

STATE OF TASMANIA v JGA
COMMENTS ON PASSING SENTENCE

4 NOVEMBER 2025
BRETT J

JA, you have pleaded guilty to one count of aggravated armed robbery. You were 14 years of age at the time that you committed the crime which was committed on 12 March 2025. You and another 14-year-old youth were offered money to steal alcohol from a liquor store. You went into the store together. When you were in there, your companion pulled out a knife and threatened staff and customers with it. You did not know he had the knife at the time you entered the store but after you saw him with it, you continued with the robbery anyway. You required a member of staff to show you where certain types of alcohol were kept. You then collected some of it and you both left the store. Your companion continued to threaten people as you both left. The alcohol you took was valued at \$120.

This was the first time you had done something like this. The only prior matter in your criminal history is a community conference related to a common assault. However, on 18 September 2025, you were sentenced in the Magistrates Court to a probation order for numerous offences including stealing and assault which seem to have been committed since this happened. Before that sentence, you spent a few weeks in Ashley on remand. It is clear from the Youth Justice report provided to me that you have had a difficult childhood and the adults who should have been caring for you and looking after you have not always done so properly. However, you are now living with your grandmother. Your father and uncle live there too. It seems that things have settled down and you have some support in that family. You found school difficult and your behaviour has often disrupted your education. You have used alcohol and drugs frequently and this obviously has been a significant problem for you. However, on the positive side, the report says that you enjoy and are good at sport. Further, although you clearly associate with some people who help you to get into trouble, it would seem you also have some good friends.

JA, the crime you committed was very serious. If you had done this as an adult, despite your young age, is not that far away, you would go to jail for a long time. The worst thing about it is that the people who were threatened with the knife would have been very scared and listening to the victim impact statement, were very scared and traumatised by what happened. That is not unusual in these cases. What this person has described, is very typically of what people suffer when they are threatened in this way by a lethal weapon. Although you did not know that your friend had the knife when you agreed to take part in the crime, you are still criminally responsible because you kept going with the robbery when you found out about the knife. I know you are still young but you need to make decisions now about what direction your life is going to take in the future. Even if people around you do not always support you and put pressure on you to do the wrong thing, you are old enough, intelligent enough and I am sure strong enough to take responsibility for yourself and make the right decision. If you keep taking drugs, drinking alcohol and committing crimes, you will end up back in detention and ultimately prison. If this happens, you will lead a very unhappy life. Youth justice will provide you with support, and you should accept and take hold of that support to help you to live your life in a good and positive way. I will put this support in place by accepting the youth justice recommendation on this occasion and making a probation order for a period of 12 months, but if you come back before me for a similar or any crime you cannot expect me to adopt that type of leniency. I make the probation order for a period of 12 months. One of the conditions of the order means that you will need to report to a youth justice worker within two days of today. I will not record a conviction given your age. I make a compensation order in favour of First Choice Liquor in the sum of \$120.