

Adam Bishop, you plead guilty to one count of burglary and one count of stealing charged on indictment and a considerable number of summary offences committed between 3 and 16 April 2023: seven counts of burglary, six counts of stealing, using cannabis, two counts of possessing cannabis, possessing firearms without a licence, possessing a shortened firearm, possessing a firearm with the identification defaced, possessing a firearm in contravention of a firearm prohibition order, possessing ammunition without a licence, two counts of driving while disqualified, and one count of using an unregistered motor vehicle. You have also pleaded guilty to other driving offences committed in March and April 2023 which I will detail later.

Overnight on 3 April 2023 you entered a commercial complex in Bellerive and, while inside, forced your way into four businesses looking for things to steal. You unsuccessfully attempted to force your way into a fifth business. In all, things worth more than \$7,000 were stolen as well as four sets of car keys and a credit card.

A few days later, on 6 April 2023, you entered a business complex in Rosny Park overnight. You broke into a dental surgery and stole cash and items including electronic devices to a total value of about \$1,600. You then entered a chiropractors business and stole cash and items worth more than \$6,000.

On 13 April 2023 the police pulled you over driving an unregistered Nissan car. You have never held a driver licence and you were disqualified from driving at the time. Four of the iPads stolen on 6 April as well as an iPad of unknown origin were found inside the car as well as two grams of cannabis which you admitted using the night before. You were interviewed and falsely denied involvement in the burglaries but admitted you knew the iPads were stolen. Notwithstanding that you had been questioned by the police, that very same night you committed further crimes. Between 5.00 pm on 13 April and 3.30 am on 14 April you broke into an audiologist premises in Rosny Park and stole a credit card. You then went to the business centre of Masonic Care Tasmania, located in the aged care facility run by that organisation in Lindisfarne. You broke in and ransacked the offices. You stole four sets of car keys, including the keys to a Holden Equinox owned by Masonic Care, keys to other properties, 27 mobile phones and two laptops, altogether worth almost \$13,000. You then found a safe which contained credit cards and jewellery belonging to current and past residents of the aged care facility. You located the key to the safe and stole the contents. The estimated value of the jewellery was more than \$100,000. You used the car key to steal the Equinox which you used to take away the stolen property.

You were arrested on 16 April 2023 on a property at Sorell at which you were living in a caravan. You were attempting to remove the signage from the car you had stolen. Other stolen property was inside the caravan along with a gel blaster rifle, a Sportco .22 rifle with a scope, a shortened Anschutz .22 rifle with the identifying marks removed, a spent shotgun shell, a shopping bag containing two .22 bolts, one magazine containing two .22 rounds and a magazine containing seven .22 rounds. Thirty seven .22 rounds were found in a separate container. Other stolen property was found inside the car or on your person along with two snap lock bags of cannabis which was for your personal use. At the time you were subject to a firearm prohibition order which had been served on you on 19 April 2019. Firearms prohibition orders are made if the Commissioner of Police forms the opinion that a person is unfit, in the public interest, to possess or use a firearm. The order prohibited you from possessing or using a firearm. As a result your possession of a firearm of any nature while the order was in force was an offence. It was asserted

without dispute that although the gel blaster was yours and the rifles were in your possession because they were inside the caravan you lived in, the rifles and ammunition did not belong to you. You should of course have had nothing to do with them.

When interviewed you denied involvement in the burglaries. However photographs, videos and messages found on your phone were highly incriminating, and included messages discussing sale of iPads and tablets, a request for a crowbar saying you had "five targets in mind" and a message bragging about your theft of the car and the jewellery and attempts to sell the jewellery for considerable amounts of money.

The car and a small amount of the stolen property has been recovered but most has not. The total value exceeded \$27,000 even without the contents of the safe and the car. The actual value of the contents of the safe cannot be proved but those items would not have been in the safe unless they were of monetary value. It was likely of great sentimental value as well and its theft would have been distressing for the owners.

In addition to the dishonesty and firearm offences you are to be sentenced for 23 counts of driving while disqualified, 16 counts of using an unregistered vehicle, 6 counts of exceeding the speed limit and 23 counts of driving while using a hand-held mobile phone. These driving charges arise from videos you took of yourself while driving which were discovered on your mobile phone following your arrest. You were disqualified from driving and by using your phone you breached r 300 of the *Road Rules*. This occurred while you were driving the unregistered Nissan on 19, 20, 25, 30 and 31 March, 4 and 5 April, three times on 7 April, three times on 9 April, twice on 13 April, twice on 14 April and twice on 15 April. On 5 April you filmed the speedometer which showed the car travelling at 170 kph in a 110 kph zone. On 14 April you filmed the speedometer which showed the car travelling at 150 kph in a 110 kph zone. On 15 April you filmed the speedometer which showed the car travelling at 150 kph in a 110 kph zone, at 100 kph in a 70 kph zone and 130 kph in a 100 kph zone. You also filmed yourself driving in an unknown vehicle twice on 13 April 2023 and in the stolen Equinox on 14 and 16 April. On 14 April you filmed the speedometer of that car which showed the car travelling at 160 kph in a 100 kph zone. Four of those speeding offences are excessive speeding offences for which I am required by the *Vehicle and Traffic Act* 1999, s 19B, to disqualify you from driving for at least three months for two and at least four months for the other two and impose fines unless there are special reasons not to do so. You will be disqualified from driving but not fined. You already owe a large amount in fines and, given the other sentencing orders I will make, it is unnecessary in the circumstances of this case to add to that. Each of the mobile phone offences attracts three demerit points. The danger posed by persons who use mobile phones in cars is a matter of considerable community concern but it is not an offence punishable by imprisonment. Again, because of the total length of the disqualification from driving I am going to impose I will, in accordance with the *Vehicle and Traffic Act* 1999, s 21(5), refrain from imposing those demerit points.

You are now aged 36. You have had a very difficult and deprived upbringing. You were raised by your mother but she found it difficult to manage your behaviour arising from ADHD, Tourette's and the effects of injuries you suffered in a motor vehicle accident. You lived a transient life from age 13 and spent lengthy periods in youth detention when regrettably you were the subject of serious abuse, all of which led to PTSD. You have had a long standing problem with abuse of illicit drugs which, in turn, has reflected in your very bad record for dishonesty. You have more than 100 prior convictions for burglary and a similar amount for stealing. You also have a terrible driving record which includes numerous convictions for driving

while disqualified. You have spent a substantial part of your adult life in custody. There have been two drug treatment orders. Suspended sentences have been imposed but breached. On 29 August 2019 you were sentenced to imprisonment for a total of three years and nine months for a serious case of dangerous driving and evading police. You were released in late 2022. You managed initially on the suboxone program and had some employment, but soon relapsed through use of prescription painkillers after a leg injury and resorted again to dishonesty. On 9 February 2024 you were sentenced by a magistrate to imprisonment for 8 months from 16 April 2023 for, on my count, 18 counts of burglary and 11 counts of stealing, from commercial and office premises on 9 and 10 March 2023, during the same general period as the burglaries for which I am to sentence you. Because there was no allowance for parole you served all of that term, and so the sentence I impose must commence on 15 December 2023 when you would otherwise have been released. I take into account the total effect of all the sentences including the one you have completed.

I accept that the circumstances of deprivation to which you have been subject will always remain relevant to sentence. The admissions you made to the police and your early indication of a plea of guilty are in your favour. Your counsel says that you have had time to reflect on your actions and that all chance of rehabilitation is not lost. However you have done nothing over a prolonged period to demonstrate that with your actions and protection of the public and specific and general deterrence must now assume greater weight. Your dishonesty was part of a sustained and brazen course of conduct, targeting commercial premises looking for anything you could steal and sell, regardless of the consequences to the owners. Your addiction may be relevant to your dishonesty but does not explain your general disregard for the law over a very long period.

Adam Bishop, you are convicted on both counts on the indictment, on all counts on complaint 7750/23 except counts 14 and 15 which are subsumed in the indictment, on all counts on complaint 4594/23 except count 1 which is dismissed, all counts on complaint 3525/23, excluding counts 6, 8 and 9 which will be dealt with separately, and each of the 68 counts on complaint 7752/23. Pursuant to s 68 of the *Sentencing Act* 1997, I make compensation orders in favour of Crazy for Cake, Braddy's As Builts, Lifeline Australia, Your Health Hub, Dr J A Chau Dentist, Hearing Australia, Clarence Chiropractic Centre and Masonic Care Tasmania and adjourn the further terms of those compensation orders to a date to be fixed.

I make the following orders:

- for possessing and using cannabis, on complaint 3525/23, count 10, and complaint 4594/23, counts 2 and 3, I make no further order;
- for exceeding the speed limit, complaint 7752/23, counts 47 to 52 inclusive, I impose one sentence. You are disqualified from driving for 12 months from your release. Any driver licence you have is cancelled;
- for driving while using a mobile phone, complaint 7752/23, counts 24 to 46 inclusive, I impose one sentence. You are disqualified from driving for 12 months cumulative to the period of disqualification just imposed;
- for using an unregistered motor vehicle, complaint 4594/23, count 5, and complaint 7752/23, counts 53 to 68 inclusive, I impose one sentence, a term of imprisonment of two months from 15 December 2023. You are disqualified from driving for one year from your release, that is concurrently with the first period of disqualification imposed;
- for driving while disqualified, complaint 4594/23, count 4, complaint 3525/23, count 7 and complaint 7752/23, counts 1 to 23 inclusive, I impose one sentence. You are sentenced to a term of imprisonment of eight months also from 15 December 2023. I

order that you not be eligible for parole until you have served four months of that term. You are disqualified from driving for two years cumulative to the periods of disqualification already imposed;

- on the firearm charges, on complaint 3525/23, count 5, which is not punishable by imprisonment, I make no further order. On counts 1, 2, 3 and 4 of that complaint I impose one sentence. You are sentenced to imprisonment for four months cumulative to the other terms of imprisonment just imposed. I order that you not be eligible for parole until you have served half of that term;
- on the dishonesty charges, which are both counts on the indictment, complaint 7750/23, counts 1-13 and complaint 4594/23, count 6, I impose one sentence. You are sentenced to imprisonment for two years cumulative to the terms already imposed. I order that you not be eligible for parole until you have served 18 months of that term.

In accordance with the *Sentencing Act* 1997, s 92A(3), I specify that the total term of imprisonment which you are required to serve is three years from 15 December 2023. You are not eligible for parole until you have served two years of that total term. In addition you are disqualified from driving for four years from your release.