

STATE OF TASMANIA v ROY JOHN RILEY
COMMENTS ON PASSING SENTENCE

8 MAY 2026
ESTCOURT J

The defendant in this matter, Roy John Riley, who was 21 years old at the time of the offending has pleaded guilty to one count of dangerous driving. In addition I have accepted pleas of guilty through counsel to a number of summary charges on complaint number 354 of 2025, namely charges 1,3, 4, 5, 6, 7, 8, 9 and 10, and on complainant 6063 of 2025, namely charge 1. Those related summary matters include the offence of evade police and firearm offences with respect to items found in the motor vehicle the defendant was driving as set out in these comments and a charge of drive a motor vehicle while a prescribed illicit drug was present in his oral fluid.

At approximately 2:10pm on Thursday 9 January 2025 the defendant was the driver of a white Subaru Liberty Station Wagon, that was stationary at the Warruga Street and Gunn Road intersection in Bridgewater. Whilst the vehicle was stationary, police observed that neither of the vehicle's brake lights were working.

The vehicle turned right onto Gunn Street and police followed. Just before reaching the Bridgewater Bridge underpass police attempted to intercept the vehicle by activating their vehicles emergency lights and sirens.

The defendant evaded police by pulling out into traffic travelling under the Bridgewater Bridge underpass and turning right onto the Midland Highway and then onto Old Main Road. At the time, the traffic was built up and heavy and the defendant overtook multiple cars and weaved in and out of traffic.

The defendant then travelled on to the East Derwent Highway towards the Jordan River. Police observed the defendant weave in and out of traffic at speed, resulting in another vehicle slamming on its brakes and the driver loudly sounded the horn.

The defendant then separated from the line of traffic by driving into the right-hand lane which was in the process of being re-surfaced. He continued to travel at an approximate speed of 100 kilometres per hour towards the East Derwent Highway roundabout. At the roundabout the defendant turned right towards Bridgewater.

Police then disengaged from the pursuit and deactivated emergency lights and sirens due to the dangerous nature of the defendant's driving.

The defendant then drove through the Scott Road and East Derwent Highway roundabout and continued on the highway towards Gagebrook and police lost sight of the vehicle.

Officers in the Gagebrook area conducting patrols on Gage Road received radio communications that the vehicle was heading towards the roundabout at Gage Road and the East Derwent Highway.

Police parked their vehicle and attempted to set up road spikes as the defendant headed towards them from Bridgewater. The defendant took evasive action to avoid being spiked by driving onto the footpath to the left-hand side of Gage Road before driving in the grasslands adjacent to the footpath.

The vehicle then crossed the footpath again and re-entered onto Gage Road from the wrong side of the road whilst heading towards Risdon Vale. Officers lost sight of the vehicle at Briggs Road Gagebrook and Old Beach Road.

Police next sighted the vehicle slowed in traffic on the ramp to the East Derwent Highway. Police pulled over and deployed road spikes which the defendant avoided by driving around them before accelerating away on the East Derwent highway towards Risdon Cove.

As the defendant travelled the Risdon Brook roundabout he overtook a semi-trailer truck at speed, crossing double white lines. The semi-trailer was approximately 20 metres in length and was being driven by Timothy Glass.

Mr Glass had to quickly pull back to let the defendant through and the defendant's vehicle passed very close to the semi-trailer. Mr Glass was travelling at the posted speed limit of 70 kilometres per hour and the defendant's vehicle passed him at a speed higher than the posted limit.

Mr Glass rang the police and informed them of the defendant's driving as he was concerned about the danger the driving presented to other road users.

Another Police unit had been waiting at the Risdon roundabout attempting to deploy spikes. On observing this, the defendant made a U-turn and headed back towards the Bowen Bridge on the wrong side of the road. Police also performed a U-turn and followed the defendant.

The defendant then made a further U-turn and headed back towards the Risdon Brook roundabout. In performing the U-turn, he drove onto the incorrect side of the road into oncoming traffic. Both the offender and oncoming traffic had to take evasive action to avoid a collision.

The defendant was next sighted travelling on Grasstree Hill Road towards Risdon Vale. Police pursued him with their lights and sirens on.

On approaching the Sugar Loaf Road intersection the defendant crossed onto the incorrect side of the road in order to avoid another set of road spikes before continuing on Grasstree Hill Road towards Richmond.

Police had set up further road spikes near the intersection of Malcolm's Hut Road, but the defendant again avoided them crossing double white lines onto the wrong side of the road, before continuing to drive towards Richmond at an approximate speed of 110-120 kilometres per hour in the 80 kilometres per hour zone.

Police observed the defendant overtake two vehicles before turning left onto Richmond Road continuing towards Richmond town centre, travelling at approximately 70 kilometres per hour in the 50 kilometres per hour zone.

The defendant then travelled through side streets and then on to Brinktop Road. On Brinktop Road, he drove on to the wrong side of the road, forcing two oncoming vehicles to take evasive action by pulling off the road in order to avoid a head on collision with the accused.

As the defendant travelled along Brinktop Road, his vehicle was sighted by a police helicopter (POLAIR) which had been contacted to assist police units with the evading vehicle. POLAIR maintained observations on the offending vehicle as it drove along Brinktop Road

Police had set up spikes in a driveway on Brinktop Road and the defendant slowed and almost come to a complete stop before crossing to the incorrect side of the road and speeding up. On this occasion police however had successfully spiked the defendant's vehicle as he went past.

Nonetheless the defendant continued driving towards Sorell, still under the observation of POLAIR.

Eventually the came to a stop in the driveway of 16 Pollock Place, Sorell.

He alighted from the vehicle, into the driveway of that residence. He ran to the rear of the property before moving back towards the vehicle when police apprehended him and advised him that he was under arrest.

The defendant initially resisted police, refusing to get on the ground. Police had to take the defendant to the ground and he then refused to put his hands behind his back. The defendant was ultimately restrained by police after a brief struggle.

The defendant was cautioned and he informed police that there was a loaded firearm in the back of the vehicle.

The defendant was searched and found to also be in possession of two small snap lock bags of crystal methylamphetamine.

The defendant was conveyed to the Hobart Police Station where he was subjected to an oral fluid collection. Subsequent forensic testing showed that the defendant had methylamphetamine and amphetamine in his oral fluid.

A telephone search warrant was obtained in relation to the vehicle, which was searched and found to contain 2 snap lock bags of cannabis in the glove box, as well as 10 x .22 rounds in the centre console and a loaded .22 rifle in the rear footwell.

The latter was rendered safe by police, and found to contain 1 x .22 round, matching those located in the vehicle. The firearm also appeared to have had its serial number removed before the metal components of it had been painted gold.

At 7:44pm on Thursday, 9 January 2025 the defendant participated in a video record of interview in relation to the matter and he made the following admissions:

- He stated that he had driven down from Launceston that morning and when he pulled over about halfway down to give his dog a drink he had consumed 'Liquid G' before continuing to drive to Hobart. (A slang term for gamma-hydroxybutyrate.
- He stated he had consumed about 5mg of 'Liquid G' and cannot really remember what happened.
- He agreed he was arrested in Sorell and said *"you got me in the car"*.
- He admitted he did not have a driver's licence.
- He admitted he did not have a firearms licence.
- He stated he told police about the loaded firearm in the car when he was arrested.

Subsequent forensic testing confirmed that the defendant had methylamphetamine and amphetamine in his blood at the time of the offending.

The defendant has prior convictions for reckless driving and evade police in 2021 and for evade police and driving whilst disqualified in 2022. He has no prior convictions for dangerous driving.

At the time of the offending he was subject to a 12 months suspended portion of a sentence of three years and six months imprisonment imposed on 6 April 2022 by Pearce J for aggravated armed robbery, three counts of recklessly discharging a firearm, two counts of attempted burglary, one count of aggravated assault, two counts of aggravated burglary and a number of related summary offences, including evade police.

At the time of sentencing Pearce J commented

"You are still only 18. All of these crimes were committed within about seven months of your 18th birthday. Unfortunately, as you were growing up, almost everyone in or closely associated with your family was involved in criminal activity and drug abuse. Your father was something of a stable influence and did his best to support and encourage you, but your record shows that you have been breaking the law since you were 13. Since then a lot of people and services have been attempting to help you stay out of trouble but with little success. When probation orders were made you did not comply. When detention orders were suspended you breached them. Your record includes many instances of stealing cars and breaking into houses, and serious driving offences. You committed an armed robbery in August 2016 when you were 13 and an attempted aggravated armed robbery in February 2018 when you were 14. It is particularly concerning that over the last few years your offending has increasingly involved firearms. You were sentenced on 7 June 2019 to detention for about a year for numerous offences including recklessly discharging a firearm and possessing a .22 rifle. You re-offended almost as soon as you were released for more dishonesty and driving offences, but also possessing a shortened firearm. More detention was ordered but again you started committing offences again on your release. On 16 June 2021 you were sentenced by a magistrate to detention backdated to 1 April for offences including a range of firearm offences arising from your unlawful possession of two rifles and a shotgun on 5 January 2021, at least one of which was stolen, and possessing a homemade shortened .22 rifle on 2 April 2021. You must have been released on the day you were sentenced, or shortly afterwards, because the first set of crimes for which I am about to sentence you was committed a little over a week later. You went back into custody. You were sentenced on 5 November 2021 to more backdated detention and released subject to a partially suspended sentence. However, again the remaining crimes, and other crimes, were committed soon after your release. On 1 March 2022 a magistrate sentenced you to imprisonment for a total term of imprisonment of nine months from 28 December 2021, three months of which was suspended for 12 months. Those offences included an aggravated assault with a shotgun in July 2021, evading police and further dishonesty. They are not prior convictions but are relevant to totality and to the prospects of rehabilitation. I am informed that you would have been due for release on 27 June 2022.

Your personal circumstances were made worse in 2019 when your father died. Since then you have led a mostly itinerant lifestyle, with no stable accommodation and heavily abusing methylamphetamine. Your counsel tells me that you were under the influence of that drug when most of these crimes were committed and as a result you have limited memory of them. You managed to stay out of trouble for about three months or so at the end of 2019 when you were living with a girlfriend and her family. Your counsel argues that that period, as short as it was, gives some hope that you might be able to lead a better life if given a proper chance. She tells me also that you respond well to the routine and supervision of prison, and abstinence from drugs while in

custody. Despite your youth the prison authorities have appointed you a warder. However experience has shown time and time again that you find it extremely difficult to function when you are in the community, the result of the combination of your age, the lack of good influences, the normalisation of criminal conduct, the drug abuse and your lack of secure housing. Those factors also make you a prime target for manipulation by older criminal associates."

The defendant was in custody in respect of the present offending from the date of his arrest on 9 January 2025 until Friday, 1 May 2026 when I released him on bail prior to today's sentencing.

This is an appalling example of dangerous driving and it is fortunate that no one was injured. Dangerous driving is a serious offence which calls for imprisonment in most all cases. It certainly does in this case.

Having said that the defendant's deprived upbringing and social disadvantage and his still young age call for a sentence that does not ignore the possibility of rehabilitation but nonetheless visits inevitable imprisonment if that possibility proves illusory. The amount of time the defendant has spent in youth detention and prison since he was aged 13 is tragic. The only glimmer of light is that I am told that the defendant has been sober in prison and has resolved to remain so. I am also told that when there is some level of structure in his life that he does seem to be able to function quite well.

The defendant is convicted on each of the charges to which he has pleaded guilty. Apart from the evade police, where I am required to sentence separately, I impose a single sentence of 18 months imprisonment, backdated to 9 January 2025, with the last 9 months of that sentence suspended for a period of two years, on condition that he commit no offence punishable by imprisonment during that period. The defendant is also disqualified from holding or obtaining a driver's licence for a period of two years from today.

On the charge of evade police the defendant is sentenced to a period of six months imprisonment, concurrent with the period of imprisonment I have just imposed. He is also disqualified from holding or obtaining a driver's licence for a period of two years from today, which period of disqualification is concurrent with the period of disqualification I have just imposed.

I grant the application to activate the suspended portion of the defendant's sentence of 6 April 2022, however I am of the view that it would be unjust to activate the whole of the 12 month's period in view of all of the defendant's circumstances, including that only the lesser aspects of the defendant's current offending if it can be described as that bears similarity to the offending for which that suspended sentence was imposed, and vice versa.

I activate six months of the 12 months suspended portion of that sentence, backdated to 10 October 2025.

In addition, I make a community correction order with an operational period of 12 months. The order will include all of the statutory core conditions and will include the special condition that the defendant must, during the operational period of the order, submit to the supervision of a probation officer as required by the probation officer.

I direct that the defendant report to Community Corrections office at Level 1/75 Liverpool Street Hobart by 4.00pm on Monday, 11 May 2026 and advise them that the Court has made an order requiring supervision

I grant the application made by the State pursuant s 30 of the *Road Safety Alcohol and Drugs* Act to order the payment of by the defendant of the cost of analysis \$155.00

The total effect of my orders is that an actual period of nine months imprisonment and a suspended period of nine months imprisonment have been imposed with respect to all of the offending except for the evade police and are backdated to 9 January 2025; six months of Justice Pearce's suspended sentence has been activated backdated to follow the other sentence on 10 October 2025. A period of two years licence disqualification has been imposed. The six month prison sentence and the two year licence disqualification imposed on the evade police have been imposed to be served at the same time as the periods imposed on all of the other offending.

Mr Riley, you remain free to go today, subject to reporting to Community Corrections on Monday. You will have no further period of imprisonment to serve unless you breach the suspended sentence that I have given you in respect of the last nine months of your 18 month sentence.