

HJR is now 15 years old, having been born on 8 March 2009. He has pleaded guilty to three counts of armed robbery, one count of assault and one count of attempted stealing.

On Sunday, 29 October 2023 HJR attended the American Convenience Store at about 8.05pm and again at 8.20pm. Wearing a mask, he first held a large knife across a staff member's throat and subsequently wielding the knife, demanded nitrous oxide cannisters from another staff member. Pushing the staff member to the ground, he stole five cartons of cigarettes and a carton of cannisters. Neither staff member suffered physical injuries but I infer that they were extremely fearful, particularly the first complainant who had a knife held to his throat.

At about 8.37pm then on that same day, HJR entered Woolworths in Wellington Court and attempted to steal a phone charger cord but was prevented from doing so by a staff member.

HJR also committed an armed robbery of the Terry White Pharmacy at Opal Drive, Blackmans Bay at about 2.28 pm on 9 March 2024 where, with a hammer, he approached the pharmacy counter and stole Anatex and Valpam.

Then at about 4.10pm on 10 March 2024, the next day, HJR entered the Chemist Warehouse in Elizabeth Street, North Hobart wearing a hooded jumper and holding a box cutter. He threatened a staff member and stole drugs comprising Valium, Vaipam and Tramadol.

I have had extensive reporting and recommendations in respect of HJR's background. I note that he has not been subject to previous supervision orders with Community Youth Justice or Child Protection.

When he is in the community he resides with his mother [address stated]. They share a close and supportive relationship and his mother is very proactive in support for him and is actively engaged in trying to source support and therapy.

HJR is battling drug addiction and mental health issues. It is believed that his addiction, mental health issues and antisocial peer group have all had an influence on HJR's offending behaviour. He is open to engaging with Drug and Alcohol Counselling, however, and mental health treatment and returning to school full time, I'm told that he already has. HJR's protective factors include having an active and supportive mother, school placement available, established support network and a willingness to engage.

I am told by HJR's counsel that he and his mother have been engaged with Multi-Systemic Therapy since April this year. Multi Systemic Therapy is a government-funded, holistic mental health program that supports young people with a history of offending to build the necessary skills to overcome anti-social and offending behaviours. A plan for HJR's release from custody has been prepared by Multi Systemic Therapy, in consultation with his mother. The plan sets out his mother's behavioural expectations of him following his release, and provides HJR with increased opportunities to engage in organised activities that promote this ongoing personal development and pro-social relationships.

The intensive plan limits HJR's use of social media, restricts his contact with anti-social associates, and implements random urine drug screens. The plan also features a reward system where HJR can be rewarded for engagement and compliance with the plan.

It is submitted to me by HJR's counsel that the community-based plan provides him with the best opportunities for rehabilitation and desistance from offending behaviours. I agree but I still propose to impose some special conditions on HJR's probation order to put a statutory framework in place as a safety net.

HJR has limited relevant prior matters, having been sentenced in the Magistrates Court on 11 June 2024. This recent sentence is the only other occasion where he has been sentenced by a Court. His prior matters relate to offending of a similar nature, namely dishonesty offences and offences involving violence.

Inclusive of the offending currently for sentence, I am told that his record of prior matters is reflective of an extremely turbulent period of his life between October 2023 and March 2024.

He has spent 79 days in custody in respect of the present offending and I take that into account.

Youth Justice considers that HJR's previous offending history and the nature of his current offences suggest that I should consider a disposition pursuant to s 47(1)(f) of the *Youth Justice Act* (1997), namely a Probation Order. I see no reason to depart from that recommendation, subject to the special conditions that I have mentioned I propose to impose, and I make a probation order for a period of two years. The order will contain all of the core conditions, plus the following special conditions: HJR, you must attend school; you must attend educational, personal, health and other programs as directed by your assigned youth justice worker; you must abstain from drinking alcohol; you must, if directed by the Secretary, submit to testing for controlled substances or alcohol; you must undergo psychiatric, psychological and drug counselling and treatment as directed by your assigned youth justice worker. Finally HJR, you must report to Youth Justice at the Inga Building at St Johns Park New Town by 5.00pm on Thursday of this week for induction onto your probation order.

I do not record convictions.

I repeat that I have made the two compensation orders sought by the State.