

Mr Rodman, you have pleaded guilty to one count of fraud.

In early 2022, you agreed to perform some building work for the complainant at her home. You had qualifications as a builder and had started a business. You were advertising for work through a social media platform. You agreed with the complainant that you would work for a deposit and an hourly rate. Between May and July 2022, you performed a minimal amount of work, but asked the complainant for reimbursement for the purchase of a variety of materials. She paid you a total of \$25,238.54. However, you had not actually spent the money in the way that you represented to her. Instead, you used most of the money to repay debts and to fund your gambling addiction. Of the money which she paid you, only approximately \$5,000 was properly applied to the work.

You are now 26 years of age and were 23 at the time. You are single and have no dependents. You had a good upbringing and have strong family support. Your criminal history is limited to some traffic offences and minor drug offences. I am told that the relevant time you had become addicted to online gambling and this led you to your dishonest behaviour. You have since taken steps to deal with your gambling problem and are now in full-time employment. You have also fully repaid the complainant. You entered a plea of guilty to the charge at a relatively early time.

Your counsel submits that the recording of a conviction for this crime will result in the loss of your employment. It has not been explained to me why merely recording a conviction as opposed to noting that the charge has been proved will have that consequence, but I accept that it may well have. However, this was a relatively serious fraud perpetrated during the course of business arrangements with a person who was seeking to deal with you on the basis of your advertised services. The fraud involved a significant number of transactions on a sustained basis over a relatively lengthy period. I accept that you have taken steps to deal with the underlying issue and have made amends by repaying the complainant, but your conduct involved serious dishonesty against someone who was entitled to trust you. Your current employer and anyone else who might deal with you in the future is entitled to know that you acted in this way on this occasion. Accordingly, it is appropriate in my view to record a conviction. I accept that that will have significant punitive impact on you. I accept also that you are unlikely to repeat this conduct. Accordingly, I do not believe that any further actual punishment apart from the recording of the conviction is warranted provided that you undertake to be of good behaviour during an appropriate period.

Accordingly, I record a conviction. I further order that the proceedings be adjourned for a period of 60 months and that you be released upon giving an undertaking that, during the period of the adjournment, you will be of good behaviour and appear before the court if called upon to do so.