

Simon Deegan, you plead guilty to one count of fraud. You were a volunteer member of the Triabunna Fire Brigade for 25 years. Between 2019 and 2022 you were treasurer. In 2019, without the knowledge of others in the organisation, you applied for a debit card in your name linked to the Brigade's bank account. Then, over the period of about two and a half years between August 2019 and May 2022, you used the card to apply funds in the bank account to your own benefit. The total amount you stole was \$2380.52, but it was by many different transactions for things like fuel, medicine, groceries, vehicle tyres, food and personal goods. The purchases were both in person and on-line. You concealed your fraud by failing, despite repeated requests, to provide the usual financial reporting to the organisation and keeping records from the other officers. Your failure eventually led to others making independent enquiries and the police were eventually notified.

You were interviewed by the police at the end of 2022. You did not initially concede your dishonesty and told lies about what had happened, but when you were confronted with evidence you admitted what you had done. You claimed that you intended to pay the money back. You also admitted that there were donations which you did not bank. You were charged in October 2023, pleaded guilty in June 2024 and were committed to this court for sentence.

You are now aged 42. Dishonesty of this character is often dealt with by a magistrate but fraud is a crime which may only be dealt with in the Supreme Court. There is not a large sum of money involved. At the relevant time you were in circumstances of personal and financial distress arising from the breakdown of your marriage. Your five children, now aged between 7 and 16, were removed by your wife for a prolonged period but eventually returned to you. You are now responsible for their care. You are entitled to mitigation from your plea of guilty and you have no relevant prior convictions. I accept that you now appreciate the seriousness of what you did and are sorry for it. Your long attachment to the Fire Service has been brought to an end but you brought that on yourself. A conviction for dishonesty will have an effect on you regardless of any other punishment. The most serious aspect of the crime is the breach of trust. Organisations which entrust the management of money to officers and employees are entitled to expect honesty from them and those who breach that trust must expect punishment. You planned what you were doing and repeated it over a prolonged period. It was a despicable thing to do to a community organisation which obtained money from donations and fundraising. You did not stop offending until your dishonesty was discovered by others despite your attempts to conceal it. The amount involved does not require a prison sentence but a substantial amount of community service is called for.

Simon Deegan, you are convicted on complaint 10098/23. I make a compensation order in favour of the Triabunna Fire Service and adjourn the further terms of that order to a date to be fixed. I make a community corrections order for a period of two years from today. The core conditions of that order will be specified in a document you will be given and include that you not commit an offence punishable by imprisonment, that you report to and comply with the directions of a probation officer, that you must not leave Tasmania without permission and that you must notify of any change of address or employment. I impose a special condition that you must, within the operational period of the order, satisfactorily perform 84 hours of community service, as directed by a probation officer or a supervisor. If you breach any of those conditions you may be brought back to court and re-sentenced.