

STATE OF TASMANIA v IAN KEITH MOLLISON
COMMENTS ON PASSING SENTENCE

2 SEPTEMBER 2025
JAGO J

Ian Keith Mollison, you have pleaded guilty to one count of trafficking in a controlled substance, one count of dealing with proceeds of crime and one count of supplying a controlled drug to a child. The trafficking charge relates to a period between 1 January and 7 August 2024. During this time, you sold methylamphetamine on an on-going and recurring basis to a number of customers.

Your trafficking was initially discovered when police attended at your residence and executed a search warrant on 14 May 2024. At this time, they found 22.19 grams of methylamphetamine in various quantities and locations at your residence. Additionally, they found a hand-written tick sheet indicating sales. You were arrested and later participated in a record of interview. You told police that you had been selling methylamphetamine to about ten different buyers over the previous four months. You estimated that your sales had amounted to approximately \$30,000 and said to police that you had been making "a little bit of profit". The methylamphetamine found at your residence had a potential street value of over \$22,000, depending on the quantity in which it was sold. You, however, told police that you were selling the methylamphetamine at substantially less than the average street price and on the basis of that claim, the quantity of methylamphetamine in your possession was likely to be sold for approximately \$11,000. It is unclear to me why you would be selling the methylamphetamine at such a discounted price. In my view, that choice does not, in any way, mitigate your conduct.

You were police bailed. On 30 July 2024, so a little over two months later, police again attended your residence and executed a search warrant. This time, they found 14.5 grams of methylamphetamine in various quantities and locations. They also found \$3,215 in cash and electronic scales. Again, you were arrested and interviewed. You told police that after your initial arrest you had stopped selling methylamphetamine for three to four weeks, but then recommenced. You said you had been selling it every day for the previous six weeks. You told police that you had five to eight regular customers and would also sell to those who rang you up and requested it. You estimated that you had made approximately \$21,000 from the sale of methylamphetamine over the previous six weeks. You told police that of the cash located, approximately \$2,200 of it came from the sale of methylamphetamine.

You were again bailed. On 7 August 2024, police executed yet another search warrant at your residence. This time a small quantity of methylamphetamine was found, together with a number of other items consistent with you selling methylamphetamine. \$1,550 cash was located on you. You were arrested. You participated in an interview. You told police that approximately three days after the last search, you had resumed selling methylamphetamine and that you had been selling it to various purchasers at a frequency of five to seven times per day on occasion. You said you had been selling methylamphetamine to pay off a debt that you owed. You agreed the money in your possession was from methylamphetamine sales. You also told police that sometimes you would exchange methylamphetamine for other items, such as tools.

In summary then, based on what you told police, over the period of January 2024 through to August 2024, you were regularly purchasing methylamphetamine in quantities of either seven grams or 14 grams and then on-selling it to end users in smaller quantities. Whilst it is impossible to be precise about the quantity you sold, potentially you were involved in selling up to 118 grams of methylamphetamine, although I accept that given your addiction, you would

have used some of the methylamphetamine yourself. Again, depending on the quantities and the price for which the methyl amphetamine was sold, your business had the potential to generate sales of somewhere between \$59,000 and \$118,000. I am satisfied given those estimations, that you were operating a mid-range trafficking business which had regular customers, and it was well-known within the drug community that you were a supplier of methylamphetamine. Over the indictment period, you were conducting multiple sales on any given day. You were profiting financially from the business and also supporting your own habit from the methylamphetamine that you obtained.

On 23 October 2024, police again attended your residence and conducted a search. Whilst there they examined your mobile phone and observed several messages exchanged between you and a Facebook Messenger account with a profile which belonged to a male, whom I shall refer to as AW. AW was 16 years of age at the time. The messages disclosed that you had been selling him small quantities of methylamphetamine.

It is a particularly aggravating aspect of your behaviour that you continued to traffic in methylamphetamine despite the police searches and despite being on bail for charges pertaining to your sale of methylamphetamine. It shows, in my view, an arrogant disregard for the law, and a persistent willingness to profit from distributing a drug that causes great harm within our community. On occasion you did not even care that you were distributing the drug to a minor.

You are 45 years of age. You have a reasonably significant prior criminal history. You were first before the courts as a 14-year-old. Since, you have accumulated many convictions for matters of dishonesty and bail offences. Drug offences are less common. In March 2022, you were dealt with for offences of possess and use methylamphetamine and possess and use cannabis. You have no prior convictions suggestive of previous commercial dealings with illicit substances.

I am told that your use of illicit substances developed following the death of your father. You struggled to come to terms with his passing and used drugs to try and numb your grief. An addiction soon developed, as did a debt to your supplier. I accept that initially you commenced trafficking methylamphetamine to support your personal habit, but as I have noted, this continued on for some time and became a profit generating business. You were not prepared to stop, even after police intervention, and your trafficking came to an end only after you were remanded in custody. As to the sale of methylamphetamine to the 16-year-old, I accept that you did not introduce him to the substance, rather he contacted you about it, and the amount you sold him was only half a point. Nevertheless, it is a serious aspect of your offending.

I take into account your plea of guilty and the substantial admissions you made to police. Those admissions are the foundation for much of the State's case against you. I am told you are very eager to obtain assistance to address your drug addiction. Before your remand in custody, I am told you attended at a detox facility. Bail conditions reflect your attendance there. I am also told that after that, you had plans to admit yourself to a longer term rehabilitation facility, but your remand in custody occurred before that could eventuate.

As has been stated by courts on many occasions, conduct which involves the dissemination of drugs into the community is to be deplored. The simple fact is illicit drugs cause great harm to individuals and to the community at large. They are intimately linked with further crime, often involving dishonesty and violence. Those who choose to engage in the trafficking of illicit drugs must understand that apprehension and conviction will result in harsh penalties.

General deterrence is always an important sentencing consideration. In my assessment, this offending undoubtedly warrants imprisonment. The only question is whether it is appropriate that you be given the opportunity to avoid immediately serving it and instead be able to participate in a drug rehabilitation program.

To that end, I had you assessed as to your suitability to participate in the Court Mandated Drug Diversion programme. I have received that report. In my view, it is generally positive, although I note it does indicate some members of your family – who know you better than anyone else – are somewhat sceptical about your ability to commit to rehabilitation in the long term. On balance, however, and particularly given you have already spent nearly six months in custody, I have determined I should give you the benefit of participating in the Court Mandated Drug Diversion programme. It is in your interests, and importantly, the community's interests, that you address this long-term drug addiction. If however, Mr Mollison, you fail to comply with the Court Mandated Drug Diversion programme, you should clearly understand it is almost inevitable that you will be required to serve the custodial component of the CMD order that I am about to impose. I also make it clear that in setting the custodial component, I have taken into account the time you have already spent in custody, and so therefore you will be liable to serve all of the custodial component if you fail to comply with the CMD requirements.

I make the following orders:

I impose a Drug Treatment Order with a custodial component of 18 months. You will not be required to serve any part of that sentence unless you are ordered to do so by a court as a result of you not complying with the treatment and supervision part of the Order. The Drug Treatment Order will contain all of the usual core and programme conditions contained in ss 27(g) and 27(h) of the *Sentencing Act* 1997. Those conditions are lengthy and a copy of them will be provided to you in writing. They are as follows:

- 1 You must not in Tasmania or elsewhere, commit another imprisonable offence;
- 2 You must attend the Magistrates Court, Burnie at 2.15pm on 25 September 2025 and thereafter attend the Magistrates Court or this Court as and when directed to do so;
- 3 You must report directly to a Court Diversion Officer at Community Corrections, Reece House, Burnie by 10am tomorrow for induction onto this order;
- 4 You must undergo such treatment for your illicit drug use as directed by your case manager or Court Diversion Officer, or as from time to time specified by the Magistrates Court or this Court;
- 5 You must report to and accept visits from your case manager or Court Diversion Officer;
- 6 You must, unless there are special circumstances, give your case manager at least two clear working days' notice before any change of address;
- 7 You must not leave Tasmania except with the permission, granted either generally or in a particular case, of the Magistrates Court or this Court;
- 8 You must comply with all lawful directions of the Magistrates Court or this Court;
- 9 You must comply with all reasonable directions of your case manager and Court Diversion Officers concerning the core conditions and programme conditions of this order.

Additional programme conditions are as follows:

- 10 Throughout the duration of the order, you must reside at **[address redacted]** or another address approved by your Court Diversion Officer or case manager and you must not change that address without the prior approval of the Court, your Court Diversion Officer or case manager. You must be at that address daily between the hours of 9pm and 7am and present to a police officer if directed to do so;
- 11 You must not use or possess any controlled substance within the meaning of that term in the *Misuse of Drugs Act 2001*;
- 12 You must not use any medication unless prescribed to you by a treating medical practitioner, approved by your Court Diversion Officer, or case manager and use must be in accordance with the medication directions for use;
- 13 You must submit to random testing for the presence of drugs as directed by your case manager or Court Diversion Officer;
- 14 You must submit to urinalysis as directed by your case manager or Court Diversion Officer;
- 15 You must submit to oral fluid testing as directed by your case manager or Court Diversion Officer;
- 16 You must submit to detoxification or other treatment, whether or not residential in nature, as directed by your case manager or Court Diversion Officer;
- 17 You must not associate with persons or classes of persons as directed by your case manager or Court Diversion Officer;
- 18 You must attend for assessment, and if deemed suitable, participate in and complete any vocational, educational, employment, rehabilitation or other programmes including, if directed to do so, the Equips Addiction programme;
- 19 You must attend counselling and/or treatment as directed by your case manager or Court Diversion Officer;
- 20 You must submit to medical, psychiatric or psychological treatment as directed by your case manager or Court Diversion Officer;
- 21 You must maintain the use of and remain contactable by a mobile phone that is capable of receiving messages about drug testing, case management and/or counselling appointments from your case manager or Court Diversion Officer;
- 22 Unless permitted by the Court or your case manager or Court Diversion Officer, you must not consume alcohol or any other intoxicating substance, throughout the duration of the order.

I order the defendant pay a pecuniary penalty in the sum of \$46,235.00. I am satisfied the defendant received at least that commercial benefit from his criminal conduct.

I make a forfeiture order in respect to the sum of \$3,215, and the sum of \$1,550, both being cash amounts that was seized from the defendant. I am satisfied both sums are tainted property, being the proceeds of drug sales.

I make a forfeiture order in respect to the items seized during the various searches as outlined in paragraph 29 of the Crown statement of facts.