

Ms Olsen, you have pleaded guilty to the crime of attempting to commit aggravated robbery. On 27 May 2020, at approximately 6.10am, you and two others, a youth aged 16 and a Mr Robert Cummings, aged 35, travelled to the home of the complainant. You knew the complainant and had previously visited his residence. You had known him since you were a child. You knew the complainant to be a user of cannabis, and you told your two associates that there was cannabis at the residence.

Motivated by the desire to obtain that cannabis, you all travelled to the complainant's residence in a vehicle. The complainant was awoken by the sound of that vehicle entering his driveway. Mr Cummings went to the door and when the complainant opened it, he entered and struck the complainant with a closed fist to his face. This blow caused the complainant to fall to the ground. Mr Cummings told the complainant he believed drugs were there and demanded that the complainant "give us all your stuff". Mr Cummings then let the 16-year-old into the residence. He was in an aggressive and agitated state. The complainant fled to the lounge room, but Mr Cummings and the youth followed him. The youth then used a guitar to strike the complainant. The complainant was down on the ground, covering his head with his arms. The youth and Mr Cummings continued to intimidate him with the youth striking him again with the guitar and again demanding that he "give us all your stuff or you will get it".

Eventually, the complainant was able to grab hold of the guitar and pull it towards him. The youth then kicked the complainant repeatedly to his body. At this point, you knocked on the door. Mr Cummings let you in. The complainant saw you and said words to the effect of "What the fuck, Teah. What have I ever done to you?" You did not reply but proceeded to walk to his bedroom and search for drugs. Mr Cummings and the youth continued to stand over the complainant and demand to know where the drugs were. You returned from the complainant's bedroom and indicated that you were unable to find any drugs. All three of you then left the residence.

The complainant followed you outside and noted the registration number of the vehicle in which you had travelled. He subsequently reported the matter to police. He also attended the Northwest Regional Hospital. He had tenderness the sternum and ribs, a graze to the right mandible, and bilateral nose bleeds. All injuries were treated conservatively with basic pain relief.

At about 9.40 that morning, you were located by police and arrested. You participated in an interview. You admitted knowing the complainant and agreed that you had been with Mr Cummings and the youth that morning but you denied that you had attended the complainant's residence, or had been involved in the incident.

The complainant has been badly affected by your crime. Whilst his physical injuries healed without complication, he has been left with significant psychological harm. He is now hyper-vigilant, anxious, scared to go out and feels very uncomfortable around people with whom he is not familiar. He is constantly worried that something similar will occur again. He no longer trusts people, particularly because he considered you a friend, and struggles to understand why you treated him as you did.

You are 25 years of age. You have several prior convictions for breaches of the *Misuse of Drugs Act*, consistent with a long-term drug addiction. You have one prior conviction for common assault, which was committed in 2020. That was a family violence incident. You are the mother to a six-year-old daughter, who lives with her grandmother, your mother. These arrangements came about at a time when you were unable to care for her because of your ongoing drug addiction. You are now endeavouring to have your daughter returned to your care.

You left school in Grade 8 because you became involved in a relationship with an older male. This relationship was an unhealthy one. It saw you commence using drugs at the age of 17. You have struggled with a drug addiction ever since. I am told that when this crime occurred you were heavily affected by drugs. That in no way mitigates your behaviour. Indeed, it arguably aggravates it because it means you were more prone to act in a heightened and irrational manner. In more recent times, you have been making a concerted effort to address your drug addiction. You spent some time at Serenity House, and I am told that you are motivated to obtain further assistance to strengthen your prospects of abstinence from illicit drugs.

You spent some time in custody following your arrest for this matter. Apparently, that was a difficult time and made you appreciate that you need to address your drug addiction if you want a better life for you and your daughter.

It does seem that at present, you are motivated to make the necessary changes to address your addiction, improve your life and bring your daughter back into your care. To assist you in that regard, as part of the sentencing order, I intend to impose a Community Correction order with a requirement for counselling relevant to your drug addiction.

I should note that in my view, parity has little work to do in this sentencing exercise given the differences in age and criminal history between you and your co-accused. That said, I do not consider the different roles you each played is of any great significance in formulating sentence. Whilst I accept there is no suggestion that you inflicted actual violence upon the complainant, it was you who set the events in motion. You knew the complainant. You knew of the drugs in the home. You provided that information to your co-accused, and in so doing, you breached the trust of the complainant. There can be no question that what you did was very serious.

People are entitled to feel safe within their own homes. You invaded the privacy of the complainant and have left him feeling scared, anxious and uncertain. Such violence must be condemned and punished by the Court. Whilst I accept you are currently exhibiting a positive attitude, and it is important to encourage your rehabilitation, the objective seriousness of this crime necessitates that there is a strong sense of punishment and general deterrence associated with the sentence.

I make the following orders. You are convicted of the crime. I impose a sentence of eight months' imprisonment, backdated to commence 26 September 2025 to take into account time spent in custody and not otherwise allocated to a sentencing order. The balance of that period of imprisonment will be suspended from today, on condition that for a period of two years, you commit no offence punishable by imprisonment. I warn you that the law is upon a breach of a suspended sentence being proved, a judge must activate the period of suspended imprisonment and order that you serve it, unless it is unjust to do so.

Further, I impose a Community Correction order for an operational period of 12 months from today. The statutory core conditions of a Community Correction order are imposed. Those conditions will be set out in a document that will be provided to you. In summary, they will include the following conditions, that will apply for the whole of the operational period:

- You must not commit an offence punishable by imprisonment;
- You must report to a probation officer as required by the probation officer;
- You must comply with the reasonable and lawful directions of a probation officer or a supervisor;
- You must not leave or remain outside of Tasmania without the permission of a probation officer; and
- You must give notice to a probation officer of any change of address or employment before or within two working days after the change.

I also impose the following special conditions:

- You must during the operational period of the order submit to the supervision of a probation officer as required by the probation officer;
- You must comply with directions regarding referrals to, and compliance with, alcohol and drug services and mental health services; including a direction to attend EQUIPS addiction program;
- You must undergo assessment and treatment for alcohol or drug dependency if directed to do so by a probation officer; and
- You must, for the duration of the operational period of the order, submit to medical, psychological or psychiatric assessment or treatment if directed to do so by a probation officer.

There will also be an order that within the operational period you perform 84 hours of community service and that you comply with any directions given to you by a probation officer or community service supervisor, and satisfactorily perform those hours as directed by a probation officer or community service supervisor.

I order that you must report to Community Corrections, Devonport by no later than 5pm tomorrow for induction into this order.