

Jackson Creeley, on 21 November 2025 you were made subject to a home detention order. You had pleaded guilty to dangerous driving, motor vehicle stealing, dishonestly displaying a false plate, driving while driver licence was suspended and possessing a firearm without a licence. The circumstances of your offences were described in my comments on passing sentence. In the early hours of the morning on 12 March 2023, while you were on bail for other offending, you engaged in a prolonged course of dangerous driving around the streets of Launceston in an attempt to avoid apprehension by the police. In the course of doing so you posed a direct risk to police officers and a potential risk to other members of the community.

The seriousness of your crime was such that in the usual course you would have been sentenced to imprisonment. Nevertheless, a home detention order was made. The order imposed punishment but, at the same time allowed you the opportunity to avoid imprisonment and demonstrate reform and rehabilitation through participation in employment and other rehabilitation programs. Sentencing was even delayed to enable suitable home detention premises to be secured and to regularise some non-attendance at your employment. In the course of the sentencing proceedings it was made very clear to you that breach of the terms of the order would likely result in imprisonment.

Despite all of that you began to breach conditions of the order almost immediately. All of the breaches are particularised in the application and were described by counsel for the prosecution. You admit the facts. I find them proved. The fundamental condition of the home detention order was that you be at the home detention premises at all times unless approved by a probation officer. It was approved that you were able to engage in employment provided you were home by 7.00 pm. Between 11 December 2025 and 1 January 2026 there were 18 unauthorised absences. Some occasions were associated with your work, either because you were late back or because you were taken to places which had not been approved by or notified to the monitoring unit. However, there were many occasions on which you went to places which were not and would not have been authorised, simply because you wanted to visit friends or for other personal reasons. On two consecutive nights in December 2025 you stayed overnight at premises which were not the home detention premises. All of these breaches generated alerts which you repeatedly failed to respond to. An important part of the operation of the order is electronic monitoring. There were conditions that you maintain the monitoring device and be contactable by phone at all times. Sometimes work made it difficult, but on numerous occasions you allowed the charge of the device to run down to unacceptably low levels, despite repeated reminders. Those breaches are of lesser importance because they are regulatory provisions designed to make sure that you were where you were supposed to be. However they are still important. Attempts to contact you were often unsuccessful. On 15 December 2025 you failed to attend a scheduled activity. There was a condition of the order that you not use illicit drugs. On 17 December 2025 you tested positive to illicit drugs including amphetamines, cocaine metabolites and opiates. On 22 December 2025 you admitted to a probation officer that you had used a benzodiazepine type substance over the previous weekend. On 23 December 2025 you failed to attend a urinary drug screening.

You frankly admit that you found the conditions of the order difficult to comply with. There is a point to be made about that to you and to others who are or may be subject to a home detention order. Compliance is more difficult for some than others, but it is always an onerous sentence. It involves a very significant restriction on your liberty and has a punitive effect. But that is the

point. It is an order imposed as an alternative to imprisonment. Those who are made subject to such an order should understand that actual imprisonment will usually be the only alternative in the event of non-compliance. The reality is that you gave very little regard to the conditions of the order because you did not have the determination or resilience to comply. There is a very strong need to make plain to you and others that orders must be complied with. Otherwise the force and effect of the order is undermined. You have spurned the opportunity offered to you to avoid imprisonment.

The home detention order is still in force. I find that you have breached the order in the terms alleged in the application and according to the facts put to me. I may confirm or vary the order, but in this case it should be cancelled and you should be re-sentenced. A term of actual imprisonment is the only appropriate sentence. I do not intend to suspend any of it although I will allow the earliest opportunity for parole. As to the term to be imposed, I have taken into account the nine month term of the home detention order, but also that home detention orders make no allowance for parole. The term must also be a proper reflection of the seriousness of your initial offending. I do not consider that the extent to which you complied with the home detention order justifies any reduction in the term. You were arrested on 2 January 2026 and have been in custody since then. The term will thus commence on that date. The other sentencing orders made on that day will remain unaffected except that the period of disqualification from driving will now commence on your release.

I order that the home detention order made 21 November 2025 is cancelled. In substitution for that order you are sentenced to imprisonment for 12 months from 2 January 2026. I order that you not be eligible for parole until you have served six months of that term.