

Mr Chatwin, you have been found guilty by the jury of one count of perverting justice and one count of making a false statutory declaration. It is a case in which the facts for sentence follow from the verdict and you will be sentenced accordingly.

On 17 July 2020, at approximately 9.00pm, you drove your grey Subaru Liberty from your partner's home in Beamish Avenue. At about 10.40pm, police saw that motor vehicle doing burnouts in Wynyard. They activated their lights and sirens to indicate to the driver of the vehicle to pull over. Instead, the driver accelerated heavily and drove quickly away from the area. The police were able to identify the car but not the driver. It was, of course, the State's case at trial that you were the driver of the vehicle, but you do not stand to be sentenced for any of the alleged driving behaviour. Nevertheless, I am satisfied you were the driver and that is why you behaved as you subsequently did. You drove the vehicle to a relatively remote forestry road in an area off Reservoir Drive in Wynyard in order to hide the vehicle. You did this so as to prevent there being a proper investigation into whether you were in fact the driver and had committed the driving offences. Having hidden the vehicle you telephoned your brother and arranged for him to collect you. You returned to your partner's residence. I am satisfied you then told Ms Donoghue, who was present at the residence, babysitting children, that you had been involved in a chase with police and had hidden your motor vehicle. You also asked her to hide the keys and told her that you were going to report the motor vehicle as stolen. You subsequently contacted Tasmania Police and reported the vehicle stolen. The next day you made a Statutory Declaration in which you claimed that your Subaru Liberty motor vehicle had been stolen from outside your partner's residence on 17 July 2020. In doing that, you made a Statutory Declaration which was false in a material particular. I am satisfied that your purpose in doing all of this was to deflect police from properly investigating and potentially prosecuting you in respect to the driving behaviour.

You are 40 years of age. You have a relatively poor criminal history, with several convictions over a number of years for driving offences, matters of dishonesty, bail offences, and offences against police. In 2004, you were sentenced by this court for the crimes of aggravated robbery and unlawfully setting fire to property. You were sentenced to imprisonment. Since your release from prison, it does appear as though there has been a considerable abatement in your offending. In 2008 you were sentenced for a matter of resist a police officer which occurred in 2006, and in 2018 you breached the Road Safety (Alcohol and Drugs) Act, but otherwise it seems you have stayed out of trouble. You are the sole, full-time carer of two of your children who are aged 13 and 11. You also take care of your mother, who is elderly and in poor health. You are in a stable and long term relationship and you have a third child to that relationship. You have had a difficult life. The pre-sentence report I ordered refers to a history of family dysfunction. It also suggests you would benefit from supervision.

These were serious criminal offences. Both charges deflect the resources of the police and undermine the integrity of the criminal justice system. Your behaviour prevented a proper investigation to determine whether you had committed driving offences. Whether you would ultimately have been charged with any driving offence is of course unknown, but your behaviour thwarted any opportunity for that, and thereby thwarted the administration of justice. Persons who commit crimes of this nature are nearly always sentenced to imprisonment, not only because of the need for punishment, but also to send a very clear message to others who may be tempted to act as you did, that prison is the likely outcome. In my view, a sentence of

imprisonment is the only appropriate sentencing response. However, when I have regard to your personal circumstances, including your responsibilities to your children and the care you provide to your mother, and the recent abatement of your offending behaviour, I am satisfied that a wholly suspended sentence of imprisonment, coupled with Community Correction hours and supervision, meets all relevant sentencing considerations.

Mr Chatwin, you are convicted of both crimes. You are sentenced to a global term of six months' imprisonment, which will be suspended for a period of two years on condition that you not commit another offence punishable by imprisonment during that period. I also make a Community Corrections order for a period of two years from today. The core conditions of that order will be set out in a written document provided to you. You are required to comply with the condition that you must not commit an offence punishable by imprisonment for a period of two years from today. There is a special condition that you must submit to the supervision of a Probation Officer for that period of time and you must participate in programmes and/or engage in counselling as directed by a Probation Officer. I also impose a special condition that you must complete 70 hours of community service within that two year period. I order that you report to Community Corrections by close of business tomorrow.