

You have been found guilty by a jury of the crime of aggravated robbery.

In the early hours of 1 May 2016, you entered the TRC Hotel. There were two female staff members preparing for breakfast and cleaning. You approached one from behind, and hit her forcefully to the right side of the head, causing her to fall to the floor. You then confronted the other and demanded money which she gave you.

At trial, you did not dispute that you had committed an aggravated robbery. I was told at the conclusion of the trial that you had, prior to the trial, offered to plead guilty to that charge but that the Crown had refused to accept the offer and intended to proceed against you on the charge of aggravated armed robbery. The issue on the trial was therefore a very narrow one and that was whether the jury could be satisfied beyond reasonable doubt that you had a knife in your hand at the time you committed the aggravated robbery. The jury found you not guilty of aggravated armed robbery, indicating by that verdict they could not be satisfied you had a knife.

I have been provided with victim impact statements from the two staff members at the hotel. The impact on the lady you hit has been significant both because of the physical injuries she suffered and the resultant fear and anxiety. She could not go back to work at the hotel and became unemployed. The other staff member was off work for four weeks and suffered anxiety and financial loss which impacted upon her and her family. These two ladies had taken steps to ensure the hotel was secure while they worked early in the morning. Nevertheless, you were able to get into the hotel through what seems to have been an unlocked door upstairs. You have shattered their lives.

You are 34 years old. You have a longstanding problem with drugs. On this night you arrived at the hotel and then climbed onto the smoking veranda and began looking for cigarettes. You then left that area and went looking for somewhere to use drugs. You entered the upstairs of the hotel to do that. You then decided to look to steal money to get more drugs. You went downstairs and the robbery occurred.

There was CCTV at the hotel and it showed fairly clear images of you entering the hotel through an upstairs door. These were played on local television. You were arrested by police the next day and interviewed. You made admissions to police to the aggravated robbery and expressed considerable remorse, particularly in respect of the lady you hit.

You have a lengthy police record involving matters of dishonesty and violence. There are also drug related matters. You have been given the benefit of community based sentences but have breached them. You have had the benefit of drug treatments orders. You were convicted of an aggravated robbery on 14 January 2013. You were ordered to serve 2 years' imprisonment with a non-parole period of 15 months. You were subsequently ordered to serve further terms in prison. You were released on parole on 21 July 2014 but that was revoked in January 2015 because of further offending. You went back to jail and were eventually released on 24 March 2016, that is only weeks before this offending. You have a record for other offending in other states.

I was told you were able to remain drug free for about four weeks after your release in March 2016 but then relapsed.

This is the second aggravated robbery you have committed in only a few years. A sentence of two years last time clearly did not deter you. You appear unfortunately to be in a situation where you have a drug habit and need to steal to fund it. I have little alternative but to impose a lengthy term of imprisonment in that other efforts designed to address your drug difficulties appear to have failed. I will however allow for parole in the hope that the time you actually serve will see you clear of drugs which might assist you on release.

In all the circumstances, the orders of the Court are:

- 1 You are convicted of one count of aggravated robbery contrary to the *Criminal Code*, s240(4).
- 2 You are to serve three years' imprisonment with effect from 3 May 2016. You are to be eligible for parole when you have served two years of that sentence.
- 3 You are to pay a victim of crime compensation levy of \$50 within 28 days of your release from custody.