

The defendant, Waylen Jones, aged 18 years at the time of the offending, pleaded guilty at the earliest opportunity to two counts of aggravated assault contrary to s 183 of the *Criminal Code* and s 115 of the *Firearms Act*. The unlawful act is the same in relation to the two counts as the assault was against two people simultaneously.

On 30 January 2024, believing that property had been stolen from him, he went to a house at Hamilton where he believed that person to be. In the course of seeking to find him he alighted from his car and when the individual and his grandfather, Harry Justin Jared Townsend, came out of the house, the defendant, being fearful of Mr Townsend, took a BB Rifle styled gel blaster out of the back seat of the car and pointed it at the feet Mr Townsend and Ms Shelly Maree Triffett. They both believed the gun to be real and to be loaded and to be capable of firing a round.

Ms Triffett telephoned police whereupon the defendant returned to his car and put the gun back inside and drove away.

He co-operated with police, and he has spoken with Mr Townsend and apologised to him.

The defendant has very few prior convictions and none for offences involving violence.

For the last two years he has worked for Forestry Tasmania as a labourer doing tree felling, planting and bush fire risk mitigation. He works from 6:00am until 5:00pm, five days a week. Any assault by an implied threat to use a firearm against a person is a serious crime, however this case is at the lower end of the scale of seriousness for such offending. Moreover, the defendant is still a young offender, he is not of otherwise bad character, and he is gainfully employed.

The defendant is convicted of both counts on the indictment and I impose a single sentence. The defendant is sentenced to a community correction order, with an operational period of 12 months. In addition to the statutory conditions of the order, it is a special condition that the defendant must, during the operational period of the order, submit to the supervision of a probation officer as required by the probation officer.

In addition, the defendant is fined the sum of \$500. I am only permitted in the ordinary case to specify that the fine be paid within 28 days. Any other arrangement must be reached with the State Monetary Penalties Enforcement Service (MPES). If a person is unable to pay a fine by the due date, they can call the MPES on 1300 366 776 to discuss a payment plan.

I direct Mr Jones, on leaving Court this afternoon, to attend at Community Corrections at 75 Liverpool Street in the city to advise them that a Community Correction Order has been made.