

[Optional] Thank you your honour.

My name is Benjamin Hearn, Company Accountant at Fernando Australia and I am the defendant in this case.

Today I am representing myself.

I am very nervous in doing this, and I wish to seek your permission to have Mr. Peter Selleck read my statement.

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My presentation today at this adjourned hearing, follows my appearance in your Court of 17 October 2016.

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I am making this presentation to cover 3 separate subjects.

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Your honour, as a result of your final summary, the penny has finally dropped, concerning my use of alcohol.

After the last hearing, I immediately took steps to enrol myself, on a voluntary basis under my own initiative, in the first available Drink Driver Diversion Program, under the supervision of registered psychologist, Mr. Dominik Kirsch.

I have not consulted with Dr. Kung, whose report was presented previously. Regrettably, I did not seek adequate professional advice following the prior offences, something that I should have done with the benefit of hindsight.

The new report was emailed to the Court last Friday.

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I quote from Page 1 - "During the initial counselling sessions with the Program Psychologist (prior to his medical examination) Mr. Hearn made the decision to stop drinking altogether and he reports having now been alcohol free since the end of July 2016. It is his stated intention to remain alcohol free in the long term and he believes it will be for the rest of his life."

In addition, through this course, I have acquired new knowledge on the effects of alcohol and the risks of misuse in society.

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I now move along to the latest psychological assessment conducted by Mr. Kirsch.

In his report he states that I have "got back to being the old self" and I am now free of stress, depression and anxiety.

This is a clear sign of continued improvement since the initial hearing on 17 October 2016, and indeed, from the date of the offences, which occurred on 17 December 2015.

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Lastly, I move along to the subject of the risk of me re-offending.

On or about the 18th November 2016, I received a valid Victorian Drivers Licence from VIC ROADS, with an interlock condition.

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This followed an offer to renew, received prior.

Your honour, I am of the understanding that my licence remains suspended since 17 December 2015.

I have made no arrangements to have an interlock fitted and I have not operated a vehicle since 17 December 2015.

This is a clear demonstration, that temptation was avoided and matters pertaining to the operation of a vehicle are now given extra careful attention.

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Let me review the key subjects covered.

(1) The penny has dropped thanks to Your Honours' Remarks on the 17th October 2016.

(2) I am back to being my old self.

(3) I have demonstrated that I have no propensity to re-offend.

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Therefore, I ask you to take into consideration the updated information that I have presented to you today in handing down your sentence on the 2 very serious matters that I was charged with and have pleaded guilty.