

**STATE OF TASMANIA v RYAN HAMILL**  
**COMMENTS ON PASSING SENTENCE**

**31 OCTOBER 2025**  
**BRETT J**

Mr Hamill, you have pleaded guilty to one count of stealing a firearm and one count of possession of stolen firearms.

You committed the first crime on 252 July 2024, in company with an associate. You and your co-offender entered an unlocked outdoor shed on the complainant's property at Caveside. The shed is located about 20 m from the residence. You located a key to a firearm safe and stole the six firearms contained in the safe. They have an estimated total value of \$3,500. You kept four of the firearms and your companion kept the other two.

On 1 August 2024, police searched your house and located seven stolen firearms, two of which were among the four stolen by you from the Caveside property. One of the firearms had some ammunition inside its magazine. Police also located a home-made suppressor and other relevant firearm parts including rifle scopes, a sawn off shot gun barrel, rifle bolts and a trigger mechanism.

You were arrested by police after the search. During an interview, you denied being involved in the theft at Caveside or having knowledge of the firearms found in your house. You attempted to implicate your co-offender as well as the woman with whom you shared the house. You persisted with this even when the police showed you a video which confirmed your presence in the car with your accomplice at the time of the theft. Eventually, police located CCTV footage taken inside your house which depicts you standing beside an open firearms case which contains firearms and images on your phone depicting you and your accomplice posing with firearms.

You are 25 years of age. You have a lengthy criminal history which commences when you were aged 18 and continues until shortly before you committed these crimes. Your prior convictions include offences of burglary and stealing and some drug offences. In December 2019, you were convicted of many offences of dishonestly acquiring a financial advantage by selling goods online but not providing them to the purchaser. At the time of committing the crimes with which I am dealing, you were subject to a suspended sentence of imprisonment which had been imposed on 12 July 2024 for the offence of driving a motor vehicle while an illicit drug was present in your oral fluid. I understand that this breach will be dealt with in the Magistrates Court but it is also relevant to your culpability for the crimes before me.

You have had a significant drug problem since your mid teenage years. The existence of this problem is reflected in your criminal history. Your use of illicit drugs started with cannabis at age 15 and now predominantly consists of methylamphetamine. You claim that the drug problem escalated as a response to grief arising from the death of your father from cancer last year. You acknowledge the problem and its effect on your life and behaviour, and you want to do something about it. I note that you have been seeking psychological assistance in respect of mental health concerns arising largely from the death of your father.

The crimes committed by you are serious. Stolen firearms are of great concern to the community because of their potential use in criminal activity. You clearly committed these crimes for the financial gain derived from selling the firearms and that necessarily leads to the firearms which have been sold ending up in the hands of criminals. Your crimes related to a significant number of stolen weapons. Clearly, general deterrence is an important sentencing consideration.

Your co-offender was sentenced by Porter AJ on 29 May 2025 for his involvement in this crime as well as crimes related to an earlier theft of firearms and unlawful trafficking in firearms. He was sentenced to a global term of 21 months imprisonment but the execution of 15 months was suspended. I note that although he was being sentenced for the extra crimes, he was a 40-year-old man who had committed the crimes to support his family and did not have any significant criminal history. His Honour clearly took a sympathetic approach to his personal circumstances but also considered that the objective seriousness of the crimes warranted significant punishment. Your case can be distinguished from his having regard to your criminal history. In my view, the only appropriate sentence in your case is a significant term of actual imprisonment without suspension.

Having said this, it is clear that all of your offending both in the past and now, is related to your serious drug problem. There are concurrent proceedings in the Magistrates Court in relation to other offending, which is also related to drug use. The magistrate is considering the imposition of a drug treatment order and I have also obtained a report in that regard. The report assesses you as suitable for such an order. I accept that you are committed to rehabilitation and this would seem to be an appropriate time to provide you with the opportunity to pursue that objective. Of course, you will only get one chance at this, and if you squander this opportunity, you cannot expect to be offered it again.

I intend to make a drug treatment order. I am satisfied of the following matters:

- (a) that you have a demonstrable history of illicit drug use, and that that drug use has contributed to the commission of the crimes for which you are being sentenced
- (b) that were it not for making a drug treatment order, I would have sentenced you to a term of imprisonment and would not have suspended the sentence either in whole or in part
- (c) that there are no proceedings pending against you in any court for sexual offences or offences involving the infliction of actual bodily harm
- (d) that it is appropriate in all the circumstances to make the order and the facilities likely to be used for the treatment and supervision part of the order are reasonably accessible to you
- (e) that there are sufficient staff and resources available to comply with the requirements of s 27B (3)(ba) of the *Sentencing Act*
- (f) That you have agreed in writing to the making of the order and to comply with the treatment and supervision part of the order, and of course this sentence is conditional upon you doing so.

You are sentenced to a drug treatment order. The custodial part of the order will be a term of imprisonment of 15 months. You are not required to serve all or any of the custodial part of the order unless ordered to do so by a court if you do not comply with the conditions of the order. The conditions of the order are as follows:

**CORE CONDITIONS:**

- 1 you must not, in Tasmania or elsewhere, commit another imprisonable offence.

- 2 you must attend the Magistrates Court of Tasmania at Launceston at 2.15pm on 11 November 2025, and thereafter that court or the Supreme Court of Tasmania as and when directed.
- 3 you must report to a court diversion officer at Community Corrections at Launceston within two clear working days of the making of this order.
- 4 you must undergo such treatment of your illicit drug use problem as is specified in this order or from time to time specified by the court.
- 5 you must report to, and accept visits from, your case manager or court diversion officers.
- 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 court.
- 8 you must comply with all lawful directions of the court.
- 9 you must comply with all reasonable directions of your case manager and court diversion officers concerning the core conditions and program conditions of this order.

#### PROGRAM CONDITIONS:

- 10 you must submit to drug testing as directed by your case manager or court diversion officers.
- 11 you must submit to detoxification or other treatment, whether or not residential in nature, as directed by your case manager or court diversion officers.
- 12 you must attend vocational, educational, employment, rehabilitation or other programs or as directed by your case manager or court diversion officers.
- 13 you must submit to medical, psychiatric or psychological treatment as directed by your case manager or court diversion officers
- 14 you must attend counselling as directed by your case manager
- 15 you must be contactable by telephone at all times and inform your case manager of any change of telephone number
- 16 that you not associate with anyone who uses illicit drugs, synthetic substances, or unidentified drugs that alter mood or perception without the permission of your Court Diversion Officer
- 17 you must reside at **\*\*address\*\*** and not change that address without the prior approval of a court. and be at that address between the hours of 10pm and 7 am daily, and present yourself there to a police officer if directed to do so.
- 18 you must not use any illicit drug
- 19 you must not use any non-prescribed drug except in accordance with the direction of your general practitioner, treating medical specialist or case manager
- 20 unless permitted by the court, your court diversion officer or case manager you must not consume alcohol or any other intoxicating substance.
- 21 you must submit to testing for the presence of alcohol in your body as directed by your court diversion officer or case manager
- 22 you must attend for assessment and if deemed suitable participate in and complete the EQUIPS Addiction Program.