

Tori Rhonda Summers, you have pleaded guilty to one count of trafficking in a controlled substance. I am also dealing with a number of related summary offences, being two counts of possess a controlled drug, namely 1-4 Butanediol and Dexamphetamine; two counts of use a controlled drug, namely methylamphetamine and cannabis; one count of possess a controlled plant, namely cannabis; two counts of possess thing used for administration of a controlled drug; one count of supplying a controlled plant, namely cannabis; and on a further complaint, one count of possess a controlled plant, namely cannabis and one count of possess thing used for administration of a controlled drug.

Your trafficking was discovered when police attended your residence and executed a search warrant on 16 April 2025. At that time, they found 129.4 grams of methylamphetamine in various quantities and locations at your residence. Additionally, they found a quantity of Dexamphetamine, a quantity of cannabis buds, various smoking devices, a quantity of cash, two bottles of GHB, a number of mobile phones and tick sheets indicating sales of illicit substances. Depending on the quantity in which the methylamphetamine located was sold, it had a potential value of up to \$64,700.

The tick sheet indicated that you had been involved in the sale of over four ounces of methylamphetamine. You were arrested and later participated in a record of interview. You made some admissions but were not, what I would describe, as forthright. You suggested the cash found was not from the sale of drugs. You said you knew what a tick sheet was but declined to say anything about the information on the tick sheet. You denied you were owed money for drugs. You suggested the writing on the tick sheet was not yours. You suggested some of the cannabis was not yours. You claimed other parts of the cannabis was yours, but that it was medicinal marijuana. You said that the GHB and Dexamphetamine was not yours. You admitted that you had been selling methylamphetamine. You said that you had last sold it around two weeks earlier and that in the previous six months, you had given methylamphetamine to friends in exchange for assistance around the house. Initially, you said you did not sell methylamphetamine for cash, but subsequently said that you had sold the substance for cash in the previous 12 months, and that you had sold it in order to fund some surgery your dog required. You said you that you only sold to people that you knew.

You were subsequently charged and bailed. A mobile phone that was seized during the search was subsequently analysed. It revealed information that was inconsistent with what you had told police, including that you were selling methylamphetamine to a number of other people and had also recruited two other people to sell methylamphetamine on your behalf. Also located on the phone were Snapchat videos linking you to another person, who the State assert was your primary supplier.

On 14 May 2025, police intercepted the person, who the State assert was your primary supplier, as she departed the Spirit of Tasmania. They located a very large quantity of methylamphetamine on her person. That person's phone was actively navigating to your address. The fact that person was navigating to your address strongly indicates you were still dealing in illicit substances, even after you had been arrested and charged by police in April 2025. Subsequent investigations into your primary supplier, revealed that she was asserting that you owed her a substantial amount of money for drugs that she had supplied to you, consistent with figures that had been observed on the tick sheets found during the search of

your residence, but inconsistent with your claims to police that you were only selling on a limited basis.

There was a further search of your property pursuant to a search warrant on 16 May 2025. On that occasion, police found \$11,400 in cash, tick sheets, digital scales, a quantity of cannabis, and a smoking device. Following this search, you did not participate in a record of interview, but you were proceeded against by way of summons.

On 15 August 2025, there was a further search at your residence. This time police located 2.32 grams of methylamphetamine, a quantity of cannabis, digital scales, smoking devices, a number of mobile phones and a CCTV hard drive. The CCTV was able to be accessed. It revealed that you and your primary supplier were together in the shed. It also revealed you being provided with cash from two people, who the State assert were selling on your behalf. The CCTV captured you in possession of a large snaplock bag containing what appears to be methylamphetamine, you in possession of \$3,000 in cash, and you calculating sums of cash on your mobile phone whilst recording figures on a piece of paper. It also showed ongoing drug use from both you and your associates. What was observed on the CCTV footage was consistent with you continuing to sell methylamphetamine between at least 6 and 15 August. A mobile phone in your possession was also forensically examined. That revealed messages consistent with you having others sell methylamphetamine on your behalf.

Whilst police were conducting investigations into your primary supplier, they intercepted telephone calls made by her from Risdon Prison to others. During those telephone calls, she indicated that you owed her over \$50,000 for drugs that had been supplied to you. This is broadly consistent with evidence that was gathered from an analysis of your bank accounts. Between the period 1 January 2024 to 29 April 2025, there was \$39,560.43 go in and out of your bank account, despite the fact that for the whole of that time, you were reliant on Centrelink benefits.

Whilst it is impossible for the State to specify with any level of precision the scale of your offending, the figures to which I have just referred are consistent with you operating a regular and continuous business in the illicit drug trade between January and August 2025. During that time, you regularly sold methylamphetamine in various quantities to end users. I accept that many of those end users were people that you knew. Your shed was used as a place to both sell and consume drugs.

I also accept that during this time you had a significant methylamphetamine addiction, and it is therefore likely that you would have used some of the methylamphetamine that you had sourced for yourself, but given the scale of your trafficking business, I am also satisfied that you were profiting financially from the business. Indeed, this is consistent with what you told the author of the CMD report. You said that you "enjoyed the financial freedom derived from the offending"; "that the financial gains associated with the offending contributed to the escalation and continuation of your criminal behaviour"; and also that you "experienced a sense of financial freedom as a result of your offending".

So, whilst I accept the genesis for the offending may well have been your addiction, it seems you pursued your trafficking business because you were making a profit from it. Ultimately, because of your detection, you were left with a substantial debt owed to your supplier.

It is a seriously aggravating aspect of your criminal conduct that you continued to traffick in methylamphetamine, despite the earlier police searches and despite being on bail for charges pertaining to your sale of methylamphetamine. It shows, in my view, an arrogant disregard for the law and a persistent willingness to profit from distributing a drug that causes great harm within our community.

You are 30 years of age. You have no relevant prior convictions, although you do have some prior convictions under the *Road Safety (Alcohol and Drugs) Act*, consistent with your personal use of illicit substances. I am told that your use of illicit substances developed from an early age. You started using cannabis at the age of 15. You then began to use MDMA from the age of 17. You commenced the use of methylamphetamine at age 19 and quickly developed an addiction to it. At the height of your addiction, you were using up to two grams of methylamphetamine per day. In December 2022, your father passed away. You were very close to your father. Following his death, your use of methylamphetamine increased markedly. Around the same time, you were also trying to remove yourself from a relationship that involved considerable family violence. That, too, exacerbated your use of methylamphetamine.

I take into account your plea of guilty and the partial admissions you made to police. I am told that you are eager to obtain assistance to address your drug addiction. To that end, I had you assessed as to your suitability for the Court Mandated Drug Diversion Programme. You have been assessed as both eligible and suitable.

Undoubtedly, this is very serious offending. Courts have said time and time again that any conduct which involves the dissemination of drugs into the community is to be deplored. Illicit drugs cause great harm to individuals and to the community at large and are frequently linked with other criminal conduct. Those who engage in the trafficking of illicit drugs, particularly when profit is part of the motivation for the conduct, need to understand that harsh penalties will follow. General deterrence is always an important sentencing consideration in a matter of this nature. Your offending undoubtedly warrants imprisonment. The only question is whether it is appropriate that you be given the opportunity to avoid immediately serving it and instead, be permitted to participate in the drug rehabilitation programme.

Generally speaking, it is in an offender's interest and, importantly, the community's interest, if a long-term drug addiction can be successfully addressed. Therefore, I have determined I should give you the benefit of participating in the Court Mandated Drug Diversion Programme. However, you should very clearly understand Ms Summers, that if you fail to comply with the requirements of that programme, it is almost inevitable, in my view, that you will be required to serve the custodial component of the CMD order. This was serious criminal conduct. The opportunity being extended to you is designed to encourage your rehabilitation. If you fail to take up that opportunity, then other sentencing principles take priority and that will most likely result in your being sent to prison.

I make the following orders. You are convicted of all crimes to which you have pleaded guilty. In respect to the counts of possess thing used for the administration of a controlled drug, I make no further order. In respect to all other matters, I impose a single sentence. There will be a Drug Treatment Order with a custodial component of 15 months. You will not be required to serve any part of that sentence unless you are ordered to do so by a court as a result of you not complying with the treatment and supervision part of the Order. The Drug Treatment Order will contain all of the usual core and programme conditions contained in ss 27(g) and 27(h) of

the *Sentencing Act* 1997. Those conditions are lengthy and a copy of them will be provided to you in writing. They are as follows:

- 1 You must not in Tasmania or elsewhere, commit any imprisonable offence;
- 2 You must attend the Magistrates Court, Burnie at 2.15pm on Thursday, 30 July 2026 and thereafter attend the Magistrates Court or this Court as and when directed to do so;
- 3 You must report directly to a Court Diversion Officer at Community Corrections, Reece House, Burnie by no later than 12 noon tomorrow for induction onto this order;
- 4 You must undergo such treatment for your illicit drug use as directed by your case manager or Court Diversion Officer, or as from time to time specified by the Magistrates Court or this Court;
- 5 You must report to and accept visits from your case manager or Court Diversion Officer;
- 6 You must, unless there are special circumstances, give your case manager at least two clear working days' notice before any change of address;
- 7 You must not leave Tasmania except with the permission, granted either generally or in a particular case, of the Magistrates Court or this Court;
- 8 You must comply with all lawful directions of the Magistrates Court or this Court;
- 9 You must comply with all reasonable directions of your case manager and Court Diversion Officers concerning the core conditions and the programme conditions of this order.

Additionally, programme conditions imposed are as follows:

- 10 Throughout the duration of the order, you must reside at **[address redacted]** or another address approved by your Court Diversion Officer or case manager, and you must not change that address without the prior approval of the Court, your Court Diversion Officer or case manager. You must be at that address daily between the hours of 9pm and 7am and present to a police officer during those hours if directed to do so;
- 11 You must not use or possess any controlled substance within the meaning of that term in the *Misuse of Drugs Act* 2001;
- 12 You must not use any medication unless prescribed to you by a treating medical practitioner, approved by your Court Diversion Officer, or case manager and use must be in accordance with the medication directions for use;
- 13 You must submit to random testing for the presence of drugs as directed by your case manager or Court Diversion Officer;
- 14 You must submit to urinalysis as directed by your case manager or Court Diversion Officer;
- 15 You must submit to oral fluid testing as directed by your case manager or Court Diversion Officer;
- 16 You must submit to detoxification or other treatment, whether or not residential in nature, as directed by your case manager or Court Diversion Officer;
- 17 You must not associate with persons or classes of persons as directed by your case manager or Court Diversion Officer;
- 18 You must attend for assessment, and if deemed suitable, participate in and complete any vocational, educational, employment, rehabilitation or other programmes including, if directed to do so, the Equips Addiction programme;
- 19 You must attend counselling and/or treatment as directed by your case manager or Court Diversion Officer;
- 20 You must submit to medical, psychiatric or psychological treatment as directed by your case manager or Court Diversion Officer;

- 21 You must maintain the use of and remain contactable by a mobile phone that is capable of receiving messages about drug testing, case management and/or counselling appointments from your case manager or Court Diversion Officer; and
- 22 Unless permitted by the Court or your case manager or Court Diversion Officer, you must not consume alcohol or any other intoxicating substance, throughout the duration of the order.

I make the forfeiture orders in respect to the items seized during the 16 April, 16 May and 15 Augst 2025 searches as outlined in paragraph 23 of the Crown statement of facts.

I make an order pursuant to s 11(1)(A) and s 16(1) of the *Crime (Confiscation of Profits) Act* that the amount of \$670 be forfeited to the State of Tasmania as tainted property.