

Holly Garwood, you plead guilty to perverting justice. The events which gave rise to the charge commenced on 26 March 2024. You were and still are aged 21. You were pulled over by the police for driving a motor cycle erratically. You had with you an ice pipe and a quantity of cannabis. The police also thought the motor cycle may have been stolen. At that time there was an outstanding warrant for you and, in an attempt to avoid arrest and to avoid prosecution for any offences you had just committed, you falsely told them your name was Natalia Matthews. That was the name of a real person who you knew but it was not you. Ironically because that person was suspected of other offending you were arrested anyway and taken to the police station. You again gave the false name, this time with a date of birth, an address and details of a next of kin which all matched the real Ms Matthews. During a formal interview you maintained that falsehood. Charges were issued in the name Natalia Matthews and you signed a bail document using that name.

About 10 days later on 5 April 2024 the police were called to a food store in Mowbray by someone who was concerned for your welfare. You were not doing anything wrong. However you again identified yourself as Natalia Matthews. You were charged with a stealing offence the police believed that Ms Matthews had committed. By giving that false information to the police with the intention of again attempting to avoid charges against you, you perverted justice. You were admitted to bail in that name. It very quickly emerged, I am told on the same day, that you were not Natalia Matthews when analysis of fingerprints taken on that day matched you and not her.

You were charged with two counts of perverting justice. You have pleaded guilty to the charge arising from your conduct on 26 March but that will be dealt with by a magistrate. I am to sentence you for your conduct on 5 April 2024. It seems to me that the first charge is more serious than the second, but your conduct on 5 April is made worse by the fact that you knew that the police had already been deceived once and because you were subject to a suspended sentence.

You had a difficult childhood. Relations with your mother have been strained for a long time but you are close to your father. Your record is relatively limited but it suggests a problem with illicit drugs. On 20 July last year you were sentenced by a magistrate for a number of drug and drug related driving offences to a wholly suspended term of eight weeks. A community correction order was also made. By committing this crime you breached a condition of that eight week suspended sentence and thus I must activate it unless that is unjust. There is no basis on which I could find that it was unjust. You were in custody for this matter for four days between 12 and 15 July 2024 and since 3 September 2024. Any sentence I impose will therefore be expressed to commence on 30 August 2024.

It is in your favour that you entered an early plea of guilty and it is being dealt with relatively quickly. Although you deceived police for a while you did not in fact escape prosecution for any offence and you are yet to be dealt with by a magistrate for the other offences. You remain in custody on those offences and will be entirely up to the magistrate to decide what sentence to impose for those you are found guilty of or plead guilty to. You remain in custody for the time being on your Magistrates Court matters but you are returning to court shortly. Notwithstanding your difficult background it is to be hoped that with assistance you can still turn your life around. You are still a young person. Courts give priority to the chance that you may be able to reform,

but that will largely be up to you. This is the first time you have been in prison and hopefully you do not want to go back.

Perverting justice is regarded as serious because it undermines the integrity of the justice system. Persons who are convicted of the crime are almost always sentenced to imprisonment, not only for punishment, but to send a message to those who might be tempted to act as you did that prison is the likely outcome.

I am satisfied that you committed a breach of the suspended sentence by committing this crime. I activate the eight week sentence of imprisonment that was held in suspense and order that you serve it from 30 August 2024. On my calculations that term would have been completed on 25 October 2024. On complaint 33700/24, perverting justice, you are sentenced to imprisonment for three months. I would have ordered that the term be cumulative to the activated suspended sentence but I will I suspend all of that term for 18 months from today on conditions. One of the conditions of that order is that while it is in force you not commit any offence punishable by imprisonment. If you breach that condition the suspended part of the sentence must, as you now know, be activated unless that is unjust. There will also be conditions that:

- (a) during the period of 12 months from your release from custody you will subject to the supervision of a probation officer. The conditions referred to in s 24(5B) of the *Sentencing Act* apply to this condition and will be set out in the order you will be given. These include that you must report to a probation officer at the office of Community Corrections in Launceston within three clear working days of your release, you must submit to supervision and comply with the directions given by your probation officer, you must not leave Tasmania without permission and you must notify of any change of address.
- (b) in addition to the core conditions, the order will also include the following special conditions that you must, during the period of 12 months from your release from custody:
 - i. you submit to the supervision of a Community Corrections officer as required by that officer;
 - ii. you attend educational and other programs, undergo assessment and treatment for alcohol or drug dependency, submit to testing for alcohol or drug use and submit to medical, psychological or psychiatric assessment or treatment as directed by a probation officer; and,
 - iii. attend and complete the EQUIPS addiction program as directed by a probation officer.