

Patrick Smith, you plead guilty to arson. George Bullock is the owner of 34 George Town Road in Newnham. He owned and lived in the unit at the front and he rented the unit at the rear to you. At around midnight on 12 December 2025 you set fire to the unit you had been living in using an accelerant and a cigarette lighter. The fire quickly spread and the unit was completely destroyed. You were restrained by onlookers and arrested at the scene when the police arrived. You have been in custody since then.

You were 34 when this crime was committed. You are single with no children. Your criminal record is only for driving offences. You have no prior convictions for arson, any other property related offences or violence. You were adopted as a young child with your sister by parents who remain very supportive. I have a report from Dr Georgina O'Donnell, a forensic psychologist which indicates that you have a chronic history of mental health issues. You have been diagnosed with two neurodevelopmental disorders, Autism and ADHD. You have also been diagnosed with PTSD arising from childhood trauma and tentatively diagnosed with Bipolar disorder. Despite this, you have an industrious background and have a job you hope to return to when released. Regrettably, you also have a long history of poly substance abuse including intravenous methamphetamines, cannabis, alcohol and liquid G. Prior to this crime you were treated by medical practitioners. You have attended hospitals and received inpatient psychiatric care. You attended a residential addiction recovery program between June and October 2024. You were made subject to an assessment order and then a treatment order under the *Mental Health Act* in 2023. There was a treatment order in 2024. A further assessment order was made between 29 November and 1 December 2025 after you presented to the LGH with drug induced psychosis on 26 November 2025. You were transferred to the Royal Hobart Hospital but discharged on 3 December 2025 despite remaining psychotic. You were treated as a voluntary patient but you left. This crime was committed about a week later. With your mother's help your belongings were packed into boxes in preparation for you to be admitted to a residential drug rehabilitation program. However, you felt you were a burden to your family and somehow reasoned, after using more liquid G than you usually used, that it would be easier if you destroyed your belongings. You moved them into the unit and set fire to them. You did not intend to burn the unit but your plea of guilty carries the admission that you realised that there was a risk that it would catch fire and you acted despite that risk.

Arson is the most serious property crime because it is easy to commit, has the capacity to cause serious damage to property and to expose others to risk of death and injury. The damage which resulted in this case was significant. It is very fortunate that the other unit on the property was not also damaged or destroyed. As in almost every case, there is an inevitable risk, at least to some extent, to the Tasmania Fire Service officers sent to extinguish the fire. There has been a serious financial impact on Mr Bullock. The unit was originally leased to another person. You moved in and Mr Bullock allowed you to stay on after the original tenant moved out despite you falling behind in the rent. Even if he successfully claims on his insurance his level of cover will not enable him to rebuild. That will be difficult because the property was part of his planning for retirement.

A mental health condition may reduce the moral culpability of an offender such that the need for denunciation is reduced. A mental health condition may also reduce the need for general deterrence. Those factors have little weight here because your conduct arose from use of illicit drugs when you must have appreciated that by taking drugs there was a risk that your judgment

would be affected. I accept however that your mental health conditions have and will make prison more difficult for you and your mental health may deteriorate. The period of custody since December has already been difficult, especially with frequent lockdowns. On the other side of the coin, I have little doubt that a period of abstinence from illicit drugs has not been harmful for you. A screening assessment prepared by Community Corrections recommends against a supervision condition. I have some reservations about this but I accept that you are remorseful and recognise for yourself the need to take steps to address your drug problem. Hopefully the support of your parents will be enough, in combination with the further residential rehabilitation which is planned following your release.

I will make an order that you pay compensation but, even if an amount can be assessed, there is little chance that you will ever be able to pay it. An important mitigating factor is your early plea of guilty which facilitates justice and avoids the need for a trial. The only appropriate sentence is a term of imprisonment although I will reduce the length of the term because of your plea of guilty and allow for your rehabilitation by suspending part of it.

You are convicted. I make a compensation order in favour of George Bullock and adjourn the further terms of that order to a date to be fixed. You are sentenced to a term of imprisonment of 20 months from 12 December 2025. I suspend 12 months of that term for 18 months from your release. It is a condition of that order that while it is in force you commit no offence punishable by imprisonment. If you breach that condition by re-offending you will be required to serve the suspended part of the term unless that is unjust. I make no order as to parole.