

Mr Pierce has pleaded guilty to a charge of unlawfully setting fire to property. That relates to a fire that he started when he was serving a sentence at the Risdon Prison in August of last year. He has also pleaded guilty to aggravated armed robbery and three other charges in relation to an incident in January 2023. He was 18 years old when he committed all the relevant offences.

Mr Pierce has spent time in detention at the Ashley Youth Detention Centre on a number of occasions, beginning when he was 13 years old. During 2022 he was sentenced to youth detention in relation to a variety of offences, and went to the adult prison at Risdon for the first time. He did not cope well with his first period in adult custody, particularly because lockdowns resulted in him spending very little time out of his cell.

On the evening of 3 August 2022 he somehow used some string to pull a burning object from a nearby cell into his own cell. He then set fire to a pile of clothing and shouted for help. Correctional staff extinguished the fire, but three correctional officers and Mr Pierce all had to be taken to hospital because of smoke inhalation. The cost of cleaning and restoring the cell amounted to over \$5,000.

Mr Pierce finished serving his sentence on 9 November 2022 and was released on bail. About ten weeks later, in the early hours of 21 January 2023, he and another man paid a visit to a Mr Narracott at his home in Blackmans Bay. Mr Narracott woke up, and found the visitors in his lounge room. He allowed them to stay. The three men consumed alcohol together until about 10am, when an argument broke out. Mr Pierce wanted to take Mr Narracott's vehicle to a nearby bottle shop to buy more alcohol and some cigarettes, but Mr Narracott refused permission. About ten minutes later Mr Pierce menaced Mr Narracott with a 30 centimetre hunting knife and an ornamental sword. He held the sword to the front of the man's neck and the knife to the back of his neck, and said words to the effect of "You know what this about. We're taking your shit." He told the man that he could easily kill him, and told his companion to clean out the freezer because he was going to put Mr Narracott in it. The two men stole Mr Narracott's car keys, his mobile phone, and \$50 which he produced from his wallet. They drove away in Mr Narracott's Mitsubishi Triton.

At about 1pm an off duty police officer saw Mr Pierce driving that vehicle on a road in Blackmans Bay. Mr Pierce was a disqualified driver. He had been disqualified for two years in May 2021 on charges that included driving whilst disqualified, reckless driving and evading police. He was arrested shortly after midnight on the morning 22 January 2023. He has been in custody since then, except for a period of 18 days from 28 April to 15 May inclusive.

As at 21 January 2023 Mr Pierce was on police bail on some unrelated charges. There was a bail condition that required him to be at his home between 9pm and 7am every night. In respect of the escapade on 21 January he has pleaded guilty to three summary charges – contravening the conditions of a notice, motor vehicle stealing, and driving whilst disqualified. I am dealing with those charges under s 385A of the *Criminal Code*. He pleaded guilty to the charge of aggravated armed robbery in respect of that escapade in the Magistrates Court on 14 June.

Mr Narracott did not provide a victim impact statement. The robbery must have been a terrible experience for him. However his vehicle and his mobile phone were recovered.

Mr Pierce is now 19 years old. Through his teens he has been dealt with by magistrates for a very large number of offences of dishonesty. They include several charges of motor vehicle stealing. His criminal record shows that as a youth he committed a couple of minor assaults, the crime of attempted armed robbery when he was 13, the crime of carjacking when he was 15, the crime of aggravated armed robbery when he was 16, and the crime of attempted aggravated carjacking when he was 17.

He had a chaotic childhood. He has not had a stable home since he was 13 years old. He has mostly been homeless, couch surfing and living on the streets when not in custody. He has been a user of methamphetamine since he was 14. He was under the influence of that drug on 21 January. There have been short periods of abstinence from drugs, but only short periods. In Ashley he showed an interest in cooking and hospitality work. The experience of being locked in a smoke-filled cell has shocked him. He told his counsel that he nearly died in there. He realises that he placed the health and safety of himself and others at risk by what he did, and intends there to be no repetition.

The only appropriate course is for me to impose sentences of imprisonment in respect of the two incidents. Because Mr Pierce has not been sentenced as an adult offender before, I will impose the shortest possible non-parole periods. I will also take into account the totality principle. By that I mean that the second sentence will be a little shorter than it would otherwise have been because it comes on top of the first sentence. I will backdate the first sentence to take account of the time spent in custody.

Jordan Dylan Pierce, on the charge of unlawfully setting fire to property, I convict you and sentence you to six months' imprisonment with effect from 9 February 2023, subject to a non-parole period of three months. On the four charges on complaint 799/2023, I convict you and sentence you to a cumulative term of 18 months' imprisonment. You will not be eligible for parole until you have served nine months of that sentence. On the charge of driving whilst disqualified, I disqualify you from driving for 12 months from today. I order you to pay compensation in the sum of \$5,875.75 to the Director of Corrective Services in respect of the loss and damage suffered by the Tasmania Prison Service. I order you to pay compensation to Adrian John Narracott for the loss and damage suffered by him. I adjourn the assessment of his compensation sine die.

Pursuant to s 92A of the *Sentencing Act* 1997 I specify that the total term of imprisonment that you are liable to serve for both of the sentences that are imposed today is two years, and that the period in relation to those sentences before the expiration of which you are not eligible for parole is 12 months from 9 February 2023.