

Grant-Lee Michael Hawdon has pleaded guilty to being an accessory after the fact to stealing a firearm or firearm part contrary to ss 234A(1) and 300 of the *Criminal Code*. He committed this crime by driving Joshua Darling, the thief, from the scene of the crime at Relbia to Hobart.

On 25 January 2021 the defendant, with Joshua Darling, drove a motor vehicle that he had stolen to West Hobart where they committed a burglary and stealing. On 26 January they drove north to Blessington. On the way the defendant fell asleep at the wheel and rolled the vehicle. They walked to a property where they entered a shed and stole a Polaris All Terrain Vehicle and travelled towards Launceston. It broke down. The two men walked towards a property at Relbia and parted company.

Mr Darling entered a residential property at Riverstone Drive and gained access to a shed and a locked gun safe and stole three firearms:

- Remington model 10 bolt action .22 long range rifle, the property of Ricky Pearton
- Slazenger bolt action .22 rifle the property of Gregory Pearton
- Winchester break action 12 gauge shotgun, the property of Gregory Pearton

He also stole two boxes of ammunition suitable for .22 rifles and two boxes of ammunition for a 12 gauge shotgun.

The defendant, Mr Hawdon, was not present. A short time after the crimes, Mr Darling rejoined the defendant with the stolen firearms and told the defendant about them.

To assist Mr Darling escape punishment for stealing the firearms and ammunition, by providing him with transport, the defendant entered a shed at Opossum Road and stole a 1948 Ford Mercury motor car and a litre of fuel. The defendant drove Mr Darling in the vintage car via the East Coast to Hobart to avoid attracting attention. He put fuel in the car at Perth and made off without payment. On the way to Hobart, the two men stole a mountain bike at Spring Beach. The defendant drove Mr Darling to Flint House in New Town where they parted ways. He left the Ford Mercury parked outside with the keys in the ignition.

Mr Darling sold the three firearms and ammunition but refused to tell the police who he sold them to. The defendant is not aware of the identity of the purchaser/s. The defendant was arrested in Hobart on 1 February 2021 and he was interviewed by police. The defendant denied any knowledge of Mr Darling having possession of stolen firearms.

Mr Darling was charged with unlawful trafficking in firearms, stealing firearms and aggravated burglary and stealing. He was sentenced on 16 November 2021 to a global sentence of 15 months' imprisonment and a community correction order for 12 months. The defendant is charged with a single crime, a different crime altogether.

The defendant committed this crime in the midst of a spree of criminal offending. He has been sentenced for other offences committed close in time, some mentioned in these comments, and received a global sentence of two months' imprisonment. This modest sentence would not warrant a moderation in the sentence I impose today, because of totality considerations.

Since committing this crime, he has been sentenced for two crimes committed in late 2019. On 24 August 2021 he was sentenced to a lengthy term of imprisonment for crimes of armed robbery, and attempted aggravated armed robbery. The sentence was appealed and ultimately he was resentenced to 5 years and 6 months' imprisonment, backdated to 3 February 2020, with a non-parole period of 2 years and 9 months. He was on bail for those serious crimes when he committed this crime. Noting the very lengthy sentence that he received, considerations of totality arise for my consideration.

The defendant has other prior convictions in Tasmania, including multiple convictions for dishonesty, as well as a significant criminal history in Queensland and New South Wales. A sentence of six years' imprisonment was imposed in 2010 for burglary and stealing and a concurrent sentence of imprisonment of two years for dangerous driving. Relevantly, he has convictions for firearms offences in Queensland in 2001 and 2010.

There is a strong prospect that these firearms were sold by Mr Darling to drug dealers or criminals or individuals who would pass them on to criminals. There is significant potential that they have been or will be used in the commission of crimes. The defendant knew very well that the likely result of the theft and transport of these firearms to Hobart was that they would end up in the wrong hands. He facilitated that. That is the particularly serious aspect of this crime.

The crime has been resolved by a plea of guilty and that has saved the expense and time of a trial. That is a matter that I take into account in mitigation.

The defendant is aged 48. He was born and raised in Queensland and came to Tasmania in 2018, looking for work, seeking a fresh start, and attempting to address a chronic drug addiction to methylamphetamine.

I take into account that his criminal involvement was confined to providing transport. He did not receive any benefit for driving Mr Darling to Hobart with the stolen firearms. It is said on his behalf that he assisted him out of a sense of misguided loyalty. Loyalty amongst thieves is not mitigatory, neither is any suggestion of peer influence noting that the defendant is a mature offender and much older than Mr Darling who was only 20 years of age.

I record a conviction and I impose 7 months' imprisonment cumulative to the sentence he is presently serving. He is not eligible to apply for parole until he has served four months of that sentence.