

Mr Quinn, you have been found guilty of a single count of dangerous driving contrary to s 172A of the *Criminal Code* 1924. There are six particulars describing the nature of your driving which included driving across the incorrect side of a roundabout, driving on the incorrect side of the road, driving at excessive speed, overtaking other vehicles at excessive speed, crossing double white lines onto the incorrect side of the road, and driving through road works at excessive speed, on the wrong side of the road leading to a blind crest.

You were convicted of that offence after your trial by jury. The only issue in the trial was identity. Your driving was inherently dangerous and you were lucky that it did not result in tragedy. This is a serious offence.

In addition I have now been asked to deal with the remainder of complaint 12321/2023 pursuant to s 385A of the Code, which include allegations of dangerous driving, evading police, and driving whilst disqualified. You pleaded guilty to those offences through your counsel on 2 December 2025.

The State indicated that if I am to impose a sentence of imprisonment it should be backdated to 17 November 2025.

You have an extensive list of prior convictions, including a number of convictions for unrelated offences. There was an evade police on 5 June 2020, to which you pleaded guilty and were sentenced to three months' imprisonment, wholly suspended. You were re-sentenced for that offence on 28 March 2022 and served two-and-a-half months' imprisonment.

It was drawn to my attention that there were a number of sentences that were imposed on 5 December 2024. Relevant convictions included a conviction for breach of bail and also motor vehicle stealing on complaint 1009/2024, these were offences committed on 21 November 2023.

You were sentenced to six months' imprisonment on 5 December 2024 (just a year ago), to be served concurrently for offences which included driving whilst disqualified and evading police. It was submitted by the State that the offending for which you are to be sentenced is more serious than that for which you received the concurrent term of six months' imprisonment. It was put that the driving for which you are to be sentenced today was more serious than your prior conviction for seeking to evade police whilst on a motorbike with a pillion passenger on a suburban street, and I should recognise the additional risks of driving on an arterial highway. My attention was also drawn to your conviction on complaint 5147/2023 (at p 52 of the Crown papers) for which you received 1 month imprisonment, to be served cumulatively, for driving whilst disqualified and operating a motor vehicle within 500 metres of a residential premises. And then finally, complaint 7214, which is p 55 of the Crown papers when you received 4 months' imprisonment for driving whilst under the influence and driving whilst disqualified.

In total, you have been sentenced to a cumulative six years of disqualification from driving, commencing from 4 December 2024.

On the previous occasions you have been convicted you have pleaded guilty which was not the case here. In respect of earlier sentences you were entitled to a discount for your plea, no such discount is available on this occasion. The penalties imposed in relation to your offending have been steadily rising but, it seems, without making a significant difference to your attitude to driving, the use of vehicles and the danger you are prepared to inflict on other road users.

The State submitted, and I accept, this is not an isolated incident and that there is a strong need for both specific and general deterrence.

I received an extended home detention suitability assessment report dated 19 November 2025. That report found you *suitable* for home detention at options 2 and 4. I do not consider any option that allows you "free rein" on the weekend such as option 2, as appropriate. In relation to option 4, your counsel noted that whilst the report found you suitable under option 4, the author, in the body of the report, tells us that the address that is the nominated address for option 4 is not accepted by Community Corrections. Option 4 is not appropriate. I am not prepared to make a home detention order on the basis of the report. In any event the serious nature of your offending in the context of your prior convictions precludes it.

You were found unsuitable for community service and highly suitable for community based supervision.

That leaves the Court in the difficult position of having to determine whether a suspended sentence with a supervision order is the best disposition to allow you to turn your life around, or whether an even more punitive term of immediate imprisonment is required to meet the sentencing objectives of specific and general deterrence. Were the Court to adopt a community based sentence that would require some conviction that you want to turn your life around and will take advantage of the opportunity to curb your offending.

In mitigation I was told by your counsel that you abandoned the representations you made to Community Corrections in your interview for the purposes of the presentence report to the effect that you maintained your innocence and rejected the jury's verdict. You confirmed to your counsel during the course of sentencing submissions that you had abandoned that position.

It was put that withdrawal from that stance was also indicative of your remorse.

In response to the State's account of your repetitive offending I was told that you have now matured having been in custody on other charges for what is now quite a significant period of time, which I was told was effectively 17 months and was complete on 17 November 2025.

I accept that at 24 years of age that is significant period to have served in custody, of course if you keep offending that is the logical outcome and as the State noted your offending has continued and escalated over the years.

Your offending has been repetitive and focussed in particular areas. Earlier sentencing interventions have not dissuaded you from further offending.

Your counsel made some submissions about the comparative seriousness of your offending. I am primarily concerned about the repetitive nature of your offending, as well as its impact on the community. In that context what you are being sentenced for today is serious offending however one compares it to what you have done in the past.

It was put in mitigation that your attitude has changed and that you have expressed a readiness to change and to facilitate positive lifestyle choices. Further that whilst you have historically demonstrated resistance to rehabilitative interventions you are now willing to change. Even were the Court to accept that you will be held to account if you continue to offend.

I am prepared to accept that the 17 months' imprisonment that you have recently served is contextually relevant albeit for different offending. I also accept that you have been subject to lockdowns whilst in custody.

I am told that you are now ready to look at rehabilitation and you are prepared to engage in counselling and community based supervision. Hopefully that is reflected in your acceptance of responsibility for this offending.

Cody Christopher Quinn, I convict you of dangerous driving contrary to s 172A of the *Criminal Code*. I also convict you of the remainder of the charges on complaint 12321/2023 pursuant to s 385A of the Code, including allegations of dangerous driving, evade police, and drive whilst disqualified.

Section 11A(3C) of the *Police Powers (Vehicle Interception) Act 2000* requires me to impose a separate sentence for evading police. On that count I impose a period of immediate imprisonment being 1 month backdated to 17 November 2025.

In respect of the balance of your offending I sentence you to an immediate term of imprisonment of 18 months but I suspend the whole of that term for a period of 18 months on the condition that you do not commit an offence punishable by imprisonment. Also in that regard, under s 24(2) of the *Sentencing Act 1997*, I make the order suspending that term subject to the following conditions:

- (a) That you will be subject to the supervision of a probation officer for a period of 18 months after your release.
- (b) You must, during the operational period of the order, submit to the supervision of a probation officer as required by the probation officer;
- (c) You must, during the operational period of the order, undergo assessment and treatment for drug dependency as directed by a probation officer;
- (d) You must, during the operational period of the order, submit for testing for drug use as directed by a probation officer;
- (e) You must, during the operational period of the order, undergo assessment and treatment for alcohol dependency as directed by a probation officer;
- (f) You must not, during the operational period of the order, consume alcohol; and
- (g) You must, during the operational period of the order, submit to medical, psychological or psychiatric assessment or treatment as directed by a probation officer; and
- (h) That you undertake any rehabilitation program required by your probation officer, and
- (i) You must, for the purposes of these orders made under s 24(2), report to a probation officer at 75 Liverpool Street, Hobart, within 2 business days of your release

These are not the normal community service and community supervision orders, they are conditions upon which the suspension off your sentence rests. If you breach those conditions imposed under s 24(2) you may be brought back to the Court for re-sentencing. By making those orders under s 24(2) I acknowledge the seriousness of your offending.

Your motor driver's licence is currently the subject of suspension for a cumulative period of six years of disqualification, commencing from 4 December 2024. I would add another period of disqualification for a period of 1 year, making the cumulative period 7 years from 4 December 2024. Driving is a privilege and to hold a motor driver's licence you must show respect for other road users and pedestrians.

You have served 17 months of imprisonment and you say you want to turn your life around. This sentencing disposition means that you will shortly be released into the community, albeit under supervision. If you fail to meet the conditions of your suspended sentence you will risk going back to jail for 18 months. This is your opportunity for change, it is up to you whether you take it.