

Hamish Smith, you plead guilty to armed robbery and being unlawfully armed in public. I also agreed to deal with your plea of guilty to the summary charges of possessing a firearm, possessing an ice pipe and being in possession of two unlawfully obtained credit cards.

At about 12.45 pm on 26 June 2025 the complainant, a Metro bus driver was driving a bus in central Launceston. You entered the bus. You told the driver that you had no money but he let you stay aboard. However you then stayed on the bus all the way to the last stop in Rocherlea and back to the CBD. On the journey your behaviour was unruly. When the bus came to rest you refused to get off and demanded to be driven somewhere else. Then after other passengers had left, you walked where the driver was seated, produced a black imitation Glock handgun, held it to the driver's head and demanded money. The driver handed you the bus cash float which contained just under \$30 whereupon you left the bus. The robbery was witnessed by at least one person standing outside at the bus stop and the police were called. After leaving the bus you walked into the Quadrant mall. There you waved the gun around in the presence of pedestrians including children. You were there openly holding the gun for just over five minutes. It follows from your plea that you admit that you acted with the firearm in such a manner as to alarm the public. It is difficult to determine the extent of the alarm. There was no other obvious disorder or panic but several witnesses called the police. None had any means of knowing that the gun was not real. During the time many people walked past. Some noticed that you were holding a gun and some did not. Others may have noticed and just walked away without obvious reaction. You were gesticulating with it and pretended to cock it. You were seen by a woman with young children. At one point you handed the gun to a busker who looked at it and gave it back to you.

Not surprisingly the police attended in force. You were found and arrested nearby. You still had the stolen money and the imitation handgun, which was a gel blaster. You also had a used Ice pipe and two stolen credit cards. When you were interviewed you immediately admitted what you had done.

You are now aged 32. You have some prior convictions including for common assault, alcohol related driving offences, and for computer related fraud, but not for serious violence or firearms offences. You are an indigenous man. You have had shared custody of two children from a former relationship aged seven and nine. You were raised by your mother and grandmother but claim to have been exposed to violence by your step father. You say also that you were the victim of sexual abuse. Since you were about 14 your life has been marred by abuse of alcohol and illicit drugs. Despite this you were employed in the building and related industry until 2023 when you suffered an injury in a motor vehicle accident. Your abuse of alcohol and drugs became even worse. You were highly intoxicated when these crimes were committed, although that does not lessen the seriousness of your conduct. Your immediate admissions and very early plea of guilty are in your favour. They indicate that you are sorry for what you did and have avoided the need for a trial. That not only saves the victim the additional trauma of having to give evidence but facilitates justice at a time when there is significant strain on the resources of the court. I will allow a significant discount on sentence as a result.

Armed robbery has long been treated by the courts as a very serious crime for a number of reasons, and robberies involving the use of firearms are regarded as especially serious. This was not a sophisticated crime. There seems to have been no plan and you did nothing to conceal your identity. However, bus drivers are in a particularly vulnerable situation and are entitled to the

protection of the law. The firearm used in this robbery was not real, but imitations of this nature are very realistic. The incident was relatively brief but the firearm was used in a highly threatening way from a very close distance. There was no risk that it could have been deliberately or accidentally discharged, but the driver was not to know that, and your bizarre and unpredictable behaviour leading up to production of the gun likely added to his fear about what you might do. He was subjected to an experience which would have been terrifying for most people and he was very scared. Only a small amount of money was stolen but the seriousness of crimes like this arises principally because of the highly damaging effect that they can have on victims. Victims are frequently traumatised and suffer from long term psychological symptoms. Fortunately for the driver, and for you, he has seemingly suffered no long term impact. It is not unusual however that symptoms may emerge over time, sometimes many years later. There is nothing to indicate that anyone else who later saw you with the gun suffered any adverse reaction.

You are convicted on complaint 34151/25, counts 1, 3, 4, 5 and 6. I order that the black imitation gel blaster and the Ice pipe are forfeited to the State. In light of the other sentence I am about to impose, on count 5, concerning the Ice pipe, and on count 6, concerning the credit cards, I make no further order. On counts 1, 3 and 4 I impose one sentence. But for your plea of guilty I would have sentenced you to imprisonment for three and a half years. You are sentenced to imprisonment for two and a half years from 26 June 2025, the day you went into custody. I order that you not be eligible for parole until you have served half of that term.