

Child Sexual Offences

Total Sentence Above 15 years

Note: the effect of statutory provisions relating to the application of sentencing patterns and practices:

s.25AA(1) (NSW) *Crimes (Sentencing Procedure) Act* applied to sentences imposed on or after 31.8.2018. It required a court to sentence an offender for a child sexual offence in accordance with the sentencing patterns and practices at the time of sentencing, not at the time of the offence.

This provision was replaced by s.21B(1) (NSW) *Crimes (Sentencing Procedure) Act* on 18.10.2022 which extends the requirement to all offences.

Under both provisions the relevant standard non-parole period is that which applied at the time of the offence: 25AA(2) / s.21B(5)

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|----|---------------------------------------|--|------|--------------------------------|--------|------------------------------------|--|
| 1. | Hill (43-48) NSWCCA 7.7.1992 | 3 x s.78H 8 x Homosexual intercourse with boy 2 x Incite boy to have homosex intercourse with another 9 x Indecent ass Inciting ind ass | PG | MT 12y AT 4y | AD | Bad records for sexual offences | Offences committed over 4 years on 7 boys aged 9-15y – range of sexual acts including fondling penis, oral intercourse, forced fellatio, anal intercourse, gross indecency – encouraged sexual acts between boys – videotaped conduct – no violence – willing complainants No remorse |

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| 2. | H (50 at sentence) NSWCCA 24.10.1994 | s.73 s.76 AOABH 2 x s.78A 5 x s.61D(1) s.61D(1A) 2 x Common assault s.61E(1A) | VG | MT 14y AT 6y | AA Only to restructure sentence | Prior convictions for lesser offences including assaults | Sexual offences committed over 15y against daughter and step-daughter – offences commenced when complainants aged 11-14y – penile / vaginal intercourse with foreplay and self masturbation – assaulted daughter when she ran away by shaving her head, hanging her from rafters and keeping her in room with dog collar for week – fellatio and cunnilingus with both complainants at same time – strip poker involving intercourse and second man - threats and violence against all family members – bizarre family environment Difficult childhood and poor health |
| 3. | Colby (49-50) [1999] NSWCCA 261 | 2 x s.61J 11 x s.66C(2) Common assault | VG | MT 16y AT 6y | AA MT 12y AT 4y | Nil relevant | Guardian of 12y complainant - sexually abused her over 13 months – penile/vaginal intercourse - anal intercourse - forced intercourse with dog - sexual intercourse at same time with second offender - gross betrayal of trust |
| 4. | R A L (31-58 at offences – 71 at sentence) [2000] NSWCCA 53 | 3 x s.67 9 x s.79 10 x s.71 2 x s.63 4 x AOABH 3 x s.76 2 x s.73 4 x s.81 Assault | PG | MT 12y AT 4y | AD | | (1953-1980) – sexually abused seven members of family – representative counts – anal intercourse with step daughter and young step son caused injury – placed hand over mouth of 8y step daughter to prevent screaming during vaginal intercourse – placed pillow over head of 4y complainant to prevent screaming during vaginal intercourse – extreme sexual and nonsexual violence – kicked female complainant with steel capped boots causing unconsciousness – forced sexual depravity with family dog |

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| 5. | Milton (early 30s) [2004] NSWCCA 195 | 6 x s.78K 2 x s.61E s.90A | VG | 16y NPP 12y | AD | | (1987-1990) – first complainant aged 13-15y - complainant from unstable family background and would often stay at offender's house – provided with drugs and alcohol – later moved in and worked for offender for short period – fellatio, touching and anal intercourse on regular occasions – second complainant 13y boy – masturbated in front of complainant on two occasions – forced anal intercourse on complainant after tying hands to bed |
| 6. | MAK (23) [2004] NSWSC 319 Sully J [2005] NSWCCA 369 [2006] NSWSC 237 Hidden J (2006) 167 A Crim R 159 [2006] NSWCCA 381 | 9 x s.61JA s.61J Sched: s.61L | VG PG (15%) | 16y NPP 12y 9y NPP 4y <u>Total:</u> 19y NPP 14y | AD Crown AD | Nil | 13.7.2002 16y and 17y females accompanied offenders to – had previously spent night unharmed - S was physically restrained by MMK - MSK slapped her face and produced a knife - forced into a bedroom - MSK entered with another knife - produced some bullets and mentioned a gun - threat to kill - forced penile/vaginal intercourse three times - MAK entered room – forced vaginal/penile intercourse on - threatened her with death if went to the police - G taken to different bedroom - MMK entered room carrying long bladed kitchen knife - forced G to fellate him and twice forced penile/vaginal intercourse - subjected to further sexual assault by RS - principal / accessorial liability 24.6.2002 14y female accompanied brothers to house – became intoxicated – taken to bedroom and sexually assaulted by MAK 20.1.2002 (indecent assault on schedule) - Took female complainant to bedroom and commenced kissing – touched breast and pubic area Emigrated to Australia from Pakistan while relatively young – lack of parental supervision – refusal to accept any wrongdoing – poor rehabilitation prospects. |

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| 7. | Dunn (60 at sentence) [2004] NSWCCA 346 | 3 x s.61E(2) 2 x s.61E(1) 11 x s.78K 3 x s.78H 2 x s.78L s.66C 2 x s.61N 3 x Supply proh drug | PG (10% on appeal) | 30y NPP 22y 6m | AA 20y NPP 18y | nil | Sexually abused number of boys, using drugs and money – one complainant aged under 10y – offences videotaped by co-offender – proud of offences Poor health – protective custody – no insight |
| 8. | Suey (34) [2005] NSWCCA 22 | s.112(3) Sp agg break and enter s.33B(1)(a): Use off weapon s.90A: Kidnapping 6 x s.61J | VG | MT 15y AT 5y | AD | Assaults in local court | In company broke into house, shot at and wounded a man, then abducted 15y girl and subjected her to repeated vaginal and anal intercourse and fellatio |
| 9. | TWP [2006] NSWCCA 141 | s.61E(1) 12 x s.66C(2) s.78A 2 x s.61M(1) s.61 | PG (33.3% plea and <i>Ellis</i>) | 10y NPP 7y 6m | Crown AA 16y NPP 12y | | Sexual abuse of three daughters over 17 year period commencing when one complainant was 7y |

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| 10. | MLP (39) (2006) 164 A Crim R 93 [2014] NSWCCA 271 [2014] NSWCCA 183 | s.66A | VG | 16y NPP 12y | AA 16y NPP 11y AD | Minor | Penile intercourse with 9y daughter on camping trip – in presence of young children – significant breach of trust – mid range objective seriousness. Protective custody – health problems – reasonable prospects of rehabilitation |
| 11. | SGJ (40-1) KU (40-41) [2008] NSWCCA 258 | s.61M(1) s.61M(2) 5 x s.91G(1) 7 x s.66A s.61O(1) Sched: 18 offences s.61M(2) 5 x s.91G(1) 7 x s.66A s.61O(1) Sched 16 offences | PG (20-25%) PG (20-25%) | 22y NPP 15y 22y NPP 15y | AA Same effective sentence imposed AA 20y NPP 13y | Minor Nil | Husband and wife – sexually abused young children over 10 month period – abuse of trust – seven female complainants aged younger than 12y – cunnilingus, fellatio, digital penetration vagina and anus, penile penetration – rubbing of vagina and breasts – took photographs – some complainants never identified – breach of trust SGJ – male – little insight into offending – anti-social personality disorder – prospects of re-offending KU – female – parity issue |

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| 12. | NRW (45 at appeal) [2008] NSWCCA 318 | 3 x s.66A s.61O(1) 2 x s.61J(1) s.61I s.78L s.78N Sched: 3 sexual offences | PG | 19y NPP 14y | AD | Lengthy. Violence, sexual assault, drugs. | Sexually abused daughter, son and step daughter from 1989 – 2001 - children aged from 6–15y |
| 13. | BR (31) [2009] NSWDC 116 Cogswell SC DCJ | 5 x s.66A s.61O(2) 2 x s.66C(2) Sched: 5 sexual offences | PG (25%) | 18y NPP 13y | | minor | Offences committed against four step-children and one natural son all aged less than 11y – penile/vaginal intercourse – forced fellatio – forced children to engage in sexual activity – forced fellatio on all children including 2y son |
| 14. | Allen (45) [2010] NSWCCA 47 | 2 x s.66A s.86(1): Kidnapping | PG | 16y NPP 12y | AA Sentence for kidnapping reduced – overall sentence unchanged | Child sexual offences | Befriended family of 5y boy in caravan park – when boy alone in TV room took him into bush and performed fellatio – well above mid-range Alcohol abuse |
| 15. | Hitchen (44) [2010] NSWCCA 77 | 4 x s.474.19(1) s.91H(3) s.66EA(1) s.91G(1)(a) Sched: 6 x child pornography off | PG (25%) | 24y NPP 18y | AA 18y NPP 14y | Nil | Sexually abused daughter of former partner over 3 years – V aged 7-9y – videotaped some offences and transmitted them overseas – offences continued while child asleep – involved intercourse – extensive planning - also in possession of 729,000 images and 2,700 videos of child pornography – some offences in worst category |

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| 16. | Ingham [2011] NSWCCA 88 [2014] NSWCCA 123 | 8 x s.66A 2 x s.61M(2) s.66B | VG | 22y NPP 17y | AA AA 17y NPP 13y | Prior record | Sexual offences against 8y and 9y females over two days – friend of family staying with older complainant and babysitting girls – digital penetration, licking breasts, tongue in vagina, indecent assault with penis, attempted fellatio, fellatio, penile/vaginal penetration - breach of trust – all offences committed in presence of other complainant – not isolated incidents – degree of planning |
| 17. | Brown (24-45) [2012] NSWCCA 199 | 2 x s.79 4 x s.78K 10 x s.81A s.78Q s.61E(1) s.61I 16 x s.81 Sched: 20 similar offences | PG | 10y NPP 6y | Crown AA 20y NPP 12y | nil | (1974-1996) Met some complainants as church youth group leader – met other complainants through family or social groups - arranged for complainants to stay overnight or during holidays - supplied alcohol and drugs and sexually abused 20 teenage male complainants over 22 years |
| 18. | Van der Baan (25/26) [2012] NSWCCA 5 | 6 x s.61J s.97(1): Armed robbery | PG | 17y 3m NPP 14y 3m | AA 15y 9m NPP 12y 9m | Sexual offences committed at similar time | 1995-6 – Arranged to meet 18y female acquaintance – walked complainant to park area and threatened her with knife – forced penile/vaginal intercourse, anal intercourse and fellatio – tied up complainant and stole property – 16m later grabbed 15y female walking along bridge in early evening – threatened with knife – forced fellatio, digital penetration and vaginal intercourse – each attack callous and degrading and caused significant psychological and physical injury Totality to sentence imposed for similar offences |

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| 19. | Magnuson (30-38 at offences – 64 at sentence) [2013] NSWCCA 50 | 5 x s.76 8 x s.61E(1) 8 x s.61D(1) 2 x s.61E(2) s.76A s.63 | PG | 19y NPP 13y | AA 16y NPP 9y | Old sexual offence matters. No criminal history for 27 years. Treated as person of good character. | Offences took place over 26 years ago - 3 complainants - two daughters and daughter of a cousin – complainants aged 8-15y – offences took place in home. On appeal - sentences manifestly excessive for offences which took place during 1970-1980s |
| 20. | Leslie (22) [2013] NSWCCA 48 | 2 x s.66A s.66B | PG (10%) | 23y 6m NPP 16y | AA 19y NPP 13y | On bail. AOABH, property offences, B&E, stalk and intimidate | Assaulted 8y girl – three offences on one night - staying in same house – dragged complainant away from house and assaulted her in bushes – threats to kill if she told anyone – attempted penile-vaginal penetration – digital penetration – forced complainant to perform oral sex – planned offences - not within worst category but significantly above mid-range. Dysfunctional upbringing – alcohol and drugs – Aboriginal – uncertain rehabilitation – no remorse |
| 21. | Jolly (30) [2013] NSWCCA 76 | s 66A 2 x 66M(2) s 66B s 86(1)(b): Kidnapping | PG (25%) | 22y NPP 15y 9m | AA 18y 9m NPP 13y 4m | Nil | Grabbed 6y complainant sitting in her front yard and placed her in motor vehicle – took complainant to first location where placed her hands on penis – at second location attempted penile-vaginal penetration, forced complainant to perform fellatio, rubbed penis on complainant's bottom – took complainant back to area near her home and told her she could walk home – offence took place over 1 1/2 hours. Uncharacteristic aberration – disturbed psychology – depressive and psychosexual disorder - supportive family – unlikely to reoffend. |

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| 22. | JL [2014] NSWCCA 130 | s.61J 4 x s.66A 6 x s.91G(1)(a) s.61M(2) s.61O(2A) s.61O(1) 3 x s.91K(3): Agg film person in private act 2 x s.66A(2) 2 x s.66C(2) Sched: 7 similar offences | PG (25%) | 18y NPP 13y 6m | AD | | Sexually abused daughter aged 7-11y over four years – digital and penile intercourse – forced objects into vagina – fellatio – anal / penile penetration – forced complainant to rub penis – took photos of complainant in sexual poses – secretly recorded friends changing in complainant’s bedroom – above mid-range Sexually abused as a child – depression |
| 23. | Gommeson (55-62) [2014] NSWCCA 159 | 11 x s.66C(2) 5 x s.66C(4) s.91H Att s.61J(1) 2 x s.61M(2) Sched: 11 offences | PG | 8y 6m 12y 6m | Crown AA 17y NPP 12y | Nil | (2005-2011) 20 offences committed against seven male complainants - complainants aged 9-16y - between 9 and 16 years - offender befriended families of complainants Paedophile - age and health - active predatory offending despite his age - no sign offending conduct was likely to cease |

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| 24. | JM (45) [2014] NSWCCA 297 | s.66A(2) 3 x s.91G(1)(a) s.91K(3): Film person in private act 2 x s.61M(2) 2 x s.91H(2) Sched: Similar offences | PG (10-15%) | 18y NPP 13y | AD | Nil relevant | Filmed himself performing cunnilingus on 2y daughter – filmed 11y step daughter, 9y step son and 13y step daughter showering – took photos of 2y daughter in bath holding open labia – took photos of 11y step daughters vagina – child abuse material found on computer – some pictures at top of COPINE scale |
| 25. | RJB (47) [2015] NSWCCA 93 | 4 x s.66A 2 x s.61J | PG (25%) | 17y NPP 12y | AA Total sentence unchanged. | Assault, AOABH | (2002-2006) – continuing sexual abuse of partner's daughter aged 6–10y – digital, penile, anal penetration Dysfunctional upbringing |
| 26. | MRM [2015] NSWCCA 195 | 6 x s.61J(1) s.66A(1) s.66C(2) s.61M(2) s.73(1) s.73(2) | PG (10/15%) | 20y NPP 15y | AA 17y NPP 12y | | (2001-2011) – sexual abuse of offender's two stepchildren (male and female) and natural daughter – complainants aged 6y, 16y and 10y when abuse commenced – ongoing and persistent abuse |

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| 27. | Van Ryn (60) [2016] NSWCCA 1 Van Ryn (No.2) [2016] NSWCCA 160 Van Ryn (No.3) [2016] NSWCCA 307 | s.66EA 8 x s.61M(2) s.61M(1) s.61O(2) 2 x s.66C(4) Sched: 4 offences | PG (25%) | <u>Aggregate</u> 13y NPP 7y | Crown AA <u>Aggregate:</u> 18y NPP 13y 6m <u>Aggregate:</u> 17y 9m NPP 13y 4m | | (2003-2014) Offences committed against 9 complainants - male and female aged 8-15y - offences usually occurred at offender's home where visitors with children would go to socialise – reaching inside clothing or swimwear of complainant and touching genitals – oral and anal intercourse. Respected businessman and member of community <i>Van Ryn (No 2)</i> – application by Crown to correct error to indictment refused – taken to High Court <i>Van Ryn (No 3)</i> - redetermination of sentence following grant of special leave by High Court – error as to correct provision for one of lesser offences – lesser maximum penalty and SNPP applied –aggregate sentence reduced |
| 28. | GP [2016] NSWCCA 150 | 2 x s.66A | VG | 16y NPP 10y | AD | | (2006-2007) – complainant aged 3-4y at time of offences – niece – vaginal penile and digital penetration. |
| 29. | WC (49 at sentence) [2016] NSWCCA 173 | 8 x s.66C(2) s.66C(4) 3 x s.78A Sched: 9 offences | PG (25%) | 19y NPP 13y | AA 17y NPP 11y 9m | Sentenced earlier in Queensland for sexual offences committed against same complainant at later date | (1999-2006) - Sexually abused daughter aged 12-19y – digital / penile and anal penetration – used as sexual plaything – offences at or above mid-range |
| 30. | Woodward (early 30's – 73) [2017] NSWCCA 44 | 5 x s.63 s.79 Sched: 3 similar offences | PG | 18y NPP 9y | AD | Nil | (1973-1975) – Sexually abused natural daughter aged 10-13y – representative charges – penile and digital penetration – anal intercourse Poor health – poor insight into offending |
| 31. | PH [2017] NSWCCA 79 | 6 x s.61J(1) 2 x s.61M(2) | PG (25%) | 18y 9m NPP 14y | AD | | (2012–2014) – abused his three daughters aged 12-16y - circumstances of aggravation under authority of offender - penile/vaginal intercourse - representative counts |

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| 32. | Kennedy [2017] NSWCCA 193 | 4 x s.61J(1) | PG (10%) | 17y NPP 12y | AD | Limited | (1996-1999) abused daughter of partner – complainant aged 15-18y – vaginal penile intercourse – violent rape conducted under threat of death – complainant fell pregnant 3 times and gave birth to two babies – callous disregard for complainant in continuing unprotected sex - children used as a means of requiring complainant to continue abuse Aboriginal background. |
| 33. | DV [2017] NSWCCA 276 | 7 x s.66C(2) 5 x s.61M(1) | VG | 16y NPP 12y | AD | nil | (2006-2008, 2013-2014) – step-father abused female complainant aged 10-11y and 14y - penile-vaginal intercourse, cunnilingus, digital penetration and fellatio. Lack of remorse - low risk of reoffending |
| 34. | GW (29-32 at offence / 44 at sentence) [2018] NSWCCA 79 | 7 x s.61J(1) 8 x s.61M(1) 12 x s.91G(1)(a) 2 x s.91H(2) Sched: 26 offences | PG (25%) | 18y NPP 13y 6m | AD | Act of indecency with child under 16 - possess child pornography – breached bond | Committed offences against biological daughter of de facto partner over nearly 4y when complainant aged 12-16y - police located computer disk containing 701 images of offender engaged in sexual activity with complainant - cunnilingus and penetrative sexual acts and numerous images of breasts and vagina –abuse material of other children also found Poor prospects of rehabilitation. |
| 35. | Rampe (31-32) [2018] NSWCCA 163 | 15 x s.91G(1)(a) 8 x s.61M(2) 6 x s.66C(2) s.91H(2) Sched: Poss child abuse material | PG | 16y NPP 12y | AD | Nil relevant | Sexually abused 9-10y step daughter over twelve months – took photographs and videos of anal and genital area including touching and penetration of both vagina and anus with penis, finger and tongue – found in possession of additional child pornography material – some in worst category |

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| 36. | RL [2018] NSWCCA 274 | 2 x s.61M(2) s.61M(1) s.66A(1) 2 x s.61J(1) Sched: 2 offences | PG (10%) | 19y 7m NPP 13y | AD | record | Sexually abused two stepdaughters aged 6-13y over ten years – indecent touching and penile and digital intercourse – risk of pregnancy for one complainant – offence mid to high range Difficult childhood |
| 37. | CH [2019] NSWCCA 68 | s.91G s.61O(2A) s.61M(2) s.66B s.61O(2) 3 x s.66A(1) Sched: 6 offences | PG (25%) | 20y NPP 13y | AD | | Sexually abused daughter aged 4-5y and filmed offending – offended while using methamphetamines – had complainant masturbate offender – rubbed vagina over clothing then under clothing – attempted penile intercourse in complainant – placed finger in anus and tip of penis in vagina |
| 38. | RH (37) [2019] NSWCCA 64 | 2 x s.61J(1) 2 x s.66C(2) s.66EB(2) | VG | <u>Aggregate</u> 16y NPP 11y | AD | nil | Female – present and assisted male partner in committing offences against offender's own daughter aged 7-14y – oral and vaginal intercourse - used position of authority as mother - counselled complainant to lie to DOCS and police about offending – complainant subjected to threats and violence. Difficult subjective history - own neglectful mother - history of domestic violence. |

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| 39. | ME [2019] NSWCCA 91 | 3 x s.66C(2) s. 66C(4) s.61O(1) Sched: 5 offences | PG | <u>Aggregate</u> 18y NPP 13y 6m | AD | carnal knowledge offence | SNPP – 9 years Offences committed over period of years against daughter aged 7-15y – vaginal, anal, digital intercourse, cunnilingus – 11y complainant left to live with offender when mother returned to live in Philippines – offender paid complainant regularly for intercourse – activity stopped after complainant fell pregnant and had abortion – well into upper range of seriousness Difficult childhood and suffering serious, entrenched, pervasive and debilitating intimacy and relationship deficits, |
| 40. | Facer (50-52 / 59 at sentence) [2019] NSWCCA 180 | 3 x s.66A(2) s.66B 2 x s.66C Sched: 5 offences | PG (25%) | <u>Aggregate:</u> 21y NPP 15y 9m | AA <u>Aggregate:</u> 16y 6m NPP 14y 4m | Nil | SNPP 15y (2009 – 2014) - Sexually abused granddaughter over seven years – complainant aged 8–14y – digital and vaginal intercourse Ameliorating conduct of transfer of bulk of offender's assets / estate to wife ultimately for benefit of complainant - measure of remorse - prospects of rehabilitation - low likelihood of reoffending. On appeal: manifestly excessive sentence – offender will be aged 74y on release. |
| 41. | Ryan (28, 33 at offence; 41 at sentence) [2019] NSWCCA 200 | s.66A(2) s.66A | VG | <u>Total:</u> 22y NPP 16y | AA <u>Total:</u> 20y NPP 14y | Larceny, assault, shoplifting, driving with an illicit drug | SNPP 15y (2012/2013) female complainant aged 4-5y - friend's daughter – oral intercourse/fellatio - pulled complainant's hair and pushed complainant's head down – not isolated offence (2007) female complainant aged 5y - daughter of friends – digital penetration of vagina. Trusted family "friend" - ingratiated himself with families to access complainants – lack of insight into inappropriateness of attitude to complainant. Long-standing drugs and alcohol abuse - mental health issues. On appeal - error as to significance of SNPP and special circumstances. |

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| 42. | Franklin (14-26 at offences 67 at sentence) [2019] NSWCCA 325 | s.71 s.78A 2 x s.63 Sched: 2 x s.76 | PG (25%) | <u>Aggregate:</u> 17y NPP 8y | AD | subsequently sentenced for sexual offences against step-daughter | (1967-1977) – sexually assaulted sister aged 5-17y – representative counts – included penile/vaginal intercourse on many occasions – subsequent offending involved sexually abusing step-daughter 100-150 times over six years Remorse – undiagnosed and untreated paedophile – need for extended period on parole |
| 43. | GC (66) [2019] NSWCCA 241 | 2 x s.73 [14y] 2 x s.71 2 x s.61D(1) 2 x s.76/ 61E Sched: 10 offences | PG (10%) | <u>Indicative:</u> 8y 7y 4y 3y <u>Aggregate:</u> 15y NPP 9y | AD | 2 x carnal knowledge (1984) | (1975 – 1983) – abused three step-daughters aged between 11-16y – penile/vaginal intercourse – digital/vaginal intercourse – s.73 offences committed 1977-1980 Childhood trauma – child sexual abuse by own grandmother – had not offended for 34 years. |
| 44. | Cuthbert (32-49 at offence – 69 at sentence) [2021] NSWCCA 38 | 5 x s.61M(2) s.61O(2) 10 x s.66A s.61D(1) 2 x s.61E(1) | VG | <u>Aggregate:</u> 16y NPP 10y 8m | AD | | (1982-2000) sexually abused three nieces (sisters) over lengthy period – complainants aged 3y-11y – complainants in care of offender and wife at times of offending – breach of trust – indecent touching – forced touching of penis – digital penetration – cunnilingus – penile penetration – forced fellatio – forced indecent touching of self – overall offending well above mid-range Poor health – low risk of re-offending |

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|-----|---|--|--------------------------|---------------------------------|------------------------------------|--------|---|
| 45. | Hillman [2021] NSWCCA 43 | s.66EA AOABH 2 x s.61M(2) | PG (25%) | Aggregate: 21y NPP 15y 9m | AA Aggregate: 19y NPP 14y | Nil | (2006-2015) sexually abused step-daughter aged 6-15y over ten years – offences committed in New Zealand and later in Australia – indecent touching, digital and penile penetration, cunnilingus – offence aggravated by breach of trust and commission in complainant’s home – persistent and brazen abuse over lengthy period of time on young, vulnerable complainant –on occasion caused physical pain and persisted against complainant’s request to stop - offence in very high range - when complainant 16y picked her up by throat, threw her on to a bed and punched repeated in head – indecently touched 11y female cousin and 13y friend of complainant on separate occasions Remorse On appeal: error in application of plea discount to aggregate sentence |
| 46. | Young (a pseudonym) (58 at sentence) [2021] NSWCCA 163 | s.61O(2) s.66A 4 x s.66C(2) s.91G(2)(a) 3 x s.61J s.61M(2) s.91H(2) s.66EB(2) Sched: 5 x s.61M(2) | PG (15%) (25%) | 20y NPP 15y | AA 18y NPP 13y 6m | Nil | (1997-2002) sexually abused stepdaughter on weekly basis – complainant 7-13y – digital and penile penetration (2014-2017) befriended and sexually abused complainant aged 8-11y – while complainant staying overnight at offender’s house sexually abused and took photos of sleeping complainant – included penetration of anus by finger and banana – used online aliases to deceive complainant and procure sexually explicit photos – found in possession of 500 videos and 2000 photos of child abuse material No remorse – poor prospects of rehabilitation – paraplegic On appeal: erroneously nominated non-parole period to several indicative sentences |

| | NAME (age if known) | OFFENCE | PLEA | TOTAL EFFECTIVE SENTENCE | APPEAL | RECORD | INVOLVEMENT & SUMMARY |
|-----|--|---|-------------|-------------------------------------|------------------------|------------------------------|--|
| 47. | Greenaway (27-29 & 33-35 at offences, 84 at sentence) [2021] NSWCCA 253 | 5 x s.63 5 x s.76 1 x s.79 4 x Common assault 3 x AOABH | VG | 20y NPP 10y | AD | | (1964-1967) sexual and non-sexual physical assaults on young female inmates aged 16-18 in juvenile justice system at Parramatta Girls Training School whilst relieving deputy superintendent. (1971-1973) Assaulted complainant aged 12-15 at juvenile justice institution the Ormond School. Penile-vaginal, anal intercourse, fellatio, punched and hit complainants. Position of trust - complete power and authority over vulnerable complainants. |
| 48. | Carrington (46) [2021] NSWCCA 257 | 3 x s.78A(1) s.61O AOABH Sched: 5 offences | PG (25%) | 16y NPP 12y | AA 10y NPP 7y 6m | Nil | (2007-2010) Beat and struck daughter / complainant over her interaction with boys when aged 13 -16 - family heavily involved with Christian church and strict religious environment – examined vagina, rubbed vagina, digital penetration - penile/vaginal penetration when complainant aged 16 – complainant scared of being beaten - complainant had been taught not to trust anyone outside church, and assumed people would side with offender. 2019 in pre-text telephone call applicant told complainant he was sorry. CCA: Sentence manifestly excessive. |
| 49. | SB [2022] NSWCCA 164 | 4 x s.66A s.61M(2) | VG | <u>Aggregate:</u> 17y NPP 11y | AD | Lengthy – no sexual offences | SNPP 15y 2006-2007 – sexually abused two step daughters aged 3-6y – on one occasion forced penile-vaginal intercourse twice and oral intercourse once on first complainant – forced penile-vaginal intercourse on same complainant on separate occasion – rubbed penis against vagina of second complainant outside of clothing – not isolated occasion – abuse of trust – offences all committed in home of complainants – mid-range offending On appeal: aggregate sentence not manifestly excessive |

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| | NAME (age if known) | OFFENCE | PLEA | TOTAL EFFECTIVE SENTENCE | APPEAL | RECORD | INVOLVEMENT & SUMMARY |
|-----|--|--|------|---|--------|-----------------|---|
| 50. | Whiteman (15-30; 35 at sentence) [2023] NSWCCA 58 | 5 x s.66C(3) s.61M(2) s.61M(1) s.61L 5 x s.474.27(1) s.474.25A(1) Possess child abuse material State and Cth schedules: Numerous offences | PG | <u>State offences aggregate:</u> 10y NPP 6y <u>Cth offences aggregate:</u> 11y NPP 7y <u>Aggregate:</u> 16y NPP 12y | AD | Nil significant | (2004-2019) multiple offending over 15-year period involving 22 female children aged 11-15y – fostered relationships with complainants met through friends or community activities such as rugby league, ballroom dancing - groomed complainants - relationships pursued online - aged 30y committed sexual intercourse offences against 15y complainant following online grooming, manipulation and emotional coercion involving penile-vaginal and intercourse - USB containing child sexual abuse material. CCA: Re-sentenced due to factual error by sentencing judge in finding some offending continued after initial arrest – however, no lesser sentence warranted in law. Very high degree of criminality - offences cynically planned and calculated; scheming and lies to access sexual intercourse; protracted period of time - lack of insight into diagnosed paedophilic interest – high risk of reoffending. |

| | NAME (age if known) | OFFENCE | PLEA | TOTAL EFFECTIVE SENTENCE | APPEAL | RECORD | INVOLVEMENT & SUMMARY |
|-----|---|---|------|--|--|--------|--|
| 51. | RJ (41 at sentence) [2023] NSWCCA 273 | 7 x s.66C(2) 9 x s.61M(2) 3 x Common assault s.319: Pervert course of justice s.166 Certificate: Breach ADVO | VG | <u>Aggregate:</u> 12y NPP 8y 2y NPP 1y 4m 9m <u>Total:</u> 12y NPP 9y | Crown AA <u>Aggregate:</u> 16y NPP 11y 6m 2y NPP 1y 4m 9m <u>Total:</u> 17y NPP 12y 6m | | SNPP 9y Sexually abused daughter aged 12-15y – frequent anal intercourse and forced fellatio often to ejaculation – indecent assault included touching complainant’s breast, vaginal area and bottom, touching penis to face and mouth and forced touching of penis – slapped complainant to face on two occasions and slapped mother of complainant once – committed in home of complainant or grandparents’ home – emotional harm – ostracised from cultural community for reporting offences – gross breach of trust – visual impairment made complainant vulnerable - offences ranged from just below to above mid-range Contacted mother of complainant in breach of ADVO and while on bail to pressure her to have complainant withdraw complaint – moral pressure but no violence – breached ADVO by accepting wife’s invitation to attend house while children sleeping – not planned – below mid-range No remorse – prospects of rehabilitation guarded – victimised in home country – difficult custodial conditions due to Covid On appeal – anomalies and inconsistencies in indicative sentences – manifestly inadequate – sentences for additional offences not inadequate but error in concurrency |
| 52. | BH (37-38) [2023] NSWCCA 278 | s.61M(2) 13 x s.66A | VG | <u>Aggregate:</u> 14y NPP 9y | AA <u>Aggregate:</u> 18y NPP 12y | nil | SNPP 15y Sexually abused biological daughter aged 6-8y on 8 distinct occasions over 2 years – digital penetration – forced fellatio – cunnilingus – penile penetration – degree of force and violence – some offences committed in home of complainant – breach of trust of highest order – ten offences of or above mid-range Continued to deny offences – good prospects of rehabilitation – mental health issues making custodial conditions more difficult On appeal – indicative sentences outside range – aggregate sentence manifestly inadequate |

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| | NAME (age if known) | OFFENCE | PLEA | TOTAL EFFECTIVE SENTENCE | APPEAL | RECORD | INVOLVEMENT & SUMMARY |
|-----|---|--|-------------|--------------------------------|--------|--|--|
| 53. | Ocek (41-43) [2023] NSWCCA 308 | 9 x s.474.27 9 x s.474.19 2 x s.474.27A s.66EA(1) 3 x s.91H(2) 3 x s.66EB(3) 5 x s.66C(3) s.61M(2) s.91G(1)(b) 2 x Intimidate 2 x Fail to comply reporting condition Demand money with menaces Sched: 10 offences | PG (25%) | Total: 20y NPP 15y | AD | Breached parole for violent sexual offending – multiple other offences | Over several years used false online persona to groom young girls for sexual activity – 11 complainants – represented himself online as teenage male – all complainants provided sexualised images and engaged in online sexual content – met two complainants and engaged in sexual activity – s.66EA offence involved 25 acts of intercourse and 7 indecent assaults over four months – used presents to groom complainants and threats of exposure to continue abuse – planning and filming – on arrest found in possession of large amounts of child abuse material High risk of re-offending On appeal: no error and total sentence not excessive |

| | NAME (age if known) | OFFENCE | PLEA | TOTAL EFFECTIVE SENTENCE | APPEAL | RECORD | INVOLVEMENT & SUMMARY |
|-----|---|--|-------------|-------------------------------------|-------------------------|--|---|
| 54. | AA (32 at sentence) [2024] NSWCCA 132 | 5 x s.66A(2) s.61J 3 x Stalk / intimidate 2 x s.61M(2) | VG | <u>Aggregate:</u> 20y NPP 15y | AD | Lengthy – no prior sexual offences – three offences committed while on conditional liberty | SNPP 15 years (Aug 2009 – Mar 2013) ongoing sexual misconduct against two step-daughters that commenced when victims aged 5y and 7y – included forced touching of penis, forcing penis into mouth, digital penetration, indecent touching of bottom and licking of vagina – made threats to hurt or kill victims and family Aboriginal male – highly dysfunctional childhood reducing moral culpability – cognitive impairment and mental health issues – prospects of rehabilitation guarded given lack of remorse and lack of insight On appeal: error in imposing maximum indicative sentence for mid-range intimidate offence – on re-sentence would impose no lesser sentence – considered totality to existing sentence for offence against one victim committed after these offences |
| 55. | Nolan (41-45 at offences – 65 at sentence) [2024] NSWCCA 140 | s.66EA | VG | 18y NPP 13y | AA 16y NPP 11y 8m | Nil relevant | (Feb 1999 – Feb 2002) Father sexually assaulted 5-8y daughter – included sexual intercourse and indecent touching – intentionally developed relationship – high degree of emotional manipulation – offences committed in victim's home – element of planning – not isolated acts – high degree of seriousness No insight or remorse On appeal: SJ erroneously treated act of rubbing vagina as digital penetration |
| 56. | SR [32-53] [2024] NSWCCA 109 | 2 x s.66DA(b) s.61O(2) 2 x s.61M(2) s.66C(2) 2 x s.66DB(a) Sched: 6 related offences | PG (25%) | <u>Aggregate:</u> 16y NPP 12y | AD | Assault female | (2000-2020) sexually assaulted six complainants over twenty years – biological daughter, 3 stepdaughters and 2 friends of step-daughter – included forced touching of penis, cunnilingus, rubbing and touching of vaginal area and touching breast thigh and bottom – some complainants under authority Absence of insight and remorse |

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| | NAME (age if known) | OFFENCE | PLEA | TOTAL EFFECTIVE SENTENCE | APPEAL | RECORD | INVOLVEMENT & SUMMARY |
|-----|---|---|---------------------------------------|-------------------------------------|--------|------------|--|
| 57. | RA [2024] NSWCCA 149 | 2 x s.66EA Sched s.61M(1) 2 x s.66A s.66BA(b) | PG (25%) (40%) (35%) | <u>Aggregate:</u> 20y NPP 13y | AD | Nil in NSW | (1983-1996) sexually abused two daughters and one son – forced fellatio on 8-10y daughter and rubbed penis between bottom – indecent touching of 13-14y daughter – engaged in forced mutual fellatio and anal intercourse with 9-12y son (2020) exposed penis to 5y step grandson under care and requested he touch it – volunteered to police he had sucked complainant's penis on several occasions Born in Chile – sexually assaulted as a child |

Updated: Aug 2024

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Sexual Offences and Penalties – (Crimes Act)

| Offence | Section | Status | Maximum Penalty |
|---|---------------|-----------------------|--|
| Maliciously inflicts GBH with intent to have sexual intercourse | s.61B | 14.7.1981 – 17.3.1991 | 20 years |
| Inflict / Threaten actual bodily harm with intent to have sexual intercourse | s.61C(1), (2) | 14.7.1981 – 17.3.1991 | 12 years |
| Inflict / Threaten actual bodily harm with intent to have sexual intercourse in company | s.61C(3), (4) | 21.2.1988 – 17.3.1991 | 14 years |
| Sexual intercourse without consent | s.61D(1) | 14.7.1981 – 17.3.1991 | 7 years increased to 8 years 21.2.1988 |
| Sexual intercourse without consent person under 16y | s.61D(1) | 14.7.1981 – 17.3.1991 | 10 years |
| Sexual intercourse without consent person under 16y and under authority | s.61D(1A) | 23.3.1986 – 17.3.1991 | 12 years |
| Sexual intercourse without consent in company | s.61D(1B) | 21.2.1988 – 17.3.1991 | 10 years |
| Sexual intercourse without consent in company on person under 16y | s.61D(1B) | 21.2.1988 – 17.3.1991 | 12 years |
| Sexual intercourse without consent in company person under 16y and under authority | s.61D(1C) | 21.2.1988 – 17.3.1991 | 14 years |
| Assault and commit act of indecency | s.61E(1) | 14.7.1981 – 17.3.1991 | 4 years |
| Assault and commit act of indecency on person under 16y | s.61E(1) | 14.7.1981 – 23.3.1986 | 6 years |
| Assault and commit act of indecency on person under 16y and under authority | s.61E(1A) | 23.3.1986 – 17.3.1991 | 6 years |
| Assault and commit act of indecency in company | s.61E(1B) | 21.2.1988 – 17.3.1991 | 6 years |
| Assault and commit act of indecency on person under 16y and under authority in company | s.61E(1C) | 21.2.1988 – 17.3.1991 | 8 years |
| Commit act of indecency on person under 16y | s.61E(2) | 14.7.1981 – 17.3.1991 | 2 years |
| Commit act of indecency on person under 16 and under authority | s.61E(2A) | 23.3.1986 – 17.3.1991 | 4 years |
| Attempt to commit s.61B-61E | s.61F | 14.7.1981 – 17.3.1991 | Penalty for completed offence |
| Sexual intercourse without consent | s.61I | 17.3.1991 - Active | 14 years |
| Aggravated sexual assault | s.61J | 17.3.1991 - Active | 20 years |
| Aggravated sexual assault in company | s.61JA | 1.10.2001 - Active | Life |
| Inflict / Threaten actual bodily harm with intent to have sexual intercourse | s.61K | 17.3.1991 - Active | 20 years |

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| Offence | Section | Status | Maximum Penalty |
|---|-----------|-----------------------|--------------------------------------|
| Sexual Touching | s.61KC | 1.12.2018 – Active | 5 years |
| Aggravated Sexual Touching | s.61KD | 1.12.2018 – Active | 7 years |
| Sexual Act | s.61KE | 1.12.2018 – Active | 18 months |
| Aggravated Sexual Act | s.61KF | 1.12.2018 – Active | 3 years |
| Indecent assault | s.61L | 17.3.1991 – 1.12.2018 | 5 years |
| Aggravated indecent assault (victim aged under 16y an aggravating factor) | s.61M(1) | 17.3.1991 – 1.1.2009 | 7 years |
| Aggravated indecent assault (victim aged under 16y removed from aggravating factors) | s.61M(1) | 1.1.2009 – 1.12.2018 | 7 years |
| Indecent assault on person under 10y | s.61M(2) | 17.3.1991 – 1.1.2009 | 10 years |
| Indecent assault on person under 16y | s.61M(2) | 1.1.2009 – 1.12.2018 | 10 years |
| Act of indecency on person under 16y | s.61N(1) | 17.3.1991 – 1.12.2018 | 2 years |
| Act of indecency on person 16y or above | s.61N(2) | 1.7.1995 – 1.12.2018 | 18 months |
| Aggravated act of indecency on person under 16y | s.61O(1) | 17.3.1991 – 1.12.2018 | 5 years |
| Aggravated act of indecency person on person 16y or above | s.61O(1A) | 1.7.1995 – 1.12.2018 | 3 years |
| Act of indecency person under 10y | s.61O(2) | 17.3.1991 – 1.12.2018 | 7 years |
| Act of indecency person under 16y filmed for child pornography | s.61O(2A) | 1.1.2009 – 1.12.2018 | 10 years |
| Attempt | s.61P | 17.3.1991 – 1.12.2018 | Penalty for completed offence |
| Rape | s.63 | 1900 - 14.7.1981 | Death – reduced to Life 14.4.1955 |
| Attempt rape | s.65 | 1900 - 14.7.1981 | 14 years |
| Procure intercourse by non-violent threats | s.65A | 21.2.1988 – 1.1.2008 | 6 years |
| Procure carnal knowledge by fraud | s.66 | 1900 - 13.6.2003 | 14 years |

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| Offence | Section | Status | Maximum Penalty |
|--|-----------|-----------------------|---|
| Sexual intercourse child under 10y | s.66A | 23.3.1986 – 1.1.2009 | 20 years increased to 25 years 1.2.2003 |
| Sexual intercourse child under 10y | s.66A(1) | 1.1.2009-29.6.2015 | 25 years |
| Aggravated sexual intercourse with child under 10y | s.66A(2) | 1.1.2009 – 29.6.2015 | Life |
| Sexual intercourse child under 10y | s.66A | 29.6.2015 - Active | Life |
| Attempts to have sexual intercourse child under 10y | s.66B | 23.3.1986 - Active | 20 years increased to 25 years 1.2.2003 |
| Sexual intercourse with child between 10y and 16y | s.66C(1) | 23.3.1986 - 13.6.2003 | 8 years |
| Sexual intercourse with child between 10y and 14y | s.66C(1) | 13.6.2003 - Active | 16 years |
| Sexual intercourse with child between 10y and 16y and under authority | s.66C(2) | 23.3.1986 – 13.6.2003 | 10 years |
| Aggravated sexual intercourse with child between 10y and 14y | s.66C(2) | 13.6.2003 - Active | 20 years |
| Sexual intercourse with child of or above 14y and below 16y | s.66C(3) | 13.6.2003 - Active | 10 years |
| Aggravated sexual intercourse with child of or above 14y and below 16y | s.66C(4) | 13.6.2003 - Active | 12 years |
| Attempt sexual intercourse under s.66C | s.66D | 23.3.1986 – 1.12.2018 | Penalty under s.66C |
| Assault with intent to commit offence under s.66C | s.66D | 1.12.2018 - Active | Penalty under s.66C |
| Sexual touching child under 10y | s.66DA | 1.12.2018 – Active | 16 years |
| Sexual touching child 10-16y | s.66DB | 1.12.2018 – Active | 10 years |
| Sexual act child under 10y | s.66DC | 1.12.2018 – Active | 7 years |
| Sexual act child 10-16y | s.66DD | 1.12.2018 – Active | 2 years |
| Aggravated sexual act child 10-16y | s.66DE | 1.12.2018 – Active | 5 years |
| Sexual act for production of child abuse material – child under 16 | s.66DF | 1.12.2018 – Active | 10 years |
| Persistent sexual abuse of child | s.66EA | 15.1.1999 – 1.12.2018 | 25 years |
| Persistent sexual abuse of child (elements of offence changed) | s.66EA | 1.12.2018 – Active | Life |
| Procuring child under 16 years for unlawful sexual activity | s.66EB(2) | 18.1.2008 - Active | 12 years – 15 years if child under 14y |

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| Offence | Section | Status | Maximum Penalty |
|---|------------|-----------------------|--|
| Meeting children following grooming | s.66EB(2A) | 1.1.2009 - Active | 12 years – 15 years if child under 14y |
| Grooming child under 16 years for unlawful sexual activity | s.66EB(3) | 18.1.2008 - Active | 12 years – 15 years if child under 14y |
| Grooming person with authority for child | s.66EC | 1.12.2018 – Active | 5 years – 6 years if child under 14y |
| Sexual intercourse with person with person with intellectual disability and under authority | s.66F(2) | 21.2.1988 - Active | 10 years |
| Sexual intercourse with person with person with intellectual disability | s.66F(3) | 21.2.1988 - Active | 8 years |
| Carnal knowledge girl under 10y | s.67 | 1900 - 23.3.1986 | Death reduced to Life 14.4.1955 |
| Attempt carnal knowledge girl under 10y | s.68 | 1900 - 23.3.1986 | 14 years |
| Carnal knowledge of girl between 10y and 16y | s.71 | 1.10.1924 - 23.3.1986 | 10 years |
| Attempted carnal knowledge of girl between 10y and 16y | s.72 | 1.10.1924 – 23.3.1986 | 5 years |
| Carnal knowledge with idiot or imbecile | s.72A | 1.10.1924 – 21.2.1988 | 5 years |
| Carnal knowledge by teacher / father of girl between 10y –17y | s.73 | 1.10.1924 –23.3.1986 | 14 years |
| Carnal knowledge by teacher / father of girl 16y | s.73 | 23.3.1986 – 13.6.2003 | 8 years |
| Sexual intercourse with person of 16y and under 17y and under special care | s.73(1) | 13.6.2003 - Active | 8 years |
| Sexual intercourse with person aged of 17y and under 18y and under special care | s.73(2) | 13.6.2003 - Active | 4 years |
| Sexual touching – young person of 16 and under 17y and under special care | s.73A(1) | 1.12.2018 – Active | 4 years |
| Sexual touching – young person of 17y and under 18y and under special care | s.73A(1) | 1.12.2018 – Active | 2 years |
| Attempt carnal knowledge by teacher / father of girl between 10y – 17y | s.74 | 1.10.1924 –23.3.1986 | 7 years |
| Attempt carnal knowledge by teacher / father of girl 16y | s.74 | 23.3.1986 – 13.6.2003 | 8 years |
| Assault and commit act of indecency on female | s.76 | 1.10.1924 – 14.7.1981 | 3 years increased to 4 years 2.8.1974 |

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| Offence | Section | Status | Maximum Penalty |
|---|-----------|-----------------------|---------------------------------------|
| Assault and commit act of indecency on female under 16y | s.76 | 1.10.1924 – 14.7.1981 | 5 years increased to 6 years 2.8.1974 |
| Commit act of indecency female under 16y | s.76A | 2.8.1974 – 14.7.1981 | 2 years |
| Incest | s.78A | 1.10.1924 – 13.6.2003 | 7 years |
| Incest | s.78A | 13.6.2003 - Active | 8 years |
| Attempted incest | s.78B | 1.10.1924 - Active | 2 years |
| Homosexual intercourse male under 10y | s.78H | 8.6.1984 – 1.2.2003 | Life reduced to 25 years 12.1.1990 |
| Attempt homosexual intercourse male under 10y | s.78I | 8.6.1984 – 1.2.2003 | 14 years |
| Homosexual intercourse with male between 10y and 18y | s.78K | 8.6.1984 – 13.6.2003 | 10 years |
| Attempt homosexual intercourse with male between 10y and 18y | s.78L | 8.6.1984 – 13.6.2003 | 5 years |
| Homosexual intercourse with male imbecile or idiot | s.78M | 8.6.1984 – 21.2.1988 | 5 years |
| Homosexual intercourse by teacher or father on male between 10y and 18y | s.78N | 8.6.1984 – 13.6.2003 | 14 years |
| Attempt homosexual intercourse by teacher or father on male between 10y and 18y | s.78O | 8.6.1984 – 13.6.2003 | 7 years |
| Act of gross indecency with male under 18y | s.78Q(1) | 8.6.1984 – 13.6.2003 | 2 years |
| Buggery and bestiality | s.79 | 1900 - 8.6.1984 | 14 years |
| Bestiality | s.79 | 8.6.1984 - Active | 14 years |
| Attempt buggery or bestiality | s.80 | 1900 - 8.6.1984 | 5 years |
| Attempt bestiality | s.80 | 8.6.1984 - Active | 5 years |
| Sexual assault by forced self-manipulation | s.80A(2) | 17.3.1991 - Active | 14 years |
| Sexual assault by forced self-manipulation on person under 10y | s.80A(2) | 17.3.1991 – 24.3.2004 | 20 years |
| Aggravated sexual assault by forced self-manipulation | s.80A(2A) | 24.3.2004 – Active | 20 years |
| Causing sexual servitude | s.80D(1) | 22.3.2002 - Active | 15 years |
| Aggravated causing sexual servitude | s.80D(2) | 22.3.2002 - Active | 19 years – increased to 20y 1.1.2009 |

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| Offence | Section | Status | Maximum Penalty |
|--|----------|----------------------|--------------------------------------|
| Conduct business of sexual servitude | s.80E(1) | 22.3.2002 - Active | 15 years |
| Aggravated conduct business of sexual servitude | s.80E(2) | 22.3.2002 - Active | 19 years |
| Incite sexual offence | s.80G | 1.1.2009 – Active | Penalty for completed offence |
| Indecent assault on male | s.81 | 1900 - 8.6.1984 | 5 years |
| Act of indecency with another male | s.81A | 14.4.1955 – 8.6.1984 | 2 years |
| Solicit act of indecency with another male | s.81B | 14.4.1955 – 8.6.1984 | 18 months |
| Use child for pornographic purposes | s.91G(1) | 12.2.1989-31.12.2004 | 5 years – 7 years if child under 14y |
| Use child under 14y for pornographic purposes / child abuse material | s.91G(1) | 1.1.2005 | 14 years |
| Use child of or above 14y for pornographic purposes / child abuse material | s.91G(2) | 1.1.2005 | 10 years |
| Commit offence against (1) or (2) in circumstances of aggravation | s.91G(3) | 1.1.2022 | 20 years |
| Produce or disseminate child pornography | s.91H(2) | 1.1.2005-31.12.2004 | 10 years |
| Possess child pornography | s.91H(3) | 1.1.2005-31.12.2004 | 5 years |
| Produce, disseminate or possess child pornography / child abuse material | s.91H(2) | 1.1.2009 | 10 years |

Sexual Offences and Penalties – (Cth Criminal Code)

| Offence | Section | Status | Maximum Penalty |
|--|----------|--------------------|---|
| Sexual activity with child outside Australia | s.272.9 | 15.4.2010 | 15 years |
| Persistent sexual abuse of child outside Australia | s.272.11 | 15.4.2010 | 25 years |
| Procuring child to engage in sexual activity outside Australia | s.272.14 | 15.4.2010 | 15 years |
| Use carriage service to access, cause to be transmitted, transmit or solicit child pornography | s.474.19 | 1.3.2005-21.9.2019 | 10 years – increased to 15 years on 15.4.2010 |

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| Offence | Section | Status | Maximum Penalty |
|---|-------------|-----------|---|
| Use carriage service to access, cause to be transmitted, transmit or solicit child abuse material | s.474.22 | 1.3.2005 | 10 years – increased to 15 years on 15.4.2010 |
| Possess child abuse material accessed using carriage service | s.474.22A | 21.9.2019 | 15 years |
| Use carriage service for sexual activity with person under 16y | s.474.25A | 15.4.2010 | 15 years |
| Use carriage service to procure for sexual activity person under 16y | s.474.26(1) | 1.3.2005 | 15 years |
| Use carriage service to groom person under 16y | s.474.27(1) | 1.3.2005 | 12 years – increased to 15 years 23.6.2020 |
| Use carriage service to transmit indecent communication to persons under 16y | s.474.27A | 15.4.2010 | 7 years |

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