

The defendant Joshua Leigh Broomhall has pleaded guilty to a charge of armed robbery.

On Monday 2 May 2016, the defendant entered the Guardian Pharmacy at North Hobart wearing a jacket with the hood over his head and concealing a knife with a blade approximately 20 centimetres long.

He approached the shop counter where he spoke with the pharmacist, Emily Thorpe.

The defendant demanded morphine and lifted his jacket and removed the knife. He held the knife out at waist height and said to Ms Thorpe "*Just get me some morphine*".

Ms Tess Luttrell, who was also working at the pharmacy, approached the counter and was unaware of what had just occurred with Ms Thorpe. Ms Luttrell observed the defendant holding a knife directed at Ms Thorpe's stomach.

Ms Thorpe went to the safe behind the counter to retrieve the morphine and the defendant turned to Ms Luttrell and pointed the knife towards her and told her to stand there and not move.

As Ms Thorpe exited the safe with the morphine the defendant pointed the knife towards her. Ms Thorpe then handed the defendant a box of MS Mono 90mg (morphine).

On Monday 9 May the defendant presented himself to the Hobart Police Station. He voluntarily participated in an interview in which he made admissions to robbing the pharmacy at knife point. The defendant explained that for a number of years he had had an addiction to morphine. He said that he felt pretty horrible about the robbery and was really sorry.

This crime, as is often the case, has had a severe impact on its victims. Ms Luttrell no longer feels safe at home or at work, she mistrusts people, she has higher levels of anxiety than before, she has disrupted sleep and feelings of distress which have decreased the quality of her life. Ms Thorpe feels her concentration has suffered and has nightmares about work on a regular basis. She is seeing a counsellor as to how she might be able to feel safe at work again. She mistrusts people.

The defendant is still to be regarded as a young offender at 21 years of age, but he has prior convictions for dishonesty and breaches of family violence orders.

I take into account that the defendant surrendered himself to police and pleaded guilty in the Magistrates Court. I also take into account that while the robbery was pre-planned it was committed after much hesitation and ultimately as a result of desperation due to the defendant's morphine withdrawal symptoms. Indeed the defendant apologised to the pharmacy staff for doing what he was doing, not that that would have been much comfort to them, not knowing what his intentions might be. At least he did not get close enough to pharmacy staff with the knife to cause accidental or reflexive injury to them.

In 2014 the defendant had a promising path of study before him to qualify as a pharmacist but dabbled in drugs and became addicted to morphine. The prior conviction for stealing was as a result of misappropriating morphine from a pharmacy where he was working as a retail assistant.

He has embarked upon a substantial program of drug rehabilitation and is currently engaged in the well-respected Salvation Army Bridge Program which he hopes to complete at the end of September. He has been working in his family's business and he hopes to study to become an aged carer. His convictions, of course, will not assist him in that regard.

Pursuant to s 68 of the *Sentencing Act* 1997, a compensation order is sought, and I grant that application with the application to be adjourned to a date to be fixed.

Armed robbery is a very serious crime. The use of a knife adds greatly to the danger of the crime, wounding or killing someone, and has the potential to cause trauma and fear in victims. Sometimes people who get robbed at knife point have terrible psychological problems. Sometimes those problems do not even develop until months or years after the robbery, something triggers it, and they end up needing to see psychiatrists. The defendant must understand the harm that he has caused the pharmacy staff in this case.

In the present case, however, I see little chance of the defendant re-offending, and, as I say, he is to be treated as a young offender, where rehabilitation is a primary consideration in sentencing.

The defendant is convicted and is sentenced to a term of imprisonment of 18 months. However in view of his age and prospects of rehabilitation I will suspend the whole of that sentence on condition that he commit no offence punishable by imprisonment for a period of two years. In addition I order that the defendant complete 196 hours of community service. It should be understood by the community that such an order involves the surrender of the defendant's personal rights and activities for the equivalent of 28 days which will be spent in service of the community.

I make the usual victims of crime levy order.