

Mr Cartledge has pleaded guilty to a charge of dangerous driving and to six summary offences that I am dealing with under s 385A of the *Criminal Code*. All of the charges relate to an incident on the afternoon of Sunday, 24 March 2019.

On that afternoon Mr Cartledge was driving a Holden Commodore sedan. He was under the influence of methylamphetamine, and possibly also cannabis. He was a disqualified driver. He has pleaded guilty to driving whilst disqualified.

Police officers saw him talking to a motorcyclist when stopped to give way to traffic. The Commodore and the motorcycle then accelerated heavily and travelled north on the East Derwent Highway in close proximity with each other. As a result, police officers took an interest in the two vehicles. At a roundabout in Old Beach, officers from another police vehicle attempted to intercept the motorcycle, without success. Seconds later, the Commodore approached the roundabout. The police activated their emergency lights in an attempt to intercept it but, when Mr Cartledge saw them, he did not stop, but increased his speed rapidly, performed a 180 degree handbrake turn, skidded sideways onto the incorrect side of the highway into oncoming traffic, and passed through the roundabout against the flow of traffic. A number of motorists had to drive off the road in order to avoid collisions. Mr Cartledge revved the vehicle excessively, with the result that it lost traction. He then drove off at high speed, crossing double white lines, veering onto the incorrect side of the road, and overtaking three vehicles when approaching a blind corner. He turned left onto Baskerville Road. The police ceased pursuit because of safety concerns. Mr Cartledge drove along Baskerville Road and proceeded to Briggs Road. Other police officers there activated emergency lights for the purpose of intercepting him, but he increased speed and evaded them, travelling towards Gagebrook. He was found in Gagebrook, attempting to hide amongst some bushes, and was then arrested. He had driven about 19 kilometres from the place where police officers first saw him.

In his trouser pockets, the police found two snap lock bags containing crystal methylamphetamine, eight diazepam tablets, and three oxycontin tablets. He has pleaded guilty to three charges of possessing a controlled drug – one charge for each of those substances. He has also pleaded guilty to driving with illicit drugs (methylamphetamine and THC) present in his oral fluid.

He remained in custody from 24 March until 15 May, when he was granted bail. He was arrested again on 23 July, and has been in custody ever since. On 23 December a magistrate imposed a backdated sentence of imprisonment on him in respect of unrelated offences. That sentence expired on 11 November. Other charges are pending against him in the Magistrates Court, but I have been informed that bail is unlikely to be opposed if I make a drug treatment order today.

Mr Cartledge is 25 years old. He began using cannabis when he was 13 years old, and harder drugs when he was 18 years old. He has a bad record of prior convictions. He has four prior convictions for dangerous driving, and multiple prior convictions for motor vehicle stealing, driving whilst disqualified, driving whilst unlicensed, and evading police, as well as drug offences and offences of dishonesty. He has been to prison on several occasions, including two occasions when drug treatment orders had been made but were cancelled. The first drug

treatment order was made in September 2013. At that time he engaged with the Court Mandated Diversion Program for 4½ months, but then he started offending again, started using cannabis again, resumed associating with offenders, and withdrew his consent to engaging in treatment. The second order was made in November 2015. It was not cancelled until August 2016. Between those dates his degree of compliance with the order fluctuated between total compliance and total disengagement. In the end he resumed offending.

Despite the cancellation of the two previous drug treatment orders, I have decided to make a third one. A court diversion officer has reported that Mr Cartledge is considered both eligible and suitable for diversion to treatment by the CMD program, even though he has been assessed as having a very high risk of re-offending. There are positive signs. Since being in custody, he has completed both the EQUIPS Addiction Program and the EQUIPS Aggression Program. He has engaged in counselling with a case worker, focusing on his substance abuse. He has a partner, and they have two young children. His partner has also been a methylamphetamine user, but it appears that she has engaged in treatment and has been drug free for some five months. Although Mr Cartledge was unable to break free of the drug-crime cycle when previous drug treatment orders were made when he was aged 19 and 21, it seems more likely that he will be able to do so now that he is 25, and probably more mature.

I am required to impose a separate sentence on the charge of evading police. I have decided to dispose of that charge by imposing a sentence backdated to 12 November, and expiring a few days ago. On the other charges, all of which are punishable by imprisonment, I would have imposed a cumulative sentence of 20 months' imprisonment and not suspended any part of it. As I have said, I will make a drug treatment order instead.

Jarrold James Cartledge, I convict you on all charges. On the charge of evading police, I sentence you to 10 weeks' imprisonment with effect from 12 November 2019. On the other charges I make a drug treatment order. As the custodial part of the drug treatment order, I sentence you to 20 months' imprisonment. You will not be required to serve any part of that sentence unless you are ordered by a court to do so as a result of you not complying with the conditions of the order that I am now imposing.

The core conditions of the order are as follows:

- (a) You must not, in Tasmania or elsewhere, commit another imprisonable offence.
- (b) You must attend a court whenever the court directs.
- (c) You must report to a court diversion officer at the office of Community Corrections in Hobart within two clear working days after today.
- (d) You must undergo such treatment for your illicit drug use problem as is specified in this order or from time to time specified by a court.
- (e) You must report to, and accept visits from, your case manager or court diversion officers.
- (f) You must, unless there are special circumstances, give your case manager at least two clear working days' notice before any change of address.

- (g) You must not leave Tasmania except with the permission, granted either generally or in a particular case, of a court.
- (h) You must comply with all lawful directions of a court.
- (i) 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.

I impose the following program conditions as part of the order:

- (j) You must not drive or be found in the front seat of a motor vehicle.
- (k) You must be contactable by telephone at all times, and must inform your court diversion officer within 24 hours of any changes to your contact details.
- (l) You must not consume alcohol.
- (m) You must submit to breath testing as directed by a court diversion officer or an officer of Tasmania Police.
- (n) You must not associate with [...] without the prior approval of a court diversion officer.
- (o) You must reside at [address] and be at this address between the hours of 9pm and 6am each night.
- (p) You must not use, or associate with anyone who uses, otherwise than in accordance with a medical practitioner's prescription, any illicit or other drugs, synthetic drugs, unidentified drugs or mind-altering or mood-altering drugs without the permission of a court diversion officer.

Your compliance with this order will be supervised by a magistrate. I direct you to attend the Magistrates Court at Hobart on Monday, 24 February 2020 at 10am.

On the charge of evading police, I disqualify you from driving for two years from today. On the charges of dangerous driving, driving whilst disqualified, and driving with illicit drugs in your oral fluid, I disqualify you from driving for a cumulative term of six months.