

STATE OF TASMANIA v JAY ANTHONY DILLON
COMMENTS ON PASSING SENTENCE

25 JULY 2025
PEARCE J

Jay Dillon, at about 9.00 am on 26 July 2024 you broke into a shed at a rural property at Westwood and stole a chain saw, a mountain bike, a tackle box, a remote control device and an air rifle. The total value was about \$7,000. The rifle was worth about \$1000. You were interrupted by the daughter of the owner of the property and you fled in your vehicle. You had driven into the property, which was accessible only down a long driveway, intending dishonesty and you were wearing dark clothing and a balaclava. You later admitted selling the air rifle to another person later that day, and it has not been recovered. You committed the offences of burglary and stealing. As I will explain, you have already been sentenced by a magistrate for those offences and for other offences committed during the same period. However by transporting and selling the rifle you also committed the crime of unlawful trafficking in firearms and your plea of guilty to that charge is to be dealt with by this court.

You were apprehended and arrested on 28 July 2024. You made admissions of your involvement and said that the air rifle was sold for half a gram of methylamphetamine, although you declined to name the person you sold it to.

You are now aged 28. You have a considerable criminal history for offences of dishonesty substantially arising from abuse of illicit drugs. In 2017 a drug treatment order was made with a custodial part of 14 months. On 14 May 2025 a magistrate made another drug treatment order with a custodial part of nine months. That order arose from offences committed between May and July 2024, including the burglary and stealing on 26 July 2024 at Westwood which I have referred to. In addition there were two other burglaries, other counts of stealing as well as breaches of family violence order, unlawful possession of property, possession of ammunition and drug and driving offences.

The question for me is what additional sentence should be imposed for the firearm trafficking arising from your sale of the stolen air rifle. In my view an additional sentence is required because the result of the theft and sale of stolen firearms is that weapons are then able to circulate unregulated in the community and are more likely to be used for violent or criminal purposes. That makes it a serious offence even though, in your case, it involved only a single firearm. I have taken into account the total effect which the sentence I am about to impose will have with the drug treatment order to which you are already subject. That order will remain in place for about two years and will require your compliance. If the order is cancelled you will likely be required to serve all or part of the nine month custodial part of the sentence. To add to your incentive to comply I will impose a sentence of imprisonment, but to encourage your rehabilitation I will suspend it on condition that you comply with the conditions of the drug treatment order. If you do not do so you will likely be required to serve that suspended term as well.

Jay Dillon, you are convicted on complaint 33981/24, count 6. Count 5 dismissed. You are sentenced to imprisonment for five months. I wholly suspend that term for two years from today. It is a condition of that order that while it is in force you commit no offence punishable by imprisonment. If you breach that condition you will be required to serve the suspended term unless that is unjust. I impose a special condition that you comply with the conditions of the drug treatment order made 14 May 2025. If you breach that condition you may be brought back to court and re-sentenced, and you may be ordered to serve all or part of the suspended term.

I make a compensation order in favour Richard Mark Carling and adjourn the further terms of that order to a date to be fixed.