

Hayley Wheldon, you plead guilty to two counts of possessing a prohibited firearm. I also agreed to sentence you on your plea of guilty to possessing ammunition and a silencer without a licence, two counts of possessing a controlled drug, one count of supplying a controlled drug and possessing a smoking device which could otherwise have been dealt with in the Magistrates Court.

On 6 February 2025 the police went to the place you were living in Youngtown with a search warrant. Your partner was also present. While the police were there you tried to leave with some bags but you were stopped. The bags were found to contain two firearms, a homemade Glock style pistol and a pen gun. Both of the firearms were loaded. In the bag there was also 54 rounds of .22 ammunition, 9.03 grams of methylamphetamine, 2.3 grams of MDMA, one MDMA capsule, a zip lock bag with trace amounts of cocaine and 8 suboxone films. A glass smoking device was found in the house. You later admitted that all of these things were yours.

You are now aged 24. You have two daughters respectively aged 5 and 7. They live with you and your mother and both have some behavioural issues. You have no prior convictions. You are pregnant again and your child is due in March 2026. You are one of six children. Two of your brothers also had behavioural issues. Your father was a violent alcoholic and you left school at year 8 to help out at home. You found yourself in a violent relationship between age 16 and 22. In October last year your relationship with your mother became strained and you moved away from her. You commenced a relationship and spent time with your partner's criminal associates. You were given the pen gun by a friend who told you that it might be used for protection, I infer at least in part from the people you were associating with. You tested it once by shooting it in the bush. You were given by the homemade pistol by a different friend about three weeks before the police search. It had a silencer with it. You were shown how to use it but did not ever fire it. Both guns were examined by a police ballistics expert. The pistol was not in working order but could have been made to work with minor modifications. The pen gun did work and was capable of inflicting lethal injury. Both were loaded, as I said, when found.

You should not have had either firearm. You did not have a licence and could never have got one for such weapons which were prohibited under the *Firearms Act*. There is never a valid explanation for possession of firearms of this type. These put you and others in danger.

At this time of your life you were also using illicit drugs, including methylamphetamine. You admitted to the police having purchased methylamphetamine in half ounce quantities which you smoked through the Ice pipe. You also gave some to your sister without payment. That is the reason for the supplying charge.

I am informed by your counsel that these events have been a wake up call for you, and caused you to reflect on your behaviour. You have ceased using illicit drugs. You have returned to live with your mother and are now on a housing wait list for a home of your own. I intend to impose a sentence which reflects the seriousness of your possession of the firearms but otherwise gives priority to your rehabilitation. I sought advice from Community Corrections about whether to order supervision in the community to assist you to avoid a relapse into drug use, with housing and with the risk that you may again fall into the company of others who are a bad influence on you. However it is reported that community based supervision is not required because you present with a pro-social attitude with a strong supportive family, stable accommodation,

abstinence from illicit drugs and an ending of all contact with past negative pro-criminal associations and lifestyle. I will accept that recommendation but that means that it will be left up to you to demonstrate that what you say is and will remain true. If you are led astray again then the consequences for you could be very serious.

On complaint 31399/25, count 1 was a charge of aggravated assault. It is not proceeded with and on that count you are discharged. You are convicted on counts 2 to 9 inclusive. The glass smoking device which was item 23 on the property seizure record is forfeited to the State. The firearms and ammunition listed as items 1, 2, 3, 6, 7, 18, 19 and 26 on the property seizure record are forfeited to the State

In light of the sentence I will impose on the remaining charges, I adjourn the proceedings on counts 6, 7, 8 and 9 for 18 months and, on you giving an undertaking that you will be of good behaviour during that period, I order your release. [The undertaking was given orally] On counts 2, 3, 4 and 5, the firearm charges, I impose one sentence. You are sentenced to a term of imprisonment of two months, wholly suspended for 18 months from today. It is a condition of that order that you are not to commit any offence punishable by imprisonment during that period. You must understand that if you breach that condition you will be required to serve the term unless that is unjust.