

Justin Fitzroy Adcock, you have pleaded guilty to two charges of penetrative sexual abuse of a child or young person. Both of these charges relate to an incident that occurred in July or August of 2018.

You began communicating with a girl in relation to sexual activity using a social media app called "Kik". You arranged to meet her for the purpose of sexual activity. You thought she was 16. She told you that. That was a lie. She was 14. You came from Queensland where the age of consent is 16. That is not the age of consent here. The age of consent here is 17. You thought that what you were doing was lawful. But you were in your mid-40s. There was an age difference of nearly 30 years.

You went to the house where she was staying. She was there by herself. You went to a bedroom with her. You removed all the clothing from the lower part of your body and the lower part of hers. You inserted a finger into her vagina and penetrated her vagina for three or four minutes. Then you moved your position and hovered with your penis near her head and put it into her mouth where, in her estimation, it stayed for some 20 minutes. She had trouble breathing. You were interrupted. You might well have gone further if you had not been interrupted, but I am only to punish you for what you did do, and not what you might have done. Some people came to the house. You very sensibly stopped what you were doing and left. The girl thought better of any further contact. You contacted her once more, but she blocked you and there was no further contact.

A family member of the girl subsequently did some very clever detective work, and found out what you had done and who you were, with the result that this was reported to the police. That family member also got in touch with your employer, and you were forced to resign from your employment as a result. You have a wife and children. They had moved here from Queensland with you because of the job that you had. Because you lost that job, you all went back to Queensland.

The authorities did not move quickly in relation to this. They knew about this in November 2018. About six months later, they spoke to the complainant. In March 2020, some 16 months after the complaint had been made, you were charged. In the meantime you had got a job with a bank in Queensland. You were arrested in Queensland and extradited to Tasmania. You spent nine days in custody inclusive of the day you were arrested and the day you were bailed. You went back to Queensland, where your wife left you, and you lost your job with the bank. You have since got another job. The employer would like you to keep that employment, but there does not appear to be any promise that the job will be held for you if you spend a significant time in prison.

It certainly counts in your favour that you co-operated with police, that you have pleaded guilty at the earliest possible opportunity, and that you have made repeated efforts to come from Queensland to Launceston to plead guilty during the months of the COVID-19 pandemic restrictions. I am dealing with you on the earliest possible occasion. It is very relevant for sentencing purpose that you have now lost your marriage and two jobs as a result of your conduct. But you brought that on yourself.

The only appropriate penalty for this sort of activity, having regard to the age discrepancy, I think, is a sentence of imprisonment. But, because of the circumstances that I have mentioned, and the nine days that you spent in custody at the time of your extradition, I am going to suspend nearly all of the sentence that I am going to impose. I am also going to have your name put on the sex offenders' register. So far as I can judge, it is pretty unlikely that you will re-offend, but I cannot rule out that possibility, and the law requires me therefore to have your name put on the register. I am going to backdate your sentence to nine days before today because of the nine days in custody that you have served.

I convict you and sentence you to 12 weeks' imprisonment with effect from 11 November 2020. I suspend nine weeks of that sentence on condition that you commit no offence punishable by imprisonment for a period of two years from today. 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 five years.