

File No: 458/2018
Indictment No: 87/2019
Complaint No: 33897/2018

MEMORANDUM OF ORDER
Before the Honourable Justice Pearce
In the Supreme Court at: Launceston

State of Tasmania
v
GEMMA ELIZABETH CLARK

Date made: 11 April 2019

Made in the absence of Counsel

Proceeding: Application by the Director
of Public Prosecutions for an order
prohibiting publication or reporting

Amended Orders:

- 1 Order that, until further order or the disposition of the indictment against Jack Harrison Vincent Sadler for the murder of Jake Anderson-Brettner, whichever occurs first, publication of a report of the sentencing proceedings against Gemma Elizabeth Clarke, including this application, is prohibited except for the following matters:
 - (a) that the State alleges that Jake Anderson-Brettner, then age 24, died on at a residence in Riverside on 15 August 2018;
 - (b) that Jack Sadler is charged with his murder, and has pleaded not guilty to that crime;
 - (c) that on 5 April 2019 Ms Clark, pleaded guilty to failing to report a killing, and to being an accessory after the fact to the murder of Jake Anderson-Brettner;
 - (d) at the time of her crimes, Ms Clark was from Riverside and was aged 24;
 - (e) that by pleading guilty to failing to report a killing, Miss Clark admitted that on 15 August 2018 she knew that Jake Anderson-Brettner had been killed, and she failed to report the killing to the police or other proper authority;

- (f) that by pleading guilty to being an accessory after the fact to murder, Miss Clark admitted that between 15 August 2018 and 19 August 2018 she acted to conceal the crime in order to enable another person to escape punishment;
- (g) that on 19 August 2018 part of Mr Anderson-Brettner's body was found by the police near the Tasman Highway near Myrtle Park;
- (h) that it is expected that Mr Sadler's trial for murder will take place in Launceston later in 2019 or in 2020;
- (i) that it is expected that Ms Clarke will be a witness at Mr Sadler's trial;
- (j) the sentence which is imposed, but not the comments on passing sentence except as otherwise permitted by this order;
- (k) Ms Clarke's pleas of guilty to her crimes, and her agreement to be a witness at Mr Sadler's trial, were taken into account in her sentence; and
- (l) if, when the sentence is announced, Ms Clarke's sentence was reduced by reason of either her pleas of guilty, and/or her agreement to be a witness at Mr Sadler's trial, then that fact;
- (m) that at the time of her crimes Ms Clark was a university student who had deferred her study, that she had a good employment record, had no prior convictions and told the Court she was sorry for what she had done;
- (n) that the Supreme Court has ordered that further publication of the proceedings against Ms Clark is prohibited until the completion of Mr Sadler's trial to protect his right to a fair trial;
- (o) a fair report of the edited comments on passing sentence of Pearce J published 11 April 2019.

DATED 11 April 2019



Alice Croft

ASSOCIATE TO THE HONOURABLE JUSTICE PEARCE