelling at 100 km/h in a 60 kph zone and subsequently, while on the wrong side of the road, at 80 kph in a 60 kph zone. During the course of the journey, your vehicle collided with and drove over a raised concrete traffic island. This happened when you were attempting to overtake another vehicle. The dangerous driving came to an end when you arrived at the carpark of the ferry terminal. It is clear that although you stopped and got out of your vehicle, you were still attempting to avoid apprehension by police. It was during these attempts that you committed the tampering offence. You did this when you tried to enter a woman's vehicle while she was using the restrooms. You were arrested by police soon after.

You are currently 36 years of age. Your criminal history is lengthy and demonstrates a sustained and serious pattern of offending since you were 18 years of age. The offending includes numerous driving and dishonesty offences and you have been sentenced to terms of imprisonment on several occasions. It is clear from your history of prior offending that you have little regard for the law or for orders made by courts. This can be inferred not only from the general pattern of offending, but also from several occasions when you have driven despite being disqualified from doing so. I count two prior convictions for evading police. I am told that your criminal behaviour does not arise from disadvantage suffered in childhood. Your childhood was unexceptional but it seems that you developed a serious drug problem as an adult. It can be concluded that much of your offending relates to this problem. I am told that you want to enrol in courses in prison as soon as you are able to do so, which hopefully will be after today, presumably with a view to attempting to rehabilitate yourself. This is clearly something you should do, because you have no hope of a happy or meaningful life until you get on top of your drug problem and stop offending, but real rehabilitation will require genuine

commitment from you. At this time, there is little evidence that you have made that commitment. Personal deterrence is a significant sentencing consideration.

You should, of course, receive the benefit of an early plea of guilty. While I do not think that the plea arises from anything other than the fact that you were, in effect, caught red handed committing these offences, I accept that your plea will have some utilitarian benefit, and you should get credit for this. However, the combined offences represent an extremely serious course of criminal conduct. The dangerous driving created a real and direct risk to numerous members of the public, not to mention the police involved and, of course, yourself. It is only a matter of good fortune that someone was not killed or seriously injured. Your desperation to escape from the police is demonstrated by the grave risks that you took with your own and other people's lives, and compounds the dangerous nature of the driving. Driving of this type is not only criminal, it is stupid, pointless, extremely dangerous, and is rightly of great concern to the community. It is conduct which involves conscious and deliberate decision making and, accordingly, is particularly amenable to general deterrence. Those who decide to evade police and drive dangerously must realise that such conduct will not be tolerated and will result in severe punishment. In your case, the only possible sentence is a substantial sentence of imprisonment. I will, however, moderate the sentence to some extent to acknowledge your plea of guilty and I will also make an order which will enable you to apply for parole at a reasonably early time. This will provide the Parole Board with the opportunity to respond to any meaningful commitment to rehabilitation demonstrated by you while you are in prison.

Nathan Dobson, you are convicted of the crime and offences to which you have pleaded guilty. I impose the following sentences:

- (a) For the charge of evade police with aggravated circumstances, you are sentenced to a term of six months imprisonment, which will be backdated to commence on 4 January 2022. You are not eligible for parole until you have served four months of that sentence. You are also disqualified from driving for a period of two years which will commence on the date of your actual release from prison.
- (b) For all other offences, with the exception of count 10 on complaint 50024/22, which is a non-imprisonable offence, you are sentenced to imprisonment for a global term of two years and six months. The sentence will be cumulative upon the sentence imposed for the evade police offence. You are not eligible for parole until you have served 20 months of that sentence. In respect of these offences you will be disqualified from driving for a global period of three years which will operate cumulatively upon the disqualification imposed for the evade police offence. This results in a total disqualification of five years.
- (c) For the remaining offence, count 10 on the complaint, I impose no further penalty.

For the purposes of S 92A (3) of the *Sentencing Act*, I specify that:

- a. The total term of imprisonment which you are liable to serve in respect of all of the above sentences is three years commencing on 4 January 2022.

- b. The total period that you must serve before you become eligible for parole is the aggregate of the non-parole periods relating to the said sentences, which is a total period of two years.