

STATE OF TASMANIA v DALE WAYNE WILLIAMS
COMMENTS ON PASSING SENTENCE

27 FEBRUARY 2020
BLOW CJ

Dale Wayne Williams, you have been found guilty by a jury on a charge of sexual intercourse with a young person under the age of 17 years. You committed this crime in February 2016. You had sexual intercourse with a girl aged 16 years and 2 months. She had run away from her mother's home a couple of days previously. She was at your home. You were 23 years old. You had sexual intercourse with her in your bedroom. I am satisfied beyond reasonable doubt that you did not use a condom, or take any precautions to avoid the risk of pregnancy. There is no suggestion that the girl became pregnant. Your mother was at home. It was a brazen act, in that you did this while your mother was in the house, knowing that your mother had disapproved of the girl staying the night in that house.

Initially, you were trying to force yourself on her, but you have not been charged with rape, and I am not treating this as a case of rape.

At the time of this crime you were on bail on dozens of charges relating to driving, drug and dishonesty offences. For those charges you subsequently went to prison, and you have been to prison a number of times since.

The impact of this on the girl in question was terrible. She has ongoing psychological symptoms. She has not obtained counselling, but she might yet need to. Obviously it was a very selfish act on your part to take advantage of somebody who was much younger than you, in circumstances where that was against the law. It is against the law because young people need to be protected from people like you, and from bad choices about sexual activity, until such time as they are more mature.

You do not have any prior convictions for sexual offences, but it is clear that, for years, you have had terrible disrespect for the law. In this case you absconded to Queensland rather than going to court. You were arrested when you returned to Tasmania, around the time of the birth of your fifth child and your first grandchild.

You are now 27 years old. You have been receiving a disability support pension, apparently because of problems with Asperger's syndrome and attention deficit hyperactivity disorder. You have had very little employment in your adult life. There is nothing of any significance to take into account in your favour. You certainly did not do anything to facilitate the administration of justice. This is a bad case of such a crime. I suppose the one thing that can be said in your favour is that you were only 23. It would have been worse if you had been older.

You have been in custody since you were arrested on warrant on 27 January. I will backdate your sentence to that day. I convict you and sentence you to eight months' imprisonment with effect from 27 January 2020. I make no order as to parole. I order that the Registrar appointed under s 42 of the *Community Protection (Offender Reporting) Act 2005* place your name on the register under that Act, and that you comply with the reporting obligations under that Act for 10 years from today.