

STATE OF TASMANIA v KAYDON POOLE
COMMENTS ON PASSING SENTENCE

16 JUNE 2026
JAGO J

Kaydon Poole, you have pleaded guilty to one count of aggravated robbery. The crime was committed on 29 June 2024. You and the complainant were known to each other, having met each other about eight weeks earlier. He knew you by the name "Daniel". You would sometimes go to his residence and spend time. The complainant was very sick. He had cancer and took pain medication as a result. You did not know that he had cancer, but you clearly knew that he was in possession of various medications.

At about 8:30pm on 29 June, you went to the complainant's residence. You asked the complainant where his medication was. He told you he did not have any for you. This angered you. You demanded that he give you, his drugs. The complainant kept telling you "No". You moved behind the complainant, who was seated, wrapped your arm around his neck and placed him into a chokehold. The complainant was struggling. You dragged him off the chair and across the room. You were squeezing tightly around his neck. The complainant could not breathe properly. You kept saying to the complainant things like, "Don't fight it" and "Where's your money". Eventually, the complainant told you his money was in the top drawer in his bedroom. The complainant was able to escape your grasp, but you responded by punching him to the face multiple times. You then left the complainant on the floor in his kitchen, went to the bedroom and stole his wallet and mobile phone. The wallet contained about \$2,000 in cash and a number of cards, including a bankcard and a Transport Access Scheme card.

You left the complainant's residence. He was able to make his way next door to his neighbours and called for assistance. Police and ambulance attended. The complainant was taken to hospital. He had multiple contusions on his face, left shoulder, left knee and elbow. He had pain in his neck. An examination revealed he had acute fractures to his second, third and fourth ribs. All injuries were treated conservatively, and surgery was not required.

The police investigation identified you as the perpetrator. On 3 July 2024, police searched your residence and located the complainant's ANZ bankcard and Transport Access Scheme card. A quantity of cash was also located.

The complainant died on 25 November 2024. Given his passing, there is no impact statement, but I have no doubt, given the complainant's vulnerabilities, he found your violence scary and upsetting. He was minding his own business in his own home when you entered and started making demands and inflicting violence. Your level of criminality is high.

You were 14 days away from being 25 years of age when you committed this crime. You are now nearly 27 years of age. You have a poor history for crimes of violence. In August 2021, you were convicted of a crime of *Criminal Code* assault and sentenced to imprisonment for a period of 12 months, the execution of which was suspended for a period of 24 months. At the time you committed that crime, you had very little by way of prior criminal history but since then, you have gone on to commit several more serious crimes.

On 7 December 2022, I sentenced you for a further count of *Criminal Code* assault. That crime had occurred on 24 April 2021. On that occasion, you had entered a neighbour's unit and badly assaulted him. You were sentenced to 14 months' imprisonment, with eligibility for parole after you had served one-half of the sentence. You were released from custody for that matter, as far as I can tell, around October 2023 and were re-offending by March 2024. You have prior

convictions in the Magistrates Court for matters of dishonesty, driving offences, bail offences and several convictions for common assault. You also have convictions for offences committed against police, including using abusive language to a police officer, resist a police officer and assault a police officer. You have been sentenced to periods of imprisonment by the Magistrates Court. On 8 October 2025 you were sentenced to a total period of imprisonment of 10 months. That sentence has been completed by you, but you remain in custody. I bear in mind that the sentence I impose will come on top of that sentence.

You had a difficult upbringing. Your mother was a heavy user of alcohol, and you were exposed to considerable upheaval within the family because of that. Your parents separated when you were young. Your father, who cared for you following the separation, passed away when you were 11. Understandably, you struggled to deal with your feelings of anger, hurt and grief, given your young age. Thereafter, you were raised by your older sisters, who themselves were only young adults. There was considerable instability in your upbringing and your education suffered. You developed difficulties in terms of excessive alcohol use and illicit drug use from an early age. By the time you were in your later teenage years, you were a heavy user of both. Your record of prior convictions reflects your ongoing struggles with methylamphetamine addiction, in particular.

I am told that when not affected by drugs, you have a good work ethic. You have undertaken a number of labour-based employment positions. Your brother, who runs a landscaping business, is apparently willing to provide you with employment upon your release from custody. You have also formed a new relationship in the past two years. Your current partner is not known to the criminal justice system and is supportive of you. She is encouraging you to address your alcohol and illicit substance use so there might be hope for a positive future, free from crime and imprisonment.

Since being in custody, you have endeavoured to access programmes for your drug addiction, but little has been available. I accept that your incarceration has been onerous as a result of regular lockdowns to which many prisoners have been subjected.

I take into account your plea of guilty, but it could not be said to be an early one. It was entered on the day that the matter was listed for a pre-trial legal argument. That said, I accept you have had a recent change in counsel, and I also accept that there have been some difficulties in your counsel obtaining instructions because a number of telephone appointments that were scheduled to allow your counsel to speak with you, were cancelled without notice by prison authorities. Unfortunately, that is a difficulty that this Court is hearing about far too often.

The crime for which you are to be sentenced is a very serious one. It seems it was initially motivated by a desire to obtain prescription medication, and when that was not forthcoming you became angry and violent. You inflicted dangerous violence upon a very vulnerable victim. You then stole what you could find, before leaving the residence. You paid no regard whatsoever to the wellbeing of the complainant who was lying hurt and bleeding on the unit floor. Your propensity to resort to violence is very concerning. Specific deterrence is a weighty consideration in this sentencing exercise. Principles of general deterrence always have work to do in a matter of this nature. Clearly, the sentences imposed upon you in the past have not been of sufficient force to motivate you to obtain the assistance you so obviously require. I assess a heavy sentence of imprisonment, commensurate with your level of criminality, is warranted.

Kaydon Poole, you are convicted of the crime of aggravated robbery. You are sentenced to imprisonment for two years and six months, from 5 February 2026. I order that you not be eligible for parole until you have served 18 months of that period of imprisonment.