

Nakita Juwarna Jai Pearson has pleaded guilty to trafficking in a controlled substance, namely methylamphetamine.

On 22 November 2022, police officers searched the defendant's home in Alice Place, Brighton, looking for a male person who was not there. At the end of the search, the defendant asked to use the bathroom and when she returned, they observed a clear zip lock bag containing a white crystal substance attached by static to her clothing. She was searched and admitted she had on her a "lot of stuff". Under two tops, she had concealed a large white plastic bag which she handed to police. The bag contained 136 grams of methylamphetamine.

The defendant informed police officers that the bag was not hers and that she was holding it for someone, but she did not want to name them. She said she had had it for one day. The defendant was arrested and participated in a video-recorded interview with police.

She told police that she found the small snap-lock bag on the bench and hid it in her clothing. Earlier that morning, she had collected the large plastic bag from a person and taken it back to her house to hold onto until she was due to give it back to the same person. Her name was given to the person as someone who would "fly under the radar". She agreed that the large bag contained drugs which was more than likely to be methylamphetamine. She said if she didn't do what they asked her to then she might have been in trouble. She was not going to distribute or sell the drugs and was not to receive any benefit, be it money or drugs.

She is guilty of trafficking in methylamphetamine in a limited way and for a short period. The defendant was not going to sell or distribute the drugs herself, but rather, she transported, guarded, and concealed the substance with the belief that another person intended to sell it. She accepts that her offending would have enabled the drugs to be passed on and circulate in the community.

If all the methylamphetamine was sold, the street value would have been between \$38,850 and \$136,000.

The defendant is 30 years of age and has no relevant prior convictions.

At the time of offending, the defendant was in a relationship with the same male person who had arranged for her to collect the drugs, hold onto them for a short while, and conceal them before they were to be collected. While the arrangement did not involve her receiving any financial benefit or drugs, her expectation was that she would indirectly benefit because of the involvement of her partner.

She is remorseful for her actions. She co-operated with police, admitted responsibility, and pleaded guilty, having indicated this at an early stage.

The defendant had been living with her partner for some months with her 8-year-old son from a previous relationship. Her partner had an established drug habit, and his behaviour was aggressive and erratic. After the offending, the relationship deteriorated, and she was subjected to violence perpetrated by her partner. They had a child born in June 2023 and Child Safety intervened, and because of her partner's violence towards her, the baby was removed from her care. Her 8-year-old son went to live with his father. She found this situation very difficult but

worked with Child Safety Services. She demonstrated a strong understanding of Child Safety Services' concerns, as well as her children's needs, and her baby was returned to her care. Her 8-year-old son is still in the care of his father but she is now having regular contact with him.

The defendant is no longer in that relationship and is wanting to cease contact with that person and other negative influences. She is engaging with Engender Equality and attending counselling to assist with her understanding and management of the impact of family violence, and to assist her take protective steps. The Tasmanian Aboriginal Centre (TAC) has assisted her with housing and provided vital support when she was separated from her children.

The defendant's own childhood was very difficult because of family violence and drug and alcohol abuse within the home. She was diagnosed with anxiety and depression as a teenager and has ongoing significant mental health issues. She is a heavy user of cannabis and has expressed that she wishes to cease her cannabis use.

As an Aboriginal woman, she has access to support from the TAC in terms of medical, drug, and alcohol support, and also cultural and support programs. The drug and alcohol support that will be available to her is comprehensive and she will have access to excellent medical care. A team of psychologists and counsellors are available to work with individuals who experience trauma and substance use issues.

Ms Pearson has been assessed by Community Corrections as requiring a high level of support, and if a community-based order was made, case management would involve supporting her to engage on an ongoing basis with the TAC. I have a letter from Ms Dionne Bishop, Family Support Team Leader of Aboriginal Health Service dated 16 September 2024 which indicates that Ms Pearson is engaging regularly and openly with her and Ms Pearson has proactively reached out to networks and that she is someone with clear goals.

Ms Pearson, I am satisfied that it is appropriate to take an exceptional course. You have prospects of reform, and you are engaging with support services and motivated to continue along that path. You are conscious that the TAC has made a very real difference to your life. You have aspirations to be a support worker or field worker with the Aboriginal Centre or support organisation. A conviction for drug trafficking will make that very difficult. I have determined that you should have a second chance both because your offending falls at the lower end of the scale of trafficking and because of your promise of reform.

In relation to the crime of trafficking in controlled substance, I impose a Community Correction Order without recording a conviction. The order is to be in place for two years. You must not commit an offence punishable by imprisonment for that period.

It is subject to all the statutory core conditions. You must report to a probation officer at Community Corrections at 75 Liverpool Street, Hobart, by 4:00 pm tomorrow, and subsequently you must report as required. You must comply with the reasonable and lawful directions of a probation officer or supervisor; you must not leave, or remain outside, Tasmania without the permission of a probation officer; you must give notice to a probation officer of any change of address or employment before, or within 2 working days after, the change.

In addition to the core conditions, I impose special conditions. You must submit to the supervision of a probation officer as required. You must undergo assessment and treatment for drug dependency as directed by a probation officer, including drug treatment and rehabilitation

provided by the TAC. You must comply with testing in relation to drug use as directed by a probation officer. You must submit to medical, psychological, and psychiatric assessment or treatment as directed by a probation officer, including treatment provided by the TAC.

Items 1A, 1B, 1C, and 2A on Property Seizure Record dated 22 November 2022 are forfeited to the Crown.