

Child Sexual Offences

Total Sentence Above 10 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)

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
1.	Bamford 33 at sentence NSWCCA 23.7.1991	s.66A 3 x s.66C Att s.66C	PG	MT 9y AT 3y	AA MT 7y AT 5y	No previous gaol	Sexually abused step-daughter aged 10-16y from 1986-1989 – part of wider pattern of sexual abuse Protective custody – appeal allowed to adjust ratio of sentence
2.	Tucker NSWCCA 13.4.1992	s.66A s.61E(1A)	VG PG	MT 8y AT 2y 8m	AD	Priors	(1988) - showed 8y daughter R-rated video – placed her on his knee and had intercourse – arranged for mother to leave house – pre-mediated offence – not isolated offence Low intellectual functioning
3.	Colquhoun NSWCCA 9.9.1993	2 x s.78H 2 x s.66A s.61E(2A) s.78H 2 x s.61E(1)	VG PG	MT 9y AT 5y	AD	Minor – second offences committed while on bail for first offences	Gymnastics instructor assaulted 9y pupil – forced fellatio, digital penetration and rubbed penis against buttocks – second offences committed when forced two young boys into van – tied hands behind back and forced to floor of van – anal intercourse on youngest boy – touched penis, testicles and buttocks of older boy – took photos

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4.	H (41) (1994) 74 A Crim R 41 NSWCCA 25.7.1994	2 x s.66C(2) 8 x s.76 / s.61E	PG	MT 11y 6m AT 5y	AA MT 8y AT 3y	Nil	Prolonged sexual abuse of daughter aged 12m-12y – one assault on daughter's friend – 2 x penile penetration when daughter aged over 10y – regular offending Provided additional information to authorities about offences
5.	RWC (41 at sentence) NSWCCA 4.8.1994	s.61E(1) s.67 19 x s.66C(2) 2 x s.61M(1) s.66D(1)	PG	MT 12y AT 3y	AD	Some offences breached bail	Offences committed on 4 female complainants, including 2 daughters, aged 8-15y – penile penetration, digital penetration – threats made – Involvement of wife
6.	Roach (42) NSWCCA 29.9.1994	2 x s.78H	VG	MT 10y AT 3y 4m	AA MT 8y 6m AT 2y 10m	Nil sexual offences	(1989) - trusted family friend – anal/penile penetration on 7y boy causing him to scream and causing damage to anus -
7.	Heather (45) NSWCCA 1.8.1995	3 x s.61J s.90A: Kidnapping	VG	MT 10y AT 5y	AA MT 9y AT 3y	Sexual offences	Forced 11y girl walking past into house – struck complainant on side of head – penile intercourse and 2 x oral intercourse – threatened with further assault Schizophrenia
8.	Cruikshank NSWCCA 2.8.1995	s.61D(1A) s.67 4 x s.66C(2) s.61C(1) s.61D(1) 5 x s.61D(1A)	VG	MT 10y AT 3y	AA MT 9y AT 3y	Record – no relevant offences	Sexually assaulted stepdaughter – forced fellatio when complainant aged 7-8y – full penile intercourse when complainant aged 8y – subsequent intercourse resulted in pregnancy and birth of child – forced intercourse while complainant had stitches from giving birth – punched complainant in eye before forcing intercourse

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9.	Norris NSWCCA 23.10.1995	s.78K 3 x s.61E(1A) 3 x s.66C(2) s.61M(1)	PG	MT 8y AT 3y	AD		Sexually abused son and two daughters – forced mutual fellatio and masturbation when son aged 10-12y – digital penetration of daughter aged 13y on three occasions – indecent assaulted on second 13y daughter – offences on first two complainants representative counts
10.	ED (52 at sentence) NSWCCA 22.11.1996	s.73 s.61E(1) 5 x s.78A 6 x s.66C(2) Att s.66C(2) s.61L	PG	16y NPP 13y	AA 13y NPP 10y		Offences committed against 2 daughters aged 8-20y and 10-21y – representative counts
11.	Hardy (24-32) NSWCCA 5.6.1997	10 x s.81 5 x s.61D 2 x Att s.61D s.61E(1A)	PG / VG	MT 7y AT 4y	AD	Nil	(1986) - teacher and close family friend assaulted male child aged 8-16y

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12.	Fisk (26-41) NSWCCA 21.7.1998	8 x s.79 s.81 4 x s.61E(1A) s.61D(1A) 4 x s.78K Aid and abet s.78K 2 x Aid and abet s.66A 3 x s.61D(1A)	PG	MT 9y AT 3y	AD		(1974-1989) – sexually abused three male complainants aged 13-19y – all complainants from dysfunctional families – offences representative of paedophilic lifestyle
13.	Reid (AGR) (47 at sentence) NSWCCA 24.7.1998	4 x s.81 s.79 2 x s.66A s.61M(2) 2 x s.61N Sched: 8 sexual offences	VG PG	MT 12y AT 4y	AA MT 8y AT 4y	Nil relevant	Representative counts – offences committed against 6 complainants including younger brothers - indecently assaulted one brother since child aged 3y, including buggery at 14y – fondling and rubbing penis, placing complainant's penis in mouth, rubbing against buttocks, anal penetration Dysfunctional childhood – sexually abused
14.	Reynolds NSWCCA 7.12.1998	s.79 s.73 s.76 6 x s.81	PG	MT 3y AT 2y	Crown AA MT 8y AT 3y		Offences committed on 3 step children – not isolated incidents – few facts

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15.	Thomas (32-40 / 52 at sentence) [1999] NSWCCA 168	5 x s.79 3 x s.78K s.61D(1) s.61E(1) Sched: 16 sexual offences	PG	MT 4y AT 2y	Crown AA MT 8y AT 4y	Committed offences committed before and after these offences – including sexual offences	(1978-1986): oral and anal intercourse, masturbation and indecent touching outside clothing – complainants aged 10-15y – representative counts – targeted children from troubled homes and befriended them - no violence of force but significant breach of trust Sexually abused as a child
16.	Many [1999] NSWCCA 241	11 x s.61J 7 x s.61O(2) 3 x s.61M(1) 2 x s.61N(1)	PG	MT 8y AT 4y	AD	Unknown	Offences committed on 5 young boys over 12 months – threats of violence
17.	White (64) [1999] NSWCCA 336	Admin stupefying drug 3 x s.61N(1) s.61J s.61L	VG	MT 10y AT 2y	AD	drug related	Looking after 13y female - requested sex from complainant three times - complainant drugged and awoke to find injuries on vagina - drugged 14y complainant then forced her to have penile/vaginal intercourse - 16y complainant drugged and awoke to find underwear removed. Little chance of rehabilitation
18.	ADW (40-50) [1999] NSWCCA 374	3 x s.73 2 x s.66C(1) Aid and abet s.73 2 x s.66C(2) Sched: 11 similar offences	PG	MT 11y AT 3y	AA MT 9y AT 3y 6m	Minor – no sexual offences	(1988-1995) – sexually activity with two daughters, step-daughter, step-son and niece aged 13-17y – sexual intercourse with complainants – supervised and encouraged step-son to have regular intercourse with step-sister Deprived childhood including sexual abuse
19.	HJS [2000] NSWCCA 205	5 x s.67 3 x s.76 2 x s.72	VG	MT 10y AT 3y 4m	Conviction AD		(1970-1981) Sexually abused four daughters aged 4y-13y – digital and penile penetration – forced touching of penis

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20.	AB (No.2) (25-36) [2000] 117 A Crim R 473 [2000] NSWCCA 467	7 x s.61D(1A) 6 x s.61D(1) 7 x s.61E(1A) 17 x s.61E(1) 22 x s.81 7 x s.61E(2) s.78Q(1)	PG	MT 13y 6m AT 4y 6m	AA MT 12y AT 3y		(1976-1987) Representative counts against 15 school students aged 7-11y – teaching brother in Catholic Church – total control over complainants and situation – enticed complainants to room to look at train set – fondled genitals – masturbated complainants to orgasm – mutual masturbation – forced mutual masturbation between complainants – simulated intercourse – indecently assaulted girls in classroom – digitally penetrated two girls at desk of classroom – assaulted girls in theatre – cunnilingus – forced masturbation – in school playground forced complainant to touch naked penis – called one complainant to classroom during school fete – returned to assault one complainant 3 years later Some rehabilitation – unlikely to re-offend
21.	Dawson (50 at appeal) [2000] NSWCCA 399	2 x s.66C 61M 2 x 61L 9 x s.66C(2) Admin stupefying drug Sched: 4 x s.61 / 3 x s.61M	PG	MT 10y 6m AT 3y	AD		Singing teacher assaulted six young girls - provided 14y friend of niece with alcohol then forced fellatio and intercourse - supplied alcohol to 14y complainant and digitally penetrated while asleep – 3 further incidents of sexual intercourse over objection - rubbed hands over breast during singing lessons - pulled complainant on to lap - drugged complainant with benzodiazepine then took sexually explicit photos while unconscious - sexual conduct with 14-15y complainant – tongue in mouth, digital penetration, cunnilingus and penile intercourse
22.	W [2001] NSWCCA 172	s.79 4 x s.78K s.78L s.66C Sched: 11 sexual offences	PG	MT 8y AT 2y 6m	AD		Sexually abused 7 vulnerable male teenagers aged 10-17y – systematic seduction and debauchery

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23.	MJK (27-30) [2001] NSWCCA 325	s.61J 2 x 66C s.78K s.578C: Child pronography Sched: 8 related off	PG (25%)	16y 9m NPP 14y 4m	AA 14y NPP 11y	driving offences – on bail	Inserted fingers into anus of severely intellectually disabled 14y girl at disability service centre – other complainants under 16y - some complainants contacted through internet Need for psychiatric help – sexual disorder - remorse - rehabilitation.
24.	Fong (27) (2002) 132 A Crim R 308 [2002] NSWCCA 320	s.61J (inflict ABH)	PG (15-20%)	5y NPP 3y	Crown AA 13y NPP 8y 6m	nil	Took 6y step-daughter and gagged her and tied her to bed head - forced penile/vaginal intercourse while complainant screaming - caused major injury to vagina Fijian - protection - remorse
25.	Ryan (No.2) (34-53y) [2003] NSWCCA 35	9 x s.81 3 x s.61D s.78Q s.61O Sched: 39 offences	PG	MT 11y AT 5y	AA 14y NPP 10y		Offences committed by parish priest from 1972-1991 – complainants aged 6-14y – members of congregation – fondling genitalia, masturbation, fellatio, simulated anal intercourse Failure to give some credit for good character
26.	LWP (62 at sentence) [2003] NSWCCA 215	s.61D(1) s.61M(1) s.61J(1)	PG	11y 6m NPP 8y 6m	AA 11y 6m NPP 7y 6m		Intercourse with 9y niece – indecent assault on 9y daughter – intercourse with second daughter aged 12-13y – no further details On appeal error in ratio
27.	HQ [2003] NSWCCA 336	2 x Att strangle with intent to commit agg ind ass s.61J	PG	13y NPP 10y	AD		Assault committed on 15y stepdaughter – forced complainant downstairs at night with knife – threatened brother and cousin – attempted to strangle twice – sexually assaulted while unconscious Major depressive illness

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28.	Smith [2003] NSWCCA 353	3 x s.66A 2 x s.61M(2)	PG (15%)	11y NPP 8y	AD		Assaults committed upon stepdaughter aged 8-9y – forced complainant to perform fellatio.
29.	TJ (51 at sentence) [2004] NSWCCA 59	s.79 s.66A s.66C(1) Sched: 2 x s.66C(1)	PG	11y NPP 7y	AD		(1988-1989) - Buggery on 9y son – penile intercourse and anal intercourse with daughter on two different occasions – not isolated offences
30.	CJP (44-45) [2004] NSWCCA 188	2 x s.66C(1) 3 x s.61J Sched: 5 related sexual offences	PG (25%)	11y NPP 7y	Crown AA 14y NPP 10y 6m	Not significant	Sexually abused 13y daughter, 13y son and 10y daughter of girlfriend – not part of ongoing abuse – involvement of mothers of two complainants - incited son to have intercourse with mother and offender's girlfriend – vaginal intercourse with daughter on two occasions – made son masturbate in front of third complainant – attempted anal intercourse with son – anal intercourse with daughter – forced son to perform fellatio – digital penetration on third complainant Protective custody

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31.	Romano (35) [2004] NSWCCA 380	4 x s.91D(1)(a): Child prostitution (child under 14y) 3 x s91D(1)(a): Child prostitution s66C(3) 2 x solicit person to injure / kidnap 7 x s.91E: Receive money from child prostitution Sched: 35 x sexual offences 2 x assault	PG (25%)	13y 9m NPP 11y	AA 11y 3m NPP 8y	nil	Met 13y complainant through son – told complainant she owed offender money and forced complainant to work in brothels to repay him – brothel manager paid offender money from earnings – met 15y complainant and told her she owed him money – forced complainant to work as prostitute on streets and in brothel – digital penetration of 15y complainant – engaged undercover operative to “get rid of” complainants - highly organised operation – manipulative and threatening toward complainants. Qualified accountant – investment property destroyed by fire – living in garage at time of offences. SJ erred in not taking into account effect of accumulation.
32.	Wilkinson (57) [2004] NSWCCA 468	s.61J Sched: 2 x s.61J	PG (on appeal - 25%)	18y NPP 13y 6m	AA 12y NPP 9y	Numerous similar priors over 35y – had already served approx 15y for various offences	Penile-vaginal penetration with intellectually disabled 13-14y female (mental age of 8-9y), who became pregnant as a result – pregnancy terminated – previous relationship with complainant’s mother – admitted further acts of intercourse with complainant Institutionalised as a child – “uncontrollable” child – suicide attempt – very poor health, heart problems
33.	Lawson [2005] NSWCCA 346	5 x Admin stupefying drug 2 x s.61J Agg ind assault Sched: 7 offences	PG (15%)	13y NPP 9y 6m	AD		Youth leader at church – paedophile – provided adolescent boys with nitrous oxide (laughing gas) – sexually abused 13y complainants while unconscious – took video

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34.	RJP (52 at sentence) [2006] NSWCCA 149	s.67 s.76 s.61D s.66A Sched: 10 similar offences	PG (20%)	12y NPP 8y	AD	Record for sexual offences	Systematic abuse of family members over long period of time – at 15y sexually assaulted 9y sister – cunnilingus and penile penetration – at 21y sexually assaulted same complainant now aged 14y – digital penetration and forced fellatio – between 21-33y sexually assaulted various female cousins aged 5-9y – serious breach of trust
35.	Cunningham (58) [2006] NSWCCA 176	10 x s.61M(2) 7 x 61O(2) s.66B(2)	PG (20%)	15y 6m NPP 9y 6m	AA 12y 9m NPP 7y 9m	Priors for similar offences – breached bond	Sexually assaulted four girls aged less than 10y over 15 months – daughter of de facto and three students being tutored – touching inside and outside clothes – filming of child's vagina – exposure of penis – tongue kissing – rubbing penis against cheek – attempted penile / vaginal intercourse – breach of trust Paedophile – serious assault in custody causing serious injuries – protective custody – health problems
36.	KJR (57 at sentence) (2007) 173 A Crim R 226 [2007] NSWCCA 165	s.67 s.61E 3 x s.73 AOABH	VG	12y NPP 9y	AD	Nil	Sexually assaulted daughter aged 9-13y over extended period of time – actual violence
37.	G A T (35 at first offence – 56 at appeal) [2007] NSWCCA 208	s.71 s.61E(1) s.61M(1) s.61O(1) s.66C(4) s.66C(2)	PG (25%)	13y NPP 9y 6m	AA 10y 6m NPP 7y	nil	(1985) – commenced sexually assaulting daughter aged 13y – forced fellatio, digital penetration and penile/vaginal intercourse – sexual relationship continued into complainant in her 20s (2004) – sexually assaulted grandsons aged 10y and 13y – masturbation and fellatio Not isolated offences - remorse

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38.	DJB (40) [2007] NSWCCA 209	2 x s.61J Unlawfully cause to take overpowering drug with intent	VG	12y NPP 8y	Crown AA 14y NPP 10y	Continual offending but not serious – no custody	14y girl staying across road visited to play with sons – given drink with diazepam – woke up in bed – sexually assaulted while asleep by both offender and son Alcoholic
39.	Ivimy (64 at sentence) [2008] NSWCCA 25	8 x s.61M(2) 4 x s.61M(1) s.61L	PG (10%)	11y NPP 8y 3m	AD	Record for similar offences	Sexually abused daughter of de facto aged 7-17y – rubbed and touched vaginal area with hand and penis – some offences committed with co-offender – offences committed in many different places – breach of trust History of deprivation and sexual abuse
40.	Featherstone (58 at sentence) (2008) 183 A Crim R 540 [2008] NSWCCA 71	3 x s.81 3 x s.81A 5 x s.78K s.78Q(1) Sched: 12 offences	PG (10%)	16y NPP 12y 11m	AA 12y 7m NPP 7y	Prior good character – subsequent child porn offences	Sexually abused four males aged 11-14y – targeted vulnerable males – breach of trust – invited males to apartment and on outings – mutual masturbation and sucking of penis – partial anal intercourse – offences committed over 5 years
41.	RJA (30) (RA) [2006] NSWDC 138 Finnane QC DCJ (2008) 185 A Crim R 178 [2008] NSWCCA 137 [2014] NSWCCA 89	3 x s.66A	VG	21y NPP 16y	AA 17y NPP 13y AA 15y NPP 11y	Nil	Sexual assaulted daughter aged 8 –9y over seven months – penile penetration of genitalia – digital penetration Prior good character

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42.	Fisher (36-38) [2008] NSWCCA 129	2 x s.61J 3 x s.61M(1)	PG	11y NPP 7y	AD		Sexually abused 13y twin daughters of ex-de facto wife while in his care – undressed first complainant and fondled vagina despite protests to stop – placed penis against vagina – placed vibrator in vagina of second complainant then forced penile intercourse – representative counts Difficult and abusive childhood – sole carer for two sons, one with Asperger's Syndrome
43.	Phipps (40) [2008] NSWCCA 178	11 x s.66C(2) 5 x s.61M(1)	VG	14y NPP 11y	AD	On bail for similar offences involving complainant's siblings	Sexually assaulted step-daughter aged 12-15y over 3yr period – threatened violence towards complainant's mother if complainant did not comply – complainant in "virtual sexual servitude" Tragic upbringing
44.	Carlton (2008) 189 A Crim R 332 [2008] NSWCCA 244 [2014] NSWCCA 14	4 x s.61J	VG	13y 4m NPP 8y 6m	AD AD		Sexual assault on 10y girl in unit – anal penetration with finger, penis and vibrator – penetration of genitalia Mental illness – segregation
45.	Dousha [2008] NSWCCA 263	s.66A 6 x s61E(1)(A) s.66C(2)	PG (15%)	10y 6m NPP 7y	AA 10y 6m NPP 5y		Sexually abused children of neighbour over three year period in 1980s – complainants aged 5-6y and 8-11y
46.	Clarke (41 at sentence) [2009] NSWCCA 49	2 x s.66C(2) s.66C(4)	PG (15%)	11y NPP 8y	AD		Step daughter left in care after mother left relationship – sexual intercourse commenced just after complainant's thirteenth birthday – two children born of relationship – slightly above mid-range Limited insight – protective custody

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47.	CPW (58) (2009) 195 A Crim R 149 [2009] NSWCCA 105	2 x s.61L 3 x s.61E(1) 3 x s.61M(1) s.66C(1) s.61N(1) 2 x s.61D(1) s.76 Sched: 3 Indecent assault off	PG (25% plus <i>Ellis</i> discount)	12y 6m NPP 11y 8m	AA 12y NPP 8y	Child sexual assault	Between 1980-1986 and 2002-2006 sexually assaulted granddaughters and girls who were part of extended family.
48.	PH (72 at sentence) [2009] NSWCCA 161	8 x s.76 3 x s 67 6 x s.73	PG (20%)	17y NPP 12y	AA 14y 6m NPP 6y 6m	Nil	(1966-1974) – sexually assaulted daughter aged 8-15y – one indecent assault on second daughter aged 11/12y – wide range of sexual assaults including penetration by objects – pregnancy at 13y terminated – 33y delay Very low intellectual capacity – physical health problems
49.	SAT (38-9) [2009] NSWCCA 172	3 x s.91G(1) [14y] 3 x Aid and Abet s.66A 2 x s.91H(2) Sched: 3 x Pornography off	PG (40% plea and assist)	13y 9m NPP 9y	AA 10y 6m NPP 9y	Nil relevant	Female corresponded with male in America – at male's request unsuccessfully sought to obtain naked photos of 13y niece – bribed and threatened – had 6y and 9y daughters undress and perform various acts including cunnilingus on each other – took photos and sent them to male – gross breach of trust – offences performed in home of complainants Remorse – assistance against co-offender – protective custody
50.	MAJW [2009] NSWCCA 255	3 x s.61M(1) 3 x s.66C(4) 7 x s.66C(2) s.91H(2)	VG	10y 8m NPP 9y	AA 10y 8m NPP 8y		Sexually assaulted step-daughter aged 11-14y

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51.	Simpson (58 at sentence) [2009] NSWCCA 297	s.61I s.66C(1) s.66C(2) 3 x s.61M(1) Possess ammunition	PG (25%)	17y 6m NPP 13y	AA 14y 6m NPP 10y	Convictions under s.78K and s.61M – breached bond for property offence	Sexually assaulted 5 males aged 12-16y – befriended family of two complainants and commenced sexual activity with complainants – indecent touching, forced fellatio and penile/anal intercourse – befriended parents of two more complainants – on multiple occasions grabbed penis and genitals of brothers and their cousin
52.	Giles v DPP (2009) 198 A Crim R 395 [2009] NSWCCA 308	7 x s.66C(2) s.61O Sched: 7 offences	PG (25%)	16y NPP 11y	AA 11y 6m NPP 9y 6m		Offences took place 1995-99 when complainant aged 11-15y – stepdaughter – continued sexual behaviour over long period - masturbated while in bath with complainant – sucking breasts and digital penetration – forced fellatio – cunnilingus – penile penetration Remorse
53.	McGrath (2010) 199 A Crim R 527 [2010] NSWCCA 48	2 x s.61J s.61M(2)	VG	14y 6m NPP 10y 6m	AA 12y NPP 9y	Nil relevant	Penile / vaginal intercourse when stepdaughter aged 9y – on second occasion forced to touch offender's penis – second offence of penile/vaginal intercourse 18m later
54.	AWKO (33) [2010] NSWCCA 90	s.66A Breach AVO	PG (25%)	12y 87m 28d NPP 8y 3m13d	AD	Nil priors	Anal intercourse with 6y daughter – mid range – spontaneous offence Good prospects of rehabilitation
55.	SJH (32-39 at offence / 50 at sentence) [2010] NSWCCA 32	2 x s.66A 2 x s.61M(2) 2 x s.61M(1) s.66C(2) Att s.66D Sched: 9 sexual offences	PG (25%)	9y NPP 5y	Crown AA 12y NPP 8y	Nil	Sexually abused 7-13y daughter – digital penetration – indecent touching of genitalia – forced touching and licking of penis – touching of breast – cunnilingus – attempted penile penetration – 10y delay – continued offending after being caught by complainant's mother Low risk of re-offending

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56.	Majid (25) [2010] NSWCCA 121	2 x s.61J s.86(1)(b): Kidnapping	VG	14y 6m NPP 10y 6m	AA 13y 10m NPP 10y 6m	Criminal record – traffic and minor assault, fraud and drug offences	Manager of McDonalds restaurant offered to drive 15y worker home – drove to car park and forced penile / vaginal intercourse – offence repeated one month later – offences below mid-range and mid-range Refugee from Afghanistan - PTSD
57.	RWB (34-35 at offences / 54 at sentence) (2010) 202 A Crim R 209 [2010] NSWCCA 147	8 x s.66A s.61E(2) / 61N 3 x s.61E(1) / 61M(2)	VG	7y 6m NPP 5y	Crown AA 11y 4m NPP 8y 6m	minor	(1990-1991) - Sexually assaulted niece aged 6-7y on nine separate occasions – digital penetration of anus and vagina, penile penetration of vagina, indecent touching, forced kissing of penis – detained complainant in locked bedroom during one assault
58.	HJWG (54 at sentence) [2011] NSWCCA 50	s.66A s.61M(2) 2 x s.61M(1)	PG (25%)	11y NPP 8y	AD		Sexually assaulted daughter aged 7-10y during access visits – placed tongue in complainant's mouth during a kiss – digital penetration of anus – indecent rubbed of bottom and vagina – encouraged complainant to touch penis and testicles – s.66A offence below mid-range seriousness
59.	PFC (44-5 at first offence) [2011] NSWCCA 117	2 x s.61M(1) 7 x s.66C(1) 2 x s.66C(4) 2 x s.66C(3) 2 x s.66D 2 x s.91G(1) 6 x s.319: Att pervert course of justice	VG	14y 5m NPP 10y 9m	Crown AD	Dishonesty offences – breached bond for GIC offence – last offence committed on parole for act of indecent offence	(1997-2009) - offences involved 6 teenage males – contacted and groomed young men – one complainant under offenders care through DOCS – indecent touching, masturbation, oral intercourse and anal intercourse – took photos of complainants in sexual positions Section 319 offences related to preparing and attempting to prepare false evidence including recording complainants recanting allegations

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60.	IS [2011] NSWCCA 142	2 x s.66A s.61M(2) s.66EA s.61M(1) s.61O(1)	VG PG	11y 8m 29d NPP 9y 2m 28d	AA 11y 8m 29d NPP 8y 2m 28d	Minor offences as a teenager	(1997 -2004) – sexually abused daughter aged -8-15y – penile and digital penetration and cunnilingus – indecent touching Difficult childhood involving sexual abuse
61.	BIP (36 at sentence) [2011] NSWCCA 224	s.66C(2) s.66C(4) 2 x s.61O(1) Sched: 4 indecency offences	PG (10%)	14y 6m NPP 10y	AA 13y NPP 8y 6m		Sexually abused three stepdaughters over several years – entered bedroom of 13y complainant and masturbated – digitally penetrated same complainant on different occasion – forced penile penetration when complainant aged 15y - entered bedroom of second 13y complainant and masturbated – indecently assaulted third stepdaughter aged 7y several years later – spontaneous offences linked to intoxication – not isolated offences Drug and alcohol abuse
62.	RR (46) [2011] NSWCCA 235	s.66A	VG	12y NPP 9y	AD	minor	Offender in shed at rear of premises when 5y female friend of son entered playing hide and seek – forced complainant to fellate him – moderately below mid-range – opportunistic Poor health
63.	ARS [2011] NSWCCA 266	s.66EA	VG	14y NPP 10y	AD		(2002-2007) – sexually abused 11-16y stepdaughter – routine sexual activity – touching inside and outside of vagina – digital penetration – touching of penis – mouth on vagina – simulated intercourse
64.	MH (43) [2011] NSWCCA 230	s.66A 4 x s.66C(2) 2 x s.61M(2) 2 x s.61J(1)	PG (25%)	20y NPP 15y	AA 15y NPP 12y	Old record	(2005-2007) – sexually assaulted two stepdaughters – first complainants aged 10-12y – digital penetration of anus – forced fellatio – sucking and touching of breasts – second complainant assaulted over three months while aged 15y – penile / vaginal intercourse Suffering depression – poor health

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65.	JRM (late 50s) [2012] NSWCCA 112	2 x s.66A(2) s.91H(1) s.474.17: Use carriage service to menace or harass s.91G(1) Sched: 3 x sex offences	PG (25%)	12y NPP 9y	AA Same effective sentence imposed	Nil	Sexually assaulted 9y son over 'substantial period' – touched child's penis then sucked it – one different occasion son sucked offender's penis for short time – representative counts - pictures of young female child being sexually assaulted on computer – sent recordings of masturbating self or wife while communicating with male over internet – recorded wife sucking complainant's penis for web cam Breach of trust – no violence or threats
66.	DS [2012] NSWCCA 159 [2013] NSWCCA 313	s.66EA 2 x s.61M(2) s.61O(2)	VG	13y NPP 9y 9m	AA (same effective sentence) AA (same effective sentence)	Nil relevant	(1999-2007) – sexually assaulted daughter of de facto while living at home and subsequently during contact visits – complainant aged 5-13y - touched vagina – forced touching of penis – digital penetration of vagina Breach of trust
67.	KSC [2012] NSWCCA 179	s.61M(1) 4 x s.66C(2) 2 x Att s.66C(2) s.61O(1) s.61J Common assault Sched: Child pornography off	VG	15y NPP 10y	Conviction AD		(1997-2003) – systematic sexual abuse of niece aged 12-18y after she joined family – used force early in relationship – cunnilingus – masturbated in presence – forced fellatio and ejaculation into mouth – several unsuccessful attempted at penile penetration – successful attempt at penile penetration followed by frequent intercourse – incident where became angry with complainant and kicked and started strangling her
68.	Christie (34) [2012] NSWCCA 228	s.38: Administer intoxicating drug with intent 2 x s.61J(1)	VG	16y NPP 12y	AA 11y NPP 8y	Offences – no sexual offences	Befriended 14y female stranger at wharf and commenced drinking – supplied Xanax tablet lying about effect – complainant accompanied offender home before passing out – placed naked in offender's bed and sexually assaulted – cunnilingus and penile / vaginal intercourse

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69.	RLS [2012] NSWCCA 236	2 x s.81 4 x s.78K 2 x s.78Q s.91H(2) Sched: 7 related offences	PG (8%)	10y 6m NPP 9y	AD	Child sexual offences – committed at same time Child pornography offences breached parole	(1980): assaulted 14y male acquaintance during work experience – fondled penis over underpants, simulated sex (1987): forced fellatio on numerous occasions on 14y male acquaintance – fellated complainant – anal intercourse placing hand over mouth to stop screaming – several offence committed in complainant’s home (1989): masturbated male acquaintance on two occasions Groomed complainants through mutual membership of Jehovah’s Witness church – two complainants brothers of complainant of earlier offences (2006): Found in possession of child pornography at time of arrest – 31 images of young males – below mid-range - recidivism
70.	Jones (20) [2012] NSWCCA 262	2 x s.66A	VG	15y NPP 11y	AA 12y NPP 8y	Nil	(2008) Took 6y male to shops – stopped in secluded area, sucked penis and penetrated anus – complainant and family staying with friends of offender - opportunistic offence – no violence – one continuous act
71.	PK (18) [2012] NSWCCA 263	s.66A	PG (25%)	13y NPP 8y	AA 12y NPP 6y		Sexually assaulted 13 months old baby – digital penetration of vagina – caused bleeding and sutures required Dysfunctional upbringing - rehabilitation
72.	Essex (30) [2013] NSWCCA 11	s.66A 2 x s.43A: Failure to provide Att pervert course of justice	VG PG	16y 6m NPP 12y	AA 13y NPP 9y 6m		Failure as parent to provide necessities of life to 3y daughter of de facto partner causing danger of serious injury - 3y complainant and 1y brother in bedrooms filled with dangerous equipment and furniture – frequently locked in rooms unsupervised – wrote letter to mother of children asking her to give false account – washed 3y complainant with garden hose when she dirtied pants – on one occasion pushed hose nozzle into complainant’s vagina causing injury – cruel – no grooming – no sexual desire
73.	DJM [2013] NSWCCA 101	2 x s.91H(2) s.91G(1) 3 x s.61J(2) (victim under 16y)	PG (25%)	17y 9m NPP 13y 3m	AA 13y 4m NPP 10y		Stepfather took photographs of naked 13y step-daughter and sent them to friend – activated webcam so friend could view 13y stepdaughter getting naked – digital and penile penetration of 13y stepdaughter – had possession of photos of naked 13y sister of friend – set up webcam so different friend could view offender having sexual intercourse with step-daughter

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74.	Kertai (69) [2013] NSWCCA 252	s.66A(2)	VG	12y NPP 7y	AD	sexual assault, stealing.	Offender was friend of 5y complainant – offence took place on fishing trip – digital penetration.
75.	AG [2013] NSWCCA 264	s.66A s.66B s.61M(2)	PG	13y 6m NPP 10y 6m	AA 11y NPP 8y		Sexually assaulted two daughters - attempted penile/vaginal intercourse with 6y developmentally delayed daughter – complainant also indicated full intercourse had taken place at one time – mid range offences - on different occasion took 4y developmentally delayed daughter into bath and rubbed penis between legs until ejaculation – just below most serious – breach of trust Intellectually disabled
76.	TDP (late 30s) [2013] NSWCCA 303	9 x s.61J 2 x s.61M(1)	VG	10y 6m NPP 7y 6m	Crown AA (to set NPP – same effective total sentence)	Nil	Sexually abused stepdaughter aged 13-16y over 3 years – forced penile / vaginal intercourse while sharing beds in hotels and taking rest breaks in motor vehicles – on occasions provided sleeping tablets – anal intercourse and fellatio – touched vagina – similar sexual misconduct on other occasions both at home and away travelling – offences towards mid-range - aggravating factors - complainant under 16y and under authority Prior good character – mental health problems
77.	Gavel (33) [2014] NSWCCA 56	4 x s.66A(2) s.61M(2) s.91H(2) Sched: 6 offences	PG (25%)	8y NPP 5y 4m	Crown AA 14y NPP 9y 6m	Nil	Complainant female aged 8y - cunnilingus and digital penetration – showed complainant pornographic videos - offender former husband of complainant's stepmother who had remarried and lived with her new husband and children – on good terms with former wife - offender often looked after complainant and her brother - calculated conduct – grooming of complainant – complainant trusted offender like a member of family
78.	Wray (66) [2014] NSWCCA 166	7 x s.61M(2) Sched: s.91H(2)	PG (25%)	12y NPP 9y	AD	Child sexual assault offences	Befriended families of two complainants – indecently assaulted 9y female on several occasions – rubbed vagina over clothes - hugged complainant pushing penis against chest – rubbed nipples and kissed navel and neck – indecently assaulted 7y complainant – tickled, squeezed and rubbed vagina on outside of clothes – significant breach of trust Dysfunctional upbringing – paedophile – substantial physical ailments

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79.	CS [2014] NSWCCA 229	5 x s.66C(2) s.61O(1)	PG	10y 6m NPP 7y 6m	AA To adjust commence dates only		Friend of complainant's mother and lived with complainant and family – complainant female aged 10-14y – penile intercourse, fellatio and cunnilingus –level of grooming such that complainant 'consented' to acts – acts representative of wider abuse over 4 year period – gross breach of trust
80.	MD (36) [2015] NSWCCA 37	2 x s.66A(2) Sched: s.61M(2)	PG (25%)	10y 3m NPP 7y 8m	AA 10y 3m NPP 7y 3m	Nil	Sexually assaulted 8y daughter one day in bathroom – forced complainant to perform fellatio twice and rubbed penis between buttocks – caught by wife – immediate confession – confessed to similar offences on earlier occasion Low intelligence – sentence judge failed to give effect to finding of special circumstances
81.	Feuerstein (28-49) [2015] NSWCCA 82	6 x s.61J(1) 12 x s.61M(1) 2 x s.66C(2)(b) s.61I 2 x s.91H(2) Sched: Poss prohibited weapons	VG PG	14y 6m NPP 9y 6m	Crown AD	Minor	(1991–2011) – befriended vulnerable teenage and pre-teenage boys – rewarded them and provided alcohol and pills – became foster carer to one boy – seven complainants – physical caning – fellatio and anal intercourse – indecent assault Pornography offences – 7000 images, 280 videos, 2500 printed photos, 13 written stories – covered all five categories – email communication with man in America in 2006 – weapons were handcuffs and extendable baton Protective custody – medical problems
82.	KB (52) [2015] NSWCCA 220	3 x s.61M(2) s.66A(1)	PG (15%)	14y 9m NPP 9y 9m	AA 11y 9m NPP 8y 5m		Farmhand sexually abused 8y daughter of employer – touched vagina, buttocks and chest – partial penile penetration – abuse of trust – predatory nature of offences – implicit threat – element of planning Depression
83.	Hughes (36 at first offence) (2015) 93 NSWLR 474 [2015] NSWCCA 330	2 x s 61D(1) 4 x s.61E(1) 3 x s.61E(1A) s.61E(2)	VG	10y 9m NPP 6y	AD	Nil	(1984–1990) – numerous sexual assaults against four complainants under 16y – complainants were friends of offender's daughter - digital penetration of complainant aged 14-15y - rubbed clitoris of complainant aged 14-15y - forced complainant aged 6-8y to rub penis until ejaculation - rubbed over her vagina with penis – exposed penis to complainant and rubbed penis against complainant's face - objective seriousness falling within most serious category - opportunistic, persistent and calculated - abuse of trust and exploitation of naivety

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84.	Crowe (19-20 at offence – 45 at sentence) [2016] NSWCCA 39	5 x s.90A: Kidnapping s.66A s.61C(1)(b) 2 x s.61D(1) 2 x s.61J Sched: 11 sexual offences	PG (25%)	12y NPP 7y 6m	Crown AA 15y NPP 10y	Sentenced for similar sexual offences in 1992 – last offences committed while on bail for those offences – no further offending	(1989-1991) – grabbed five complainants from public areas during day and dragged into bush, derelict house, stormwater drain or demolition site – sexually assaulted complainants – threatened two complainants with knife – complainants aged 9-17y and unknown to offender Suffering multiple psychiatric conditions although unrelated to offending
85.	Erazo [2016] NSWCCA 139	6 x s.61J Sched: 6 sexual offences	PG (12%)	14y NPP 10y	AD	Nil	SNPP 10y Sexually abused 12-17y step daughter over 5 years – continued offending after matter originally reported to police but not pursued – caused pregnancy requiring abortion – rubbing of penis - fellatio – cunnilingus – digital and penile penetration of vagina – penile penetration of anus – criminality of high order
86.	AGF (60 at sentence) [2016] NSWCCA 236	s 61M(1) s 61J 4 x s 66C(2) 2 x Attempt s 66C(2) s 61O(1) Common assault	VG	15y NPP 10y	AA 13y 6m NPP 9y	Assault	(1997-2003) - Offences committed upon niece of offender's wife living in their home – complainant aged 12-18y On appeal sentence reduced by 10% for assistance to authorities.
87.	AK (46-47) [2016] NSWCCA 238	s.66C(2) 2 x s.61M(2) Sched: s.66C(2)	PG (10%)	11y 3m 2w NPP 8y	AD	Drink driving and dishonesty	Two complainants aged 10-11y - forced de facto's daughter to have shower with him and touched genitals – on separate occasion forced complainant into bedroom and forced vaginal and anal intercourse – ceased assault when de facto returned home – in context of sexual touching over long period – second complainant friend of first complainant – when complainant visiting house offender stood naked before complainant then later touched vagina under pants until complainant removed hand

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88.	PB (50-51) [2016] NSWCCA 258	s.61M(2) 4 x s.66C(3) Sched: 15 sexual offences	PG (20%)	14y NPP 8y	AD	Nil significant	Stepfather sexually abused two step-daughters aged 10-11y and 15-16y over four months – indecent touching and kissing – penile penetration and cunnilingus – threats made and one complainant slapped across face – representative counts – serious breach of trust – aware one complainant previously sexually assaulted by father
89.	TO [2017] NSWCCA 12	s.66A(2) 2 x s.66B	VG	16y NPP 12y	AA 12y NPP 9y	Petty crime only.	SNPP 15y 2012 – assaulted 9y daughter of ex-partner – while complainant in shower inserted penis into complainant's anus and attempted to put penis into her mouth - later that day attempted vaginal intercourse. No expressed remorse or responsibility
90.	CT [2017] NSWCCA 15	3 x s 61E(1) s 67 2 x s.66A s 66C(2)	VG	12y NPP 7y	AD	Nil	(1986-1990) – assaulted step-daughter aged 6-10y – touching, penile-vaginal, anal penetration and oral penetration
91.	CR [2017] NSWCCA 29	2 x s.66A(2)	VG	12y NPP 8y	Conviction AD		(2012) Limited facts - sexually assaulted 5y female friend of offender's granddaughter at school who would play at offender's home - offender took complainant into room and penetrated her vagina with his penis - digital penetration in similar circumstances – complainant under offender's authority.
92.	Mills (42) [2017] NSWCCA 87	s.66EA	PG (25%)	16y 6m NPP 12y 4m	AA 13y 6m NPP 10y	Old offence for prostitution	Sexually abused 11-14y daughter over several years – full penile/vaginal intercourse to ejaculation – many offences – high range
93.	DG (49) [2017] NSWCCA 139	s.61J(1) 3 x s.61M(1) Sched: s.66C(2) / s.66C(4)	PG (25%)	15y NPP 11y	AA 15y NPP 10y	Possess drugs	(2010–2015) - offences against step-daughter aged 11-16y – penile/vaginal intercourse with complainant when aged 16y – above mid-range - first indecent assault offence when complainant aged 11y On appeal SJ failed to give effect to finding of special circumstances.

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94.	Ng (18 / 53-54) [2017] NSWCCA 161	3 x s.76 66A(1) 66C(1) Sched 2 x s.76A	PG (25%)	14y NPP 10y	AA 12y 7m NPP 9y 6m		(1970's) licked and touched 8y female on vagina - placed complainant's hand on penis (2010-2012) sexually assaulted 9-10y daughter of de facto partner - digital penetration of vagina and anus
95.	CTG (42) [2017] NSWCCA 163	5 x s.66A(1) s.91G(1) Possess prohibited firearm	PG (25%)	9y NPP 5y 9m	Crown AA 12y NPP 8y		Offences against 3y old niece – photos taken by offender found on offender's mobile phone – photos depict offender's penis placed inside complainant's mouth
96.	Chamseddine (60) [2017] NSWCCA 176	4 x s.66C(2) 2 x s.61M(2)	VG	15y NPP 10y	12y NPP 8y	Nil	(2009) Taxi driver drove special needs children to and from school – on at least four occasions over three weeks drove to secluded area and sexually assaulted female deaf passenger aged 10-11y – digital penetration – forced hand onto crotch area – touched breast over clothing – mid-range offending Tumultuous childhood – poor medical health
97.	JF (28) [2017] NSWCCA 217	13 x s.66EB(2) 3 x s.66C(3) s.66C(1) s.61N(1) s.91D(1): Child prostitution s.91H(2) s.474.27A(1)	PG	8y NPP 3y 9m	Crown AA 12y NPP 7y	Nil	Thirteen male complainants aged 14-16y - pattern of sexual offending over 2 years - used fictitious online identity (both male and female) on various social media sites, as well as Skype, SMS text and MMS text to procure complainants for sexual activity - high degree of manipulation and persistence - asked complainants to send naked images of themselves – met 3 complainants for sexual activity (fellatio) – paid and offered money for sexual activity - large amount of sexually explicit communication including images of offender's genitals - child abuse material photographs of genitals of male children, including of complainant. Dysfunctional upbringing - underlying psychosocial profile - moderate risk of reoffending.

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98.	Pizzimenti (late 20s-early 30s) [2017] NSWCCA 231	4 x s.61E(1A) 3 x s.66A 3 x s.66C(2) s.61E(2A) / s.61O(1) s.61M(1) s.61O(1)	PG (combined 30%)	12y NPP 8y	AD		(1987-1992) - offences committed against female V aged 8/9y then 13y a family member - offences included requiring complainant to masturbate offender, requiring complainant to perform fellatio on offender, cunnilingus and penile/vaginal intercourse without full penetration when complainant aged 10y
99.	DV [2017] NSWCCA 276	8 x s.66C(2) 5 x s.61M(1)	VG	14y NPP 12y	AD	nil	(2006-2008), (2013-2014) – assaulted step-daughter aged 10-11y and 14y - penile-vaginal intercourse, cunnilingus, digital penetration and fellatio Lack of remorse - low risk of reoffending
100.	West (26-28) [2017] NSWCCA 306	2 x s.66C(1) 3 x s.66C(2) 4 x s.66C(3) s.61M(2) 3 x s.91H(2) Sched: 8 offences	PG	15y NPP 11y	AA 15y NPP 10y	Nil	Met 14y male through internet – met on several occasions and engaged in sexual activity – included fellatio and use of dildo – two years earlier met 12y female online – met on several occasions and engaged in sexual activity – included vaginal-penile intercourse – had photos of sexual activity with female complainant on phone – child abuse material found on computer – social media history indicated disseminated and received significant amounts of child abuse material
101.	Lever (A pseudonym) [2018] NSWCCA 107	8 x s.61J(1)	VG	13y NPP 8y	Conviction AD		SNPP 10 years Stepfather to female aged 9–10y – regularly came into complainant’s bedroom and inserted one or more fingers into vagina.
102.	Neville (25 at offences / 41 at sentence) [2018] NSWCCA 125	3 x s.66A 2 x s 91G(1) s.91H(2)	VG	13y NPP 8y 6m	Crown AA 15y NPP 10y		(2001-2003) offences committed against daughter aged 3-4y – two acts of penile-anal intercourse with complainant being tied up by her hands around a pole when acts performed – appalling sexual depravity - considerable physical cruelty – third act of fellatio – photographed complainant naked (2008) pornography offences committed against another daughter when aged 12-18m – further images found on computer of prepubescent girls subjected to anal intercourse.

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103.	XZ (62-65) [2018] NSWCCA 76	s.66A(2) s.66A(1) s.61O(2) s.61M(2) Sched: 4 offences Poss unreg firearms Sched: 7 offences	PG (10-15%) PG (25%)	15y NPP 10y 6m	AD	Nil	Sexually abused granddaughters of de facto partner over several years – complainants aged 6-9y – abuse included digital penetration, forced fellatio, use of vibrator, forced touching of penis and licking and touching of vagina – grooming – mid to just below mid-range Poor physical health
104.	Morton (28) [2018] NSWCCA 84	s.66A(2) s.61M(2) s.66A (committed 2016)	PG (15%)	12y 6m NPP 8y	AD	priors – no sexual offences	(2014) Met mother of 5y female through dating site – after period of time given permission to take complainant to his home overnight – after shared shower put tongue in complainants vulva and pushed erect penis against vulva (2016) – developed relationship with 6y male and his twin through acquaintance with complainant’s uncle – one night put complainant to bed and sucked penis Troubled childhood – low intellectual functioning – mental health problems
105.	Alexander [2019] NSWCCA 79	4 x s.66C(2) 3 x s.66D 3 x s.61O(1)	VG	14y NPP 9y 9m	AD		(2013) sexually abused 10y daughter over several months – complainant in sole custody of offender at time of offending – digital and penile intercourse – cunnilingus – use of vibrator – masturbation in presence of complainant
106.	Wright (31-32) [2019] NSWCCA 134	s.61J(1) 2 x s.61M(2)	VG	<u>Aggregate:</u> 12y NPP 9y	AD	minor	SNPP 10 years Forced penile-vaginal intercourse on 15y daughter of partner – three weeks after complainant turned 16y offender entered complainant’s bedroom, kissed complainant against her will, removed his pants to expose penis and attempted to remove complainant’s pants – mid-range offences – not isolated incidents Uncharacteristic behaviour

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107.	Merkel (20 at offence – 34 at sentence) [2019] NSWCCA 212	s.66A s.66B s.61M(2)	VG	<u>Aggregate:</u> 15y NPP 11y 3m	AD	child sexual offences	SNPP 15y (2004) sexually assaulted 6y daughter of girlfriend - offender picked up complainant from her Grandmother's for sleepover with mother – stopped at offender's unit – chased complainant into bedroom, placed pillow over face and made threats – digitally penetrated complainant then attempted penile penetration – masturbated on to complainant's leg – first two offences mid-range seriousness – third offence marginally below mid-range – breached trust and in position of authority Suffering physical and intellectual disabilities - risk of reoffending is high - prospect of rehabilitation poor
108.	Hordern (31) [2019] NSWCCA 210	7 x s.66C(3) s.61M(2)	VG	<u>Aggregate:</u> 11y NPP 7y	AD	nil prior offences – subsequent offence of larceny	(2014) offences committed against niece aged 14-15y – five counts of penile penetration – 2 counts of digital penetration – attempt to push complainant's head on to offender's penis – offences took place when complainant visiting grandparents at home where offender also lived – offences between above mid-range to below mid-range seriousness – breach of trust Suffering serious medical condition expected to reduce life span
109.	Denham (77 at sentence) [2019] NSWDC 212 Mahoney SC DCJ	3 x s.81 s.79	VG	<u>Aggregate:</u> 13y NPP 7y 6m		Long history of sexual offences	(1981-1982) assistant priest – indecently assaulted altar boy by touching and squeezing penis and testicles – on different occasion took victim to presbytery from playground claiming he had been bad – sexual touching and anal penetration causing bleeding – on both occasions made threats that victim would go to hell and never see parents if he told anyone – level of planning, vulnerable victim and abuse of trust – substantial harm to victim - s.79 offence well above mid-range Paraphilic disorder - high risk of sexual re-offending – no insight or remorse Partially accumulated to existing sentence

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110.	Boatswain (57 at sentence) [2019] NSWCCA 238	2 x s.61E 4 x s.61D(1) s.61D(1A) Sched: 10 offences	PG (10-15%)	<u>Aggregate:</u> 15y NPP 10y	AD	record includes robbery, assault, property and driving offences but no sexual offences	(1982-1988) – sexually abused two younger sisters of female partner aged 10-15y – offending included forced masturbation and fellatio, touching of clitoris and vagina, digital penetration and penile / vaginal penetration – most offences occurred while complainants living with offender and partner – sexual abuse of youngest sister continued after older sister complained but was not believed <i>Bugmy</i> considerations applied due to background which includes physical and sexual abuse, poverty, homelessness, lack of education, neglect and early substance use – current medical condition s.25AA applied On appeal – aggregate sentence not outside range in view of period of offending, number of complainants and vulnerable position of complainants
111.	GC (66) [2019] NSWCCA 241	3 x s.61D(1) 2 x s.71 2 x s.73 s.76 Sched: 10 offences	PG (10%)	<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. Childhood trauma – child sexual abuse by own grandmother – had not offended for 34 years.
112.	Carroll (31) [2019] NSWCCA 243	s.66A s.66C(2) Sched: 2 x s.61M(2)	PG (25%)	<u>Aggregate:</u> 12y NPP 8y	AD	Nil	Abused step-daughter aged 7-11y – digital vaginal penetration. Offending serious and repeated involving a young girl in position of trust.

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113.	Thomas (51) [2019] NSWCCA 265	13 x s.61M(2) 2 x s.61O(1)	VG	<u>Total:</u> 11y NPP 8y	AA <u>Aggregate:</u> 11y NPP 8y	Nil	(2015 and 2016) - teacher at Catholic primary school – 4 female complainants aged 9-12y – asked complainants to rub penis outside clothing, touched breast under clothing, touched complainants and squeezed buttocks outside clothing – groomed students. Previously subject of school investigation and suspended CCA: individual sentences imposed by judge manifestly excessive, however, overall sentence and non-parole period not manifestly excessive.
114.	Lissock (58 at sentence) [2019] NSWCCA 282	7 x s.61J s.66A 5 x s.61M(1)	VG	<u>Aggregate:</u> 18y NPP 12y	AA <u>Aggregate:</u> 14y NPP 9y 4m	minor	(1997, 2002) – Sexually assaulted step daughter aged 7/8y then 13y – touched breasts and vagina and rubbed penis against vagina – anal intercourse – digital and penile intercourse – cunnilingus – ignored complainant’s protests – severity ranged from low to above mid-range – gross breach of trust Moderate delay – sexually abused as a child On appeal – sentence not manifestly excessive but fresh evidence of cancer and reduced life expectancy (to 18 months) makes incarceration more onerous
115.	Baden (60 at sentence) [2020] NSWCCA 23	2 x s.272.14(1) s.272.11(1)(c) s.272.9(1) 2 x s.91H(2)	PG (10%)	<u>Total:</u> 11y 4m NPP 7y 4m	AD	sexual offences	(2012-2016) Frequent conversations with two female siblings aged 6-11y and 2-7y living in the Philippines over internet – conversations highly sexualised – had complainants perform sexual activity on selves and each other over webcam while offender naked and masturbated – paid mother of complainant’s \$26,286.93 over four years – found in possession of child abuse material – 858 Cat 6 images – 1,144 files with images of varying categories – mid-level seriousness Expressed understanding of wrongness of actions at time of offending – failure to obtain assistance in relation to past sexual offences – poor prospects of rehabilitation

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
116.	Taylor (61-64) [2020] NSWCCA 46	6 x s.61M(2) s.66C(2) s.61O(2) s.61O(1) Att s.66C(2)	VG	14y NPP 9y 4m	AD	nil	Grandfather sexually abused two granddaughters living with him over several years – complainants aged 9-13y – touched breasts and vaginal area – incited complainant to touch penis and testicles Poor health On appeal – error in approach to s.21A factors but no lesser sentence warranted
117.	LS (43) [2020] NSWCCA 27	3 x s.61J Sched: s.61M(2) 3 x s.61J	PG (15%)	11y NPP 7y	AD		Mother of complainant sexual abused 15y daughter over several months – offences committed at night in complainant's bedroom – on three occasions in presence of de facto partner offender digitally penetrated complainant and performed cunnilingus – watched while de facto partner also digitally penetrated complainant, performed cunnilingus and on one occasion forced penile / vaginal penetration –on fourth occasion committed offences alone – above mid-range Difficult and dysfunctional childhood – sexually abused by multiple family members – early drug use – relationships marked by domestic violence – long term drug user On appeal – despite error as to Form 1 offences no lesser sentence warranted
118.	Maxwell (47) [2020] NSWCCA 94	11 x s.61M(2) 4 x s.61O(1) s.66C(4) s.61M(1)	PG (25%)	14y NPP 10y 6m	AD		Assaults on daughter aged 5 – 15y – rubbed vagina, made complainant masturbate his penis, touched breasts, kissed mouth. Alcohol and drug abuse. CCA: Error but lesser sentence not warranted.
119.	WM (52) [2020] NSWCCA 96	2 x s.66A(2) Sched: s.91G(1)	PG (25%)	<u>Aggregate:</u> 13y 2m NPP 9y 11m	AD	modest	SNPP 15y (April 2015) Travelled interstate to care for 9m daughter while mother at training course – with male partner took intimate photos of daughter – photos showed partner's thumb on inner aspect of labia majoria and offender's fingers penetrating outer lips of genitalia – offence committed in home of complainant in company – under authority and breach of trust Evidence of remorse rejected

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	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
120.	FL (36) [2020] NSWCCA 114	4 x s.61J Sched: 6 indecent assault offences	PG (25%)	<u>Aggregate:</u> 14y 6m NPP 10y	AD	stealing and driving offences	SNPP 10 years Forced penile / vaginal intercourse on stepdaughter aged 15-16y on four separate occasions over several months – incidents of attempted fellatio and digital penetration – ejaculated inside complainant – offences committed in complainant's home – breach of trust – mid-range Samoan – remorse – low risk of re-offending – fair to good prospects of rehabilitation On appeal: not manifestly excessive
121.	JJ (26) [2020] NSWCCA 165	s.61J	VG	12y NPP 9y	AD	Destroying property, stalking and intimidating, driving with high PCA, possession of goods suspected of being stolen.	SNPP 10y Assaulted 14y step-daughter – penile-vaginal intercourse – offence involved punching and forceful restraint - after incident, placed hands on complainant's neck and threatened her if she informed her mother he would kill her – committed in complainant's own home. Unable to identify any reason why offence committed - no evidence of having attempted to groom complainant. Lack of remorse.
122.	AD (20-33 at offences – 62 at sentence) [2020] NSWCCA 275	s.81 3 x s.79 7 x s.76 4 x s.67 7 x s.61D(1)	VG	<u>Aggregate</u> 14y NPP 8y	Crown AA <u>Aggregate:</u> 15y NPP 10y		(1978-1983) – Uncle or cousin of 8 victims aged 6-14y – offending included forced fellatio, anal and vaginal intercourse, digital intercourse and indecent touching – not isolated offences – some involved coercion and threats – abused position of trust – offences occurred in or around home of victims – opportunistic Aboriginal male - profoundly deprived background (<i>Bugmy</i>) – link between offences and sexual abuse suffered as a child – alcohol abuse – custody difficult due to poor health

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	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
123.	AH (19-20 at offences – 33 at sentence) [2020] NSWCCA 279	4 x s.61O(1) 10 x s.61M(1) 2 x s.66C(2) 2 x s.91G(1) 2 x s.91H(2) Sched: 6 x child pornography off	PG (10% / 25%)	<u>Aggregate</u> 12y NPP 8y	AA <u>Aggregate:</u> 11y NPP 7y	Nil record at time of offences – subsequent lengthy record for child abuse offences	(2006) Committed majority of offences on 12y male over 12 months – masturbated complainant or had complainant masturbate offender – filmed many offences – committed fellatio on complainant and placed fingers in anus – filmed 10y brother of first complainant going to toilet in bush – had become trusted family friend – often alone with complainant on pretence of mentoring and counselling him – objective gravity of offences varied Dysfunctional childhood with bullying and sexual abuse at boarding school – guarded prospects of rehabilitation On appeal: failure to properly take into account remorse – prospects of rehabilitation improved
124.	Burr (41-43 at offences – 55 at sentence) [2020] NSWCCA 282	s.66EA	PG (20%)	<u>Aggregate</u> 10y 9m NPP 7y	AD	Driving offences	(2006-7) maintained sexual relationship with 14-15y daughter of former partner over 20 months – regular oral and vaginal intercourse, use of vibrator – number of offences far exceeded threshold of three offences – not isolated offences – element of grooming, control and exploitation – age difference and familial relationship – mid-range offence On appeal: consideration of general principles for sentencing on s.66EA offences
125.	GP (a pseudonym) [2021] NSWCCA 180	s.66EA s.61M(2)	PG (20%)	<u>Total:</u> 14y NPP 10y 3m	AA <u>Total:</u> 12y 6m NPP 9y 1m		Sexually abused step daughter aged 12-13y over 7 months – rubbed breasts and stomach and forced penile/vaginal intercourse day before marrying complainant's mother – forced fellatio in shed and multiple counts of penile/vaginal intercourse in complainant's bedroom – further acts of penile/vaginal intercourse while staying overnight with complainant away from home – told complainant to stay silent or offences would ruin mother's life – also threatened suicide – indecently assaulted second complainant on car trip to Sydney <u>Bugmy</u> factors – profound childhood deprivation – heroin baby – incarcerated parents – foster child – childhood sexual abuse – remorse – good prospects of rehabilitation On appeal: sentence erroneously based on offender ejaculating on more than one occasion

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	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
126.	Tomlinson (32 at offences) [2022] NSWCCA 16	15 x s.66C(3) s.66C(2) s.91G(2) s.91H(2)	VG	<u>Aggregate:</u> 13y NPP 8y	AD	Nil	(2012-2015) – two female complainants – first complainant aged 14-15y - met via Facebook – told victim he was 22y – penile-vaginal intercourse in hotel room on various occasions. Second complainant aged 13-15y – met via Facebook – told victim he was 24y – purchased alcohol - penile-vaginal intercourse / cunnilingus in hotel rooms and apartment on frequent occasions – took complainant on holidays. Knew complainants aged under 16y - not opportunistic; planning, forethought and grooming behaviour. Positive employment history - risk factors for offending unclear - no remorse or insight into offending. CCA: judge erred in applying SNPP to count 3 when not applicable – court to re-sentence – no other lesser sentence warranted in law.
127.	Stefanac (44) [2022] NSWCCA 129	10 x s.66C(2) 2 x s.66DB(a) Sched: 18 offences	PG (25%)	<u>Aggregate</u> 8y 6m NPP 5y	Crown AA <u>Aggregate</u> 12y NPP 7y	Nil	SNPP – 9 years Offences committed against 13y old female complainant A - lived with offender who was friend of A's family; looking after A due to her family troubles; seen by A as father figure - commenced 'sexual relationship' with A involving digital, vaginal-penile intercourse, fellatio, cunnilingus often while complainant intoxicated – committed offences against A's friend L 13y female complainant while complainant L intoxicated. A was vulnerable young person. Dysfunctional childhood; victim of child sexual abuse; depression, anxiety. CCA: Aggregate sentence fails to denounce criminal conduct in relation to complainant L – unreasonable and plainly unjust.

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
128.	Morrison (52) [2022] NSWCCA 158	2 x s.61J 3 x s.66DB(a)	VG (25% for admiss)	<u>Aggregate:</u> 13y NPP 8y 8m	<u>Aggregate:</u> 10y 6m NPP 7y	Lengthy although no sexual offences	SNPP 10y Met 13y female stranger waiting at wharf at night – victim accompanied offender home – sexual activity occurred over short period – cunnilingus and penile / vaginal intercourse – tongue kissing and hickies – single episode – high degree of notional concurrency – no violence, threats or detainment – opportunistic – reckless as to consent – s.61J offences mid to upper mid-range Aboriginal male - difficult background – poor health – discount for voluntary confession to one offence and narrowing of issues at trial – some degree of remorse and prospects of rehabilitation – protective custody On appeal: sentences for indecent touching offences excessive
129.	Lau (37-47) [2022] NSWCCA 131	s.66A 9 x s.61M(2) 2 x s.86(1)(b): Kidnapping 2 x s.61J s.66C(1) s.111(2): Agg enter dwelling house s.112(1): Break and enter s.91H(2) Sched: 3 x s.61M(2)	PG (25%)	<u>Aggregate:</u> 10y NPP 6y 6m	Crown AA <u>Aggregate:</u> 15y NPP 11y 3m	Nil	(2008)-(2016) Offences committed against 8 complainants – 7y and 8y daughters of family friends – 6 male school friends of son aged 12-15y – offences involved indecent touching and masturbation, photo of sleeping complainant with offender's penis slightly past lips and fellatio – some offences committed while under care of offender and some in home of complainant – twice locked one male complainant in car to commit offence and later entered home of complainant uninvited and while complainant alone and committed offences No explanation for offences – some remorse On appeal: sentences manifestly inadequate – numerous errors made by SJ

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
130.	Beullens (28-34 at offence – 77 at sentence) [2022] NSWDC 366 Bennett SC DCJ	s.79 6 x s.81	VG	<u>Aggregate:</u> 13y NPP 8y		nil	(1973-1979) youth worker at Boys Training School – sexually assaulted four males aged 14-15y – forced masturbation, fellatio and anal penetration – position of authority – anal penetration preceded by supply of alcohol – above mid-range Poor health
131.	KM (35-37 at offences; 39 at sentence) [2023] NSWCCA 10	s.66A 2 x s.66C(2)	VG	<u>Aggregate:</u> 14y NPP 10y 6m	AD	BES, common assault.	SNPP 15y Digital penetration 9y daughter of partner – further counts of digital penetration when complainant aged 10y - not isolated acts – below mid-range Bipolar, ADHD, borderline personality disorder, anxiety, major depression – drug use. On appeal: sentence stern but not manifestly excessive
132.	JG [2023] NSWCCA 33	2 x s.66EA 2 x s.66DB(a) 3 x s.61M(2) s.91H(2)	PG (25%)	<u>Aggregate:</u> 17y NPP 12y	AA <u>Aggregate:</u> 13y NPP 9y		Sexual offending against four children - each victim a member of offender's extended family Persistent sexual abuse of two children, AB and PC – AB (aged 13-15y): 10-15 acts of sexual touching of AB over 15-month period; applicant touching AB's penis or putting his hands on AB's penis - PC (aged 12-14y): 10 incidents in NSW and ACT over 39-month period; ever-increasing sexual assaults; touching complainant's penis, masturbating complainant until ejaculation, stimulating accidental urination; grooming, plying PC with alcohol; implied threat by way of casting guilt onto PC not to tell anyone. Does not accept diagnosis of paedophilic disorder - high risk of reoffending – remorse. CCA: Not open to sentencing judge to find s.66EA offending within mid-range – comparative cases discussed.

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
133.	DN (39) [2023] NSWCCA 39	2 x s.61J Sched: 2 offences	PG (5%)	<u>Aggregate</u> 7y 6m NPP 5y	Crown AA <u>Aggregate</u> 12y NPP 8y	Common assault, damage property (domestic violence-related), intimidate police officer	SNPP 10y De facto stepfather of 14y female complainant – two serious sexual assaults committed a week or two apart – sexualised conduct towards complainant from age 11y – penile/vaginal penetration, ejaculation – put hand over complainant’s mouth to silence her, threats not to tell anyone - forceful, rough and aggressive sexual behaviour when complainant in her own bed at home – not isolated – some degree of premeditation. Complainant passed away before sentencing hearing. Drug use – some remorse - rehabilitation guarded. CCA: Sentence manifestly inadequate.
134.	BJ [2023] NSWCCA 77	4 x s.66A 3 x s.61M(2)	VG	<u>Aggregate:</u> 14y NPP 10y	AD		(1999) Youth minister of church - assaulted female complainant / niece aged 8-9y – offences occurred at church premises when complainant attended after school - fellatio, digital-vaginal penetration – offences not isolated - exploitation of complainant, accompanied by physical force and intimidation; threatened violence if complainant spoke. No remorse or insight.
135.	DC (33 at offence – 44 at sentence) [2023] NSWCCA 82	s.66EA 3 x s.61M(2) 2 x s.66C(2) s.66D	PG (25%)	<u>Aggregate:</u> 13y 6m NPP 10y	<u>Aggregate:</u> 13y 6m NPP 9y	Drug possession – assault – driving – portion of offence committed while on conditional liberty	(2010-2011) had intercourse with 14y complainant – complainant subsequently lived offender for 12 months – intercourse everyday – upper end of mid-range (2014) sexually abused 10y step-daughter – sexual touching on several occasions – forced fellatio, cunnilingus and attempted penile vaginal intercourse – breach of trust – offences committed in complainant’s home – s.66C and s.66D offences mid-high range Mental health issues and low intellectual functioning – difficult childhood – guarded prospects of rehabilitation On appeal: erred in applying SNPP to two offences – found special circumstances in mental health and intellectual functioning

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	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
136.	TH (34-38 at offences) [2023] NSWCCA 81	2 x s.66C(2) s.66A(1) s.66DE(1) Sched: 3 offences	PG	<u>Aggregate</u> 7y 6m NPP 4y 6m	Crown AA <u>Aggregate</u> 12y NPP 8y		SNPP 15y / 9y (2016-2020) Offences against stepson over period of four years – complainant aged between 7 or 8 and 12 years – when complainant aged 12, committed anal intercourse against complainant - performed fellatio on complainant; offender then had complainant perform fellatio on offender. Childhood trauma. CCA: Indicative sentences far below proper range for such offending – aggregate sentence did not reflect total criminality.
137.	AJ (35-38) [2023] NSWCCA 158	3 x s.66C(2) 3 x s.61M(2) Sched: 2 offences	PG (10%)	<u>Aggregate</u> 17y NPP 11y 8m	AA <u>Aggregate</u> 14y NPP 9y	Nil	SNPP 9y Sexual abuse against own two children, daughter and son – aged 7-11y – fellatio, rubbing vagina, masturbation, directing / placing hand of male complainant on female complainant's genital area. Drug abuse - low to moderate risk of reoffending - good prospects of rehabilitation. CCA: Not appropriate for Sentencing judge to adopt starting points only two months short of the maximum penalty for count 1 and count 3.
138.	Borri (62 at sentence) [2023] NSWCCA 166	4 x s.66C(2) 7 x s.66C(4) 6 x s.61M(1) 2 x s.66N(1) 7 x s.61O(1)	PG (25%)	<u>Aggregate</u> 16y NPP 12y	AA <u>Aggregate</u> 14y NPP 10y	Nil	SNPP 9 y (2004-2012) – 26 sexual offences committed against four female child complainants, aged 10-15y, and male complainant – married/partner to complainants' parent – <i>s.66C(2) offences</i> : rubbed vagina and clitoris, rubbing child's clitoris and with the child's mother participating – mother of complainant involved in other offences – other offences: masturbating in front of children, having child masturbate him, cunnilingus, digital penetration, fellatio on offender, filming or offering children money. Low risk category for sexual re-offending. CCA: no reference to guilty plea discount by sentencing judge.

	NAME (age if known)	OFFENCE	PLEA	TOTAL EFFECTIVE SENTENCE	APPEAL	RECORD	INVOLVEMENT & SUMMARY
139.	Clarke (60) [2023] NSWCCA 170	s.66A s.66A s.61M(2)	VG	<u>Indicative</u> 8y NPP 5 10y NPP 6y 6y NPP 4y <u>Aggregate</u> 12y NPP 8y	AD	Driving and alcohol related offences, malicious injury, trespass, BES, aggravated dangerous driving causing death	SNPP 15y Two female complainants aged 6-7y and 4y - lived in same apartment block with their grandmother with whom applicant friendly – digital penetration 6-7y old complainant - put hands down underwear of 4y old complainant, penetrated her genitalia, rubbing with his hand, penis exposed and asked her to touch it - very young age of complainants – abuse of trust. Challenging upbringing.
140.	DPP v Q (a pseudonym) (24-25) [2024] NSWCCA 139	6 x s.66C(4) 2 x s.66C(3) Sched: 5 related offences	PG (25%)	<u>Aggregate:</u> 6y 4m NPP 4y 3m	Crown AA <u>Aggregate:</u> 11y NPP 7y 4m	Lesser offences but breached multiple bonds and CCO by offending	SNPP 5 years Offences committed on 14-15y complainant over seven months – use of alcohol and drugs, emotional manipulation and element of violence – offences included fellatio, penile / vaginal intercourse without condoms, anal intercourse and use of bottle – element of degradation of complainant – aware of age and intoxication – offences escalated in seriousness after police warned offender and took out AVO Substance addiction from early age – degree of remorse and insight – prospects of rehabilitation guarded – onerous custodial conditions Crown appeal: sentence manifestly inadequate
141.	Hodson [2024] NSWCA 238	5 x s.61M(2) s.66A 2.66D 4 x s.66C(1)	VG	<u>Aggregate:</u> 9y 9m NPP 6y 6m	Crown AA <u>Aggregate:</u> 12y NPP 8y 6m	Nil	Offences committed over fifteen years against four complainants aged between 4y and 12y – daughters of romantic partners or friends – touching of vaginal area under clothing – attempt to touch breast under shirt – attempt to make complainant touch offender's penis – slight digital penetration – attempt to force fellatio – penile/ / vaginal intercourse and cunnilingus – later offences on older complainant more serious – breach of trust and many opportunistic – offences mid to below mid-range Good character – good prospects of rehabilitation – mental health issues – exposed to traumatic and unsafe custodial conditions On appeal: sentence manifestly inadequate

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142.	Cridland (28) [2024] NSWCCA 243	4 x s.66C(4) 2 x s.66C(3) s.91G s.319: Pervert course of justice	VG	<u>Aggregate:</u> 15y NPP 9y 9m	AA <u>Aggregate:</u> 11y NPP 7y 2m		SNPP 5 years Police officer committed offences against 14-15y female introduced to offender by school principal and mother for counselling in relation to bullying by peers – penile-vaginal and oral intercourse - offending not impulsive; some planning - exploited vulnerable young victim with mental health problems – offences committed over three months – s.91G requested complainant provide intimate photos – s.319 asked complainant's mother to give false information about offender's contact with complainant Prospects rehabilitation excellent – not remorseful. CCA: Sentence manifestly excessive – agree with indicative sentences, however, excessive accumulation
143.	Lawavou [2025] NSWCCA 35	4 x s.66C(1) s.37(1A) choking 6 x s.66DB(a) 2 x s.61 Sched: 2 offences	PG (25%)	<u>Aggregate:</u> 18y NPP 13y 6m	AA <u>Aggregate:</u> 15y NPP 9y 6m	Assault police.	SNPP 7y Sexual and assault offences against stepdaughter 12y-13y – vaginal-digital penetration – choked complainant on one occasion - threats and physical violence – often intoxicated at time of offences - one assault offence against partner. CCA: Miscarriage of justice due to absence of material at sentence proceedings of sexual assaults committed against applicant at time proximate to present offences. Above mid-range objective seriousness – alcohol use disorder, paedophilic disorder, PTSD - prospects of rehabilitation guarded, though positive - unlikelihood of reoffending positive.

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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

This table has been prepared by the Public Defenders as a guide. Individual cases should be read if they are to be relied upon.

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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