

Ashley Cashion, you plead guilty to three counts of trafficking in a controlled substance. These were all separate instances of trafficking and arise from three different police searches of your home in Waverley. The first occurred on 22 October 2021. A total of 43.21 grams of methylamphetamine was found in six snap lock bags with quantities varying between .34 grams and 28.75 grams. There were also scales, \$12,915 in cash and a tick list indicating sales to a number of people, the most recent being on the day of the search. Your mobile phone was seized and examined and numerous messages over extended periods were found which evidenced arrangements for sales of methylamphetamine. You were arrested, charged with trafficking in the drug and bailed.

About four months later on 15 February 2022, the second search occurred. This time the police found 9.91 grams of methylamphetamine in one snap lock bag, 0.44 grams in another bag as well as a total of almost \$7,000 in cash, more than half of which was in a sealed cryovac bag. You spent some time in custody but were then bailed again.

Finally, on 18 February 2023, a year or so later, the third search occurred. On this occasion the police found 4.0 grams of methylamphetamine in six snap lock bags containing between 0.3 and 1.7 grams of the drug. There was also another snap lock bag containing 21 tablets containing methylamphetamine, \$3710 in cash, a semi-automatic pistol, a pump action shot gun and ammunition for both weapons. I am not dealing with firearm offences but I mention them because of the strong link between illegal firearms and trafficking.

On 15 August 2024 the Associate Judge made, by consent, an unexplained wealth declaration in the sum of \$23,560.

At the time of these crimes you were aged between 27 and 28. You are now 30. You have one child and receive social security benefits when not in custody. For the last seven years or so, you have been addicted to illicit drugs. The problem has been particularly acute since 2020. Your abuse of illicit drugs is reflected in your criminal record. Before 2020 your only record as an adult was for two common assaults. Beginning in about 2019 you began to offend in other ways related to drug use: driving offences, firearm offences, injuring property and family violence. In 2022 and again in 2023 you served short terms of imprisonment. You have no convictions either before or since these crimes for trafficking, selling or supplying illicit drugs. However you admit that you were trafficking in drugs as a way of funding your addiction. In late 2021 the first seizure of cash and drugs left you in significant debt to your supplier. You decided that the only way to escape your situation and to continue to pay for drugs for yourself was to continue to traffic, although the scale of trafficking disclosed by the second and third searches was not, at least on the face of it, as great. It does however make it much worse that this trafficking took place while you were on bail following the first, and then the second, arrest for the same crime.

Your plea of guilty is in your favour. There has been some delay not attributable to you while the State considered the manner in which you were to be prosecuted. Apart from sentences you have served in the past you spent two days in custody on 27 and 28 September 2023 and three days between 30 September and 2 October 2023, and you have been in custody since 8 February 2024. I have been asked to take that period of custody into account although it relates to different offending and I consider that to be an appropriate course. According to your counsel you are now free of drugs, a situation you found yourself unable to achieve while you were in the

community. I sought a pre-sentence report. In the past you have satisfactorily completed other community based orders and I am informed that you engaged well in this latest assessment. You expressed a willingness to accept a period of supervision as part of a sentencing order to assist your rehabilitation. However the need for sentences to reflect the damage to society done by the sale of illicit drugs has long been recognised. Methamphetamine is a drug which is prevalent. Its use and trade causes grave damage to the health of users and great harm, both directly and indirectly, to the community. In general, sale motivated purely by profit is regarded as more serious than trafficking to fund addiction. However, the damage caused is the same. Ironically, despite your own addiction, you were unable to resist sale of a drug which fostered and encouraged addiction in others, thus subjecting them to the same terrible situation you found yourself in. You are to be sentenced for three separate incidents of trafficking. For those reasons the only appropriate sentence is a significant term of imprisonment. Because of the absence of convictions for trafficking, to further allow for your rehabilitation and to provide as strong an incentive as possible for you to not resort to trafficking again, I will suspend part of the term and allow for parole.

Ashley Cashion, you are convicted on each count on the indictment. I impose one sentence. You are sentenced to imprisonment for two years and nine months years from 3 February 2024. I suspend one year of that term for 18 months from your release. I order that you not be eligible for parole until you have served one year of the 21 month operative part of that term. The order suspending part of the sentence will be subject to the condition that you are not to commit another offence punishable by imprisonment during that period. If you breach that condition you will be required to serve the term I have suspended unless that is unjust. That will be in addition to any sentence which might be imposed for the new offending and if you are on parole then that will also likely be revoked. There will also be conditions which will be set out in the order that you will be given but they include that:

- (a) you will be subject to the supervision of a probation officer;
- (b) you will report to a probation officer at 111 Cameron Street, Launceston within three clear days of your release and thereafter as required by the probation officer and comply with the reasonable and lawful directions of a probation officer or a supervisor;
- (c) you must not, during the operational period of the order, leave, or remain outside, Tasmania without the permission of a probation officer and you must, during the operational period of the order, give notice to a probation officer of any change of address or employment before, or within two working days after, the change.
- (d) in addition to the core conditions, the order will also include the following special conditions that you must, during the operational period of the order:
 - i. submit to the supervision of a Community Corrections officer as required by that officer;
 - ii. 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;
 - iii. attend and complete the EQUIPS addiction program as directed by a probation officer.

The result is that, on my calculations at least and subject to any other sentence which might be imposed by another court, you will be eligible to apply for parole on 3 February 2025. On your release, either on parole or at the end of the 21 month term, you will be subject to a suspended term of one year with conditions that for 18 months you not re-offend and be supervised by a probation officer during that period.