

STATE OF TASMANIA v JUSTIN LAYNE JONES
COMMENTS ON PASSING SENTENCE

9 SEPTEMBER 2016
PEARCE J

Justin Jones pleads guilty to receiving stolen property. On 3 February 2016 he agreed to buy two jet skis on a trailer from a man who had stolen them from a house in Youngtown earlier on the same day. The jet skis were worth about \$44,000 and he paid \$3000 in cash for them the next day. He put the jet skis on the floor of his storage unit where the police found them on 9 February 2016. When interviewed he admitted what he had done and took to the police to the trailer which he had hidden in the bush.

The defendant is 44. He has convictions for dishonesty from offences in 1990 but the relevance of those offences are much reduced by their age. He now has sole care of his children aged 3 and 13 after his wife's death two years ago. He has a trade qualification but is currently engaged in casual labouring work. He was not involved in this theft and agreed to the transaction when the thief, who was a friend of a friend, turned up with the items unexpectedly. He realised the goods were stolen because the price was so low and made the stupid decision to buy them without appreciating their full value. He had no plan about what he was going to do with them.

Receiving is serious because purchase of stolen goods encourages theft. For that reason it generally attracts a sentence of imprisonment. However in my view this is by no means the most serious type of case and is an appropriate case for mercy. The goods, although valuable, were recovered without damage. He co-operated with the police and entered an early plea of guilty. I think he is unlikely to re-offend. If he does then he can expect no future lenience.

Justin Jones, you are convicted. You will pay the victim of crime compensation levy of \$50 within 28 days. I make a community service order and order that you perform 105 hours of community service.