Indecent Assault on Child

s.61M(2) (NSW) *Crimes Act*

s 61M(2) Indecent assault on child under 10 years of age

Maximum Penalty: **10 years**

Standard non-parole period: **5 years (for offences committed on or after 1.2.2003)**

8 years (for offences where conviction or plea on or after 1.1.2008)

Commenced: **19.3.1991**

Amended: **1.1.2009 to increase age of child to 16y (victims aged 10-15y previously covered under s.61M(1) with lesser penalty – see separate table)**

Repealed: **1.12.2018**

Note: the effect of recent 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)	Counts	Plea	Sentence	Appeal	Record	Summary
1.	**Rose** (34) NSWCCA 23.5.1996	s.61M(2) s.61O(2)	PG	5y GBB	Crown AA MT 18m AT 6m	Prior sexual offences	Friend of 9y complainant and mother – took complainant to male shower after ocean swim – rubbed complainant's vagina and forced complainant to wash around penis area
2.	**H** (62) NSWCCA 23.5.1996	2 x s.61M(2) s.61O(2) s.61E(2) Sched: 7 similar offences	PG	MT 5y AT 3y (concurrent sentences)	AA MT 3y AT 3y	Prior conviction for child sexual offences	(1988–1994) - Offences committed on four granddaughters aged 6-9y over five years – kissing near penis, touching on or near penis and exposure – breach of trust – each offence of short duration Protective custody

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

	Name (age if known)	Counts	Plea	Sentence	Appeal	Record	Summary
3.	**Stepto** NSWCCA 18.6.1996	3 x s.61M(2)		MT 3y AT 12m	AD		Rubbed penis up and down vagina of 9y complainant until ejaculation
4.	**Roseby** (51) NSWCCA 11.9.1997	2 x s.61M(2) s.61O(2)	VG	MT 12m AT 12m 3y GBB	AA To change condition of bond	Minor prior convictions – not similar	Previous relationship with mother of 9y female complainant – placed hand up t-shirt and down pants – 10 months later rubbed vagina, placed foot on penis and exposed penis Bipolar affective disorder
5.	**Di Cola** (55) [1999] NSWCCA 195	2 x s.61M(2)	PG	MT 12m AT 2y	AD	Nil	Babysitting 9y complainant – pulled down pyjamas and moved on top of her Health problems
6.	**Spiller** (30) [2000] NSWCCA 36	s.61M(2) s.61M(2) s.61M(1)	PG	MT 2y AT 2y FT 18m FT 12m (concurrent)	AD	no sexual offences	Indecently assaulted two daughters of de facto aged 6-9y – committed further offence against complainant 3 years later
7.	**P.A.M**. (41) [2000] NSWCCA 494	2 x s.61M(2) 3 x s.61O(2) 3 x s.91G	PG	FT 7y FT 5y FT 5y (concurrent)	AA 7y NPP 6y FT 5y FT 5y (concurrent)	Old child act of indecency offence	(1994-1998) – took videos of six children aged 1-13y known to offender – children naked with focus on genital area – films of older children taken secretly - indecent assaults committed on child aged 5-6y – complainant lay across offenders lap naked, exposing genital area - paedophile
8.	**Ellmore** (64 at sentence) [2002] NSWCCA 242	2 x s.61M(2) 3 x s.76A s.61E(1)	PG (25%)	8y NPP 5y FT 15m FT 3y <u>Total</u>: 11y NPP 8y	AA 7y NPP 3y 8m FT 15m FT 3y <u>Total</u>: 10y NPP 6y 8m	Substantial record for sexual offences – last offences breached parole	(1981-2001) - Rector of church indecently touched 8, 10 and 12y females in separate incidents – history of sexual interest and misconduct over 40 years

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9.	**Lee** (37) [2003] NSWCCA 63	s.61M(2) Sched: s.61M(1)	PG (20%)	4y NPP 2y	AD		Asked 8y female complainant waiting outside units to accompany him for photograph – led complainant to stairwell and touched vagina beneath underwear – 6m earlier had posed as doctor, gained entry to house and touched 11y complainant near vagina with cotton bud
10.	**Newbigging** (29) [2004] NSWCCA 239	s.61M(2)	VG	18m NPP 9m	Crown AD	Nil	Touched and rubbed 8y step-daughter's vagina – abuse of trust Acquitted of similar offences at trial
11.	**JJS** (14) [2005] NSWCCA 225	s.61M(2)	PG	5y GBB	AA 3y GBB Condition of bond deleted	Nil	Assaulted 3y female cousin by undressing her and ejaculating Disturbed family background – stringent bail conditions for 20 months – condition of bond requiring no unsupervised contact with children under 12y uncertain and deleted
12.	**Blinco** [2006] NSWCCA 105	s.61M(2)	PG (25%)	4y 9m NPP 2y 9m	AA 3y NPP 1y 6m	Nil relevant	**SNPP 5 years** Assaulted 9y daughter – touching vagina – discovered by wife. Isolated incident – intoxicated – immediate contrition and remorse.
13.	**LJG** (16) [2006] NSWCCA 216	s.61M(2)	PG (25%)	3y 9m NPP 1y 9m	AD	No other sex offences	**SNPP 5 years** Assaulted 7y female walking dog with friend – took into bushes and pulled down underwear – rubbed penis around bottom Intoxicated – dysfunctional childhood
14.	**Darrigo** (55) [2007] NSWCCA 9	s.61M(2)	PG (25% on appeal)	7y NPP 5y	AA 6y NPP 4y 6m	Lengthy – mainly dishonesty and driving offences	**SNPP 5 years** Touched 4y complainant in vaginal / buttock area on outside of underclothing whilst in shop. Limited education – troubled upbringing – Aboriginal male.
15.	**Ivimy** (64 at sentence) [2008] NSWCCA 25	8 x s.61M(2) 4 x s.61M(1) s.61L	PG (10%)	Aggregate 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

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16.	**Henry** [2009] NSWCCA 69	s.61M(2) s.61M(2) s.61O(2) 2 x s.91G(1)(a) Sched: 2 offences	PG	4y NPP 3y 4y NPP 2y 6m 1y 4m NPP 12m 2y 8m NPP 2y Total: 6y NPP 4y	AD	Breached recognisance for possessing child pornography	**SNPP 5 years** Approached three 8y girls and asked to photograph them for magazine – asked them to remove shorts – lowered bikini bottoms of two girls exposing vaginal area – touched one girl on vagina – took photographs Offender sexually abused as child
17.	**GSH** (52) [2009] NSWCCA 214	3 x s.61M(2)	VG	Aggregate 5y 4m NPP 4y 3m	Crown AA 7y 6m NPP 6y	Record for child sexual offences	**SNPP 8 years** Touched 9y female complainant on breast and vaginal area – living at complainant's grandmother's house
18.	**Mayall** (32) [2010] NSWCCA 37	2 x s.61M(2)	PG (25%)	Total: 7y NPP 4y	AD	Social security fraud for which received GBB.	**SNPP 8 years** Touched 9y and 8y complainants on bottom and vagina – staying at complainants' mother's home.
19.	**Corby** (39) [2010] NSWCCA 146	s.61M(2) 3 x s.61N(1)	PG (25%)	3y NPP 18m FT 9m Total: 3y 6m NPP 2y	AA 2y 3m NPP 13m 2w FT 3-6m Total: 2y 7m NPP 17m 2w	Record but no sexual offences	**SNPP 8 years** Friend of family of complainant - consensual relationship with 14y complainant who had low intellectual capacity – indecent assault offence consisted of kissing and cuddling complainant – sent complainant three images of offender's erect penis on mobile phone – honest but unreasonable belief complainant aged 16y – toward bottom of range of seriousness Socially isolated man of limited intelligence – not coped well with death of mother

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20.	**Bonwick** (42-43) [2010] NSWCCA 177	4 x s.61M(2)	PG (15%)	Total: 3y NPP 2y	AA Total: 2y NPP 12m	no significant offences	**SNPP 8 years** Friend of family of 7y male complainant – told complainant to jump on bed then kissed him on stomach and chest outside clothes – while on picnic unclipped complainant's life jacket and kissed on chest – lowered complainant's shorts, kissed on buttocks and lower back and placed finger in anus area – low to below mid-range Low intelligence
21.	**BP** (64 at sentence) [2010] NSWCCA 303	2 x s.61M(2) s.61M(2) s.76	VG	12m NPP 6m 8m NPP 4m 2y NPP 8m Total 2y 8m NPP 1y 4m	Crown AA 2y NPP 12m 8m NPP 4m 3y NPP 15m Total 4y NPP 2y 3m	Nil	(1970-1976) – digital penetration of daughter aged 7-8y – not isolated offence (2000-2001) – indecently assaulted first complainant's daughter aged 8-9y over 21m – touching vagina and sucking breast
22.	**PWB** (12/16/20) [2011] NSWCCA 84	s.61M(2) s.61E(1)	PG (15%)	3y 4m 24d NPP 12m FT 1y Total 4y 4m 24 days NPP 2y	AA 2y NPP 12m FT 4m Total: 2y 3m 13d NPP 1y 3m 13d	Nil	(1987-88) - abused 10y sister by touching her while she was on toilet (1991) abused different sister aged 6y by touching genitals Began abusing sisters in 1982 when aged 12y Married with three children – supportive family – sexually abused by priest when aged 13-15y. *Judgment contains schedule of old cases pre-1999 involving s 61E(1) and other offences,*
23.	**NJK** (25) [2011] NSWCCA 151	s.61M(2) s.91G(1)(a)	PG	22m 15d suspended 22m 15d suspended	Crown AD	nil	**SNPP 8 years** Took two photographs of 5y step daughter's bottom and vagina – complainant wearing no pants under uniform because she had wet herself – complainant developmentally delayed - deleted photos but found through recovery program – midway between bottom and middle of scale Low intelligence – committed to counselling program – minimal risk of re-offending

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24.	**KW** (31) [2013] NSWCCA 31 [2013] NSWCCA 84	s.61M(2) 3 x s.91H(2) – produce child pornography s.91H(2) – possess child pornography	VG PG	9y NPP 8y FT 18m 3y 9m NPP 2y 9m (concurrent)	AA (second appeal) 5y 6m NPP 3y 5m FT 18m 3y 9m NPP 2y 6m <u>Total</u>: 6y 6m NPP 4y 5m		Used finger to penetrate labia majora of 21m daughter while she was in bath – used phone to photograph incident – photographed daughter with legs apart focussing on vagina and naked photo of 6y son – considerable volume of pornography on laptop Original sentence imposed on appeal subsequently adjusted to give effect to accumulation
25.	**Harris** [2013] NSWCCA 296	s.61M(2) s.61M(1) BES BES BES Sched: 12 x break and enter offences	PG (25%)	8y NPP 3y 6m 6y NPP 4y 18m NPP 9m 18m NPP 9m 3y NPP 18m <u>Total</u> 12y NPP 7y 6m	7y NPP 4y 3y 9m NPP 2y 10m 18m NPP 9m 18m NPP 12m 3y NPP 18m <u>Total</u>: 10y NPP 7y 6m	Nil	**SNPP 5 years** Lured 5y school girl from playground into backyard to retrieve ball – pulled down complainant's pants and placed her on exposed penis – ejaculated towards watching school children – on separate occasion grabbed 11y school girl walking down street – dragged into driveway and forced to ground – thrust exposed crotch on complainant's lower back - broke into residential property and stole property Difficult childhood – drug addiction

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26.	**Wray** (66) [2014] NSWCCA 166	7 x s.61M(2) Sched: s.91H(2)	PG (25%)	12y NPP 9y	AD	Child sexual assault offences	**SNPP 8 years** 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
27.	**WC** [2015] NSWCCA 52	3 x s.61M(2)	VG	5y 6m NPP 3y 6m	AD		**SNPP 8 years** Sexually assaulted 12y daughter of de facto – grabbed at complainant's vaginal area over school uniform as she walked past – on two occasions when complainant lying on ground in lounge room pulled down pants and rubbed penis against bottom and vaginal area
28.	**Stoupe** (27) [2015] NSWCCA 175	s.61M(2) s.61M(2) s.61M(2) s.91K(3) – film private parts	PG (25%)	1y 1y 1y 3m 6m <u>Aggregate</u> 1y 4m NPP 8m	Crown AA 15m NPP 10m 18m NPP 12m 2y 3m NPP 18m 9m <u>Total</u>: 4y NPP 2y 6m		**SNPP 8 years** Supervisor at after school childcare centre sat 8y female on lap and rubbed complainant's vagina and around anus and bottom – filmed complainant going to toilet. Difficult upbringing

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29.	**O'Connell** (46) [2016] NSWCCA 43	s.61M(2) s.61M(2) s.91G(1) s.91G(1) s.91H – produce child pornography Sched: related offences	PG (25%)	3y 9m NPP 2y 9m 21d 4y 6m NPP 2y 11m 19d 3y 9m NPP 2y 9m 21d 4y 6m NPP 2y 11m 19d 4y 6m NPP 2y 11m 19d Total: 5y 6m NPP 3y 11m 19d	AD		**SNPP 8 years** Offended against two friends of daughter in 2010 and 2013 – placed erect penis on genitalia of 9y complainant and photographed her exposed genitalia – put mouth on genitalia of 12y complainant and photographed her dressed in lingerie – between high mid-range to high range Sexually abused as a child
30.	**GS** (48 at offences, 67 at sentence) [2016] NSWCCA 266	3 x s.61M(2) Sched: 2 x indecent assault	PG (10%)	8y NPP 5y	AD	child sexual offences	(1996) – female complainants aged 9y and 11y – acquaintance of complainants' parents and teaching complainants horse-riding – rubbed vagina and vaginal area of complainants – abuse of trust – vast difference in age - threats to complainants – not isolated offences. Ill health and age - serious medical conditions – low prospects reoffending – special circumstances
31.	**Scales** (60) [2017] NSWCCA 293	s.61M(2) s.61M(2)	PG (25%)	FT 18m 7y NPP 5y Total: 8y NPP 6y	AA FT 18m 5y NPP 3y Total: 6y NPP 4y	Child sexual offences	**SNPP 8 years** Friend of complainants' mother – 2012 tapped 10y complainant on the vagina with fingers - complainant's underpants had been pulled down – 2015 15y complainant woke to find offender with both hands on her breasts on outside of her clothing. Paedophilic disorder - prospects of rehabilitation "no more than reasonable" - evidence of remorse

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32.	**Bray** [2018] NSWCCA 301	s.61M(2) 5 x s.61M(2)	VG	Indicative 6y 6m NPP 4y 6m 7y 6m NPP 5y 6m Aggregate: 10y NPP 7y	AD		**SNPP 8 years** (2009) Sexually abused two stepdaughters aged 10-11y – rubbed stomach of first complainant pushing down past top of pyjama pants – forced second complainant to rub offender's penis – all offences committed in complainants' bedrooms – not isolated offences – just above mid-range – one complainant attempted suicide at 11y Prior good character
33.	**Hordern** [2019] NSWCCA 138	2 x s.61M(2) Breached extended supervision order	PG (20%)	Aggregate: 9y 4m NPP 7y	AA 5y NPP 3y 9m FT 18m (concurrent) Total: 7y NPP 5y 9m	child sexual offences – breached extended supervision order	**SNPP 8 years** While assisting a neighbour with car repairs entered house and kissed vaginal area of neighbour's two daughters aged 2y 9m and 4y 9m – offences spontaneous and of short duration - mid-range offending – moral culpability aggravated by breach of order Psychiatric conditions included paedophilia On appeal found SJ erred in finding offence planned
34.	**TH** [2019] NSWCCA 184	s.61M(2)	VG	5y NPP 3y	AD		**SNPP 8 years** Sexually assaulted 8y granddaughter sleeping over – complainant shared bed with offender – offender pulled down complainant's pants, pushed erect penis against anus and ejaculated
35.	**Thomas** (51) [2019] NSWCCA 265	13 x s.61M(2) 2 x 61O(1)	VG	Total: 11y NPP 8y	AA Aggregate: 11y NPP 8y	Nil	**SNPP 8 years** 2015 -2016 - teacher at Catholic primary school – 4 female complainants aged 9-12, students – 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.

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36.	**Jurd** (39) [2020] NSWCCA 91	2 x s.61M(2)	VG	Indicative 7y NPP 4y Aggregate: 7y NPP 4y	AD	limited	**SNPP 8 years** Undressed 6y daughter of friend in her bed at night, touched her on vagina and kissed her all over body including vagina – comfortably in mid-range Out of character – good prospects of rehabilitation – unlikely to re-offend
37.	**Ibbotson (a pseudonym)** (73) [2020] NSWCCA 92	5 x s.61M(2)	PG (10%)	Aggregate 6y 3m NPP 4y	AA Aggregate 5y 6m NPP 2y 9m		**SNPP 8 years** Mid-late 2009 - Assaulted 8y granddaughter – rubbed vagina outside and under clothing, kissed on mouth, kissed and licked vagina. CCA: Error in not applying guilty plea discount to indicative sentences.
38.	**Hartley** (47) [2020] NSWCCA 330	s.61M(2)	VG	4y 6m NPP 3y	AA 3y NPP 2y	including child sexual offence - contravention of AVO issued for protection of complainant.	**SNPP 8 years** 2015 – male complainant aged 13 attended offender's home to play video games – put hand on leg and tried to pull down shorts, kicked door shut when tried to escape, bent complainant over back of lounge. CCA: Error in assessment of objective seriousness. Significantly less objectively serious than judge's finding of "slightly below the middle of the range" Error in finding offender had "unabated abnormal sexual disorder."
39.	**Noonan** (50) [2021] NSWCCA 35	3 x s.61M(2)	PG (25%)	Aggregate 5y 6m NPP 4y	AD	Irrelevant. Drink driving, possess proh drug.	**SNPP 8 years** Three female complainants – in relationship with mother of T and S – lay on top of T aged 7-8 and tickled genitals outside her pyjamas – touched genitals of S aged 6-7 – lay on top of N aged 7 making groin area touch her vagina – not isolated incidents. Aboriginal male – lack of insight – guarded rehabilitation prospects.
40.	**BB** [2021] NSWCCA 283	7 x s.61M(2) Sched: 4 offences	PG (20%)	Aggregate 4y NPP 2y	AD	Nil	**SNPP 8 years** 2004-2006 - Offences committed on 7y daughter – touched vagina – asked complainant if it felt "good" - denied sexual intention / motivation - said it was "tickling", a "game", "ritual." Impeccable excellent character.

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41.	**PC** (34-36 at offences) [2022] NSWCCA 59	6 x s.61M(2) s.61N(1)	VG	Community Corrections Orders 3 x 12m 1 x 8m 2 x 15m CCO 15m	Crown AA Indicative: 2 x 8m 2 x 6m 3 x 12m Aggregate: 2y NPP 1y 6m	Driving low range PCA, entering enclosed lands, driving disqualified, fraudulent appropriation.	**SNPP 8 years** 2016-2018 – stepdaughter aged 13y-15y – touching and rubbing vagina over clothing, pressed penis against complainant over clothing, rubbed leg, touched breast – seven offences spread over three years perpetrated in context of frequent and regular additional acts of sexual touching Post-Traumatic Stress Disorder from motor vehicle accident. CCA: erroneous consideration of Child Protection Offenders Registration Act - manifest inadequacy.
42.	**Smith** (26) [2022] NSWCCA 88	s.61M(2) s.66EB(3) s.66DB(a) Sched: 2 offences	PG (25%)	Indicative 3y 4m NPP 1y 11m 2y NPP 1y 2m 3y 5m NPP 2y Aggregate 3y 10m NPP 2y 3m	AA Indicative: 1y 10m NPP 13m 12m NPP 7m 1y 10m NPP 13m Aggregate 2y 4m NPP 1y 5m	Nil	Female teacher – offences against male student aged 14-15y – in room at school, offender placed hand over complainant's pants – other offences involved grooming via exchange of photographs; and offender touching complainant's penis on outside of his pants. Traumatic upbringing – motivated by desire for attention rather than sexual gratification – borderline personality disorder. CCA: Error in taking into account for s.61M(2) offence standard non-parole period that had ceased to be applicable at time offence committed
43.	**Stevenson (a pseudonym)** (38) [2022] NSWCCA 133	2 x s.61M(2) s.61M(2) s.66DB(a)	VG	Indicative: 6y NPP 3y 7y NPP 3y 6m 8y Aggregate: 10y NPP 6y	AA Indicative: 5y NPP 2y 6m 6y NPP 3y 6y Aggregate: 8y 6m NPP 5y	Record – no sexual offences	**SNPP 8 years** 2018-2019 – indecently assaulted 9-10y son of friend – on first occasion touched and masturbated victim in bed – forced victim to masturbate offender then poured liquid and rubbed penis between victim's legs – several months later asked victim to play again, straddled victim and rubbed penis between legs – offender's partner poured liquid on victim's face – two offences just below and two offence just above mid-range Difficult childhood – sexually assaulted in custody On appeal: - indicative sentence for forth offence excessive

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44.	**AC** (18-38 at offences) [2023] NSWCCA 133	s.61E(1) s.61E(1) s.61M(2) s.61M(2) s.61M(2) s.61M(2) s.61M(2) s.61M(2) s.91H Sched: 3 offences	PG (25%)	Indicative: 1y 10m 1y 8m 3y NPP 2y 3m 4y 10m NPP 3y 7m 2y 7m NPP 1y 11m 3y 4m NPP 2y 6m 4y 10m NPP 3y 7m 5y 3m NPP 3y 11m 1y 6m Aggregate: 10y NPP 7y 6m	AA Indicative: 1y 6m 1y 8m 2y NPP 1y 6m 4y NPP 3y 2y NPP 1y 6m 3y 4m NPP 2y 6m 4y NPP 3y 4y NPP 3y 1y 6m Aggregate 7y NPP 5y 3m		**SNPP 5y** (1987 – 2007) Sexual abuse of four female complainants aged between 5 -12y years of age - S step-niece; AB step-daughter of a friend; DC and SC nieces – rubbed complainants' vagina with fingers; placed complainants' hands on penis; pressed penis against complainants. History of depression and PTSD - some recognition of sexual disorder - efforts to seek assistance to address sexual disorder while in custody - favourable view of prospects of rehabilitation. CCA: SJ erred by applying incorrect SNPP 8y – correct SNPP is 5y.

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45.	**Steel (a pseudonym) (32)** [2023] NSWCCA 326	3 x s.61M(2)	VG	Indicative: 5y NPP 3y 5y NPP 3y 6y NPP 3y 9m Aggregate: 7y 6m NPP 4y 6m	AA Indicative: 4y NPP 2y 6m 4y NPP 2y 6m 5y NPP 3y 6m Aggregate: 6y 6m NPP 4m	Extensive. Indecent assault of child, domestic violence, possess knife in public place.	**SNPP 8y** (2018-2019) - in relationship with female complainant's mother – complainant aged 5y – took complainant from her bedroom at night and placed her on a sheet in backyard, rubbed penis on her stomach and leg, kissed complainant's face and neck – assaulted complainant in trampoline against trampoline netting, rubbed penis on stomach and leg, penis touched outside of vagina. Mild intellectual disability - functionally illiterate - intellectual functioning in borderline range (bottom 3% of population) – attended special education school. CCA: Intellectual disability not sufficiently reflected in indicative sentences - error established in relation to aggregate sentence. Special circumstances.
46.	**Manners** (26 at offence) [2025] NSWCCA 157	s.61M(2)	PG (25%)	4y NPP 2y 6m	AD	Child sexual offences, persistent sexual abuse, possess child abuse material, fail comply extended supervision order. On parole from Qld for sexual offences against children.	(2002) Female complainant 6-7y - complainant's father and offender's father were distant cousins - offender touched complainant in vaginal area underneath her underwear - grooming behaviour - some level of planning. Childhood trauma - prospects of rehabilitation not good
47.	**TC** [2025] NSWCCA 170	s.61M(2) s.61M(2)	VG	Indicative: 3y NPP 2y 12m NPP 8m Aggregate: 3y 9m NPP 2y	AD	Nil	**SNPP 8y** (offences committed 2015 – trial and sentence 2019) Indecently assaulted 12y stepdaughter on two separate occasions – masturbated while touching complainant's face as she lay on his lap – pinched complainant's breast – gross breach of trust – first offence just below mid-range and more serious No remorse or responsibility for offence – prospects of rehabilitation guarded – prior good character – found special circumstances in mental health On appeal: no error

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48.	**Sampson** (18-37) [2026] NSWCCA 117	s.61M(2) s.61M(2) s.61M(2) s.61M(2) s.61M(2) s.61M(2) s.66DB Sched: Intimidate	PG (5%)	Indicative: 2y 10m 3y 1m NPP 1y 10m 3y 2m NPP 1y 10m 3y 6m NPP 2y 1m 3y 5m NPP 2y 3y 3m NPP 1y 11m 3y 1m Aggregate: 7y NPP 4y 3m	AD	No sexual offences but no leniency – last offences committed while serving CCO and ICO	**SNPP 8y** (not first or last offence) Indecently assaulted 4 complainants over 18 years – involved touching of vaginal area under or over clothing – offences committed in home of complainant, home of offender or car – 8y sister of partner – 7-8y niece of partner – 4-5y niece of partner – 7-11y daughter of partner – offence below or mid-range Small reduction of moral culpability for *Bugmy* factors – reduction for youth in relation to first offence

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