

Mr Hunn, you have pleaded guilty to two counts of grooming with intent to procure a young person for sexual abuse, two counts of indecent assault, and one count of attempted indecent assault. You have also pleaded guilty to associated summary offences of assault with indecent intent and three counts of failing to comply with reporting obligations contrary to s 33 of the *Community Protection (Offender Reporting) Act 2005*.

Your criminal conduct occurred over a period of about 15 days, between 21 November and 6 December 2022. At the time of the offending you were 61 years of age. The complainants were aged 11 years and 14 years respectively. You were, at the relevant time, subject to reporting obligations under the *Community Protection (Offender Reporting) Act*. This arose as a consequence of a sentencing order made by this Court on 20 May 2015. On that date you were convicted of two counts of producing child exploitation material and two counts of aggravated sexual assault. Those charges related to two young girls, then aged eight years and seven years. You were sentenced to three years' imprisonment, with parole eligibility after 18 months. You were placed upon the Community Protection (Offender Reporting) register for a period of 15 years following your release from custody.

You met the younger of the complainants, whom I shall refer to as "M", opportunistically through an associate of yours. You engaged in conversation with her and learnt some basic details about her such as her name, age and where she lived. During the conversation you also discovered that she was experiencing some difficulties at home. You exchanged telephone numbers with her and offered her your support if she needed it. You also offered to drive her places if she needed a lift. Two to three weeks later you met the second complainant, whom I shall refer to as "C", through M.

You became aware that both M and C used the social media application Snapchat. You created a Snapchat account and began communicating with M and C via that account. You spoke with them regularly. You spoke with them about their daily lives and their family circumstances. You continually emphasised that if they needed assistance, or were upset, they should contact you and you would support them. Your communications with C and M were directed at building trust with the ultimate intention of procuring each of them to engage in sexual acts with you. Indeed, in conversations you had with an associate of yours in which you discussed the communications you were having with C and M, you commented that you had fantasies about having sexual intercourse with each of them and wondered whether they would be "any good at it".

On a date between 21 November and 6 December 2022, you collected complainant C from her grandmother's home. She asked you to take her to get credit for her mobile phone. You did this and purchased the phone credit for her. You returned her to her residence. When you arrived at her home, and whilst you were seated in the car with her, you cuddled C and used your hand to touch her breast over her clothing. You attempted to kiss her on the lips. This behaviour amounts to the crime of attempted indecent assault.

On 6 December 2022, you picked M up from her home and drove her to the home of C. M was upset during this trip. You held her hand and, at one point, reached over and began rubbing her upper and inner thigh over her clothing. This behaviour amounts to the crime of assault with indecent intent. During the trip, you stopped your vehicle in a carpark and leant over and

cuddled M. You then kissed her on the lips a couple of times and touched her breast. This behaviour amounts to the crime of indecent assault. After 10 minutes or so you continued the journey to C's house. At one point during the journey, you were randomly intercepted by police. You told police that you were dropping M at a "mate's place".

When you arrived at C's home, she was outside waiting. You had your arm around M and kissed her again, this time in front of C. This behaviour amounts to the crime of indecent assault. Both C and M went into her residence and C reported to her mother what she had seen you do.

Later that same evening, you sent M a Snapchat message. Amongst other things, it said "... I would not have started anything with you tonight if I knew then what I know now. I know the age difference is a big issue, but I really thought you were okay with that and you wanted to slowly move forward to finally having sex. How stupid of me to think that you were interested in having sex with a silly old guy like me...."

In my view, the message you sent to M really highlights the very sinister intent you had in pursuing the relationships with M and C.

On 10 December 2022, police executed a search warrant upon you. Your mobile phone was seized. Interrogation of the phone revealed a Facebook search history for the complainants and also showed evidence of your use of Snapchat. You were arrested. Because, however, of a medical condition, you were transported to the North West Regional Hospital. You were then unconditionally released as it was necessary to fly you to the Royal Hobart Hospital for medical treatment. On 22 December 2022, you participated in an electronic record of interview with police. During that interview you made full admissions, including acknowledging that you had reporting obligations under the *Community Protection (Offender Reporting) Act* register, and that you had failed to comply with those conditions by not disclosing the contact that you had been having, both in person and via social media, with the two complainants and not disclosing your use of the social media platform, Snapchat.

These are very serious crimes. Whilst I did not receive a victim impact statement from either complainant, child sex offences carry the presumption of harm. It is well recognised that sexual abuse of young persons can have significant and long term adverse consequences, even if those consequences do not manifest immediately. Although your interactions with each complainant only lasted for a relatively short period of time, both complainants were young and their family circumstances were such that they were vulnerable. Some of the conversations you had with them disclosed this, and you played upon their vulnerabilities in order to pursue your own sexual desires.

Your moral culpability is particularly high. You were on the Community Protection (Offender Reporting) register because of previous unlawful sexual behaviours. Your behaviour towards C and M was deliberate. From the outset, you knew how young they were. You offered them assistance and purchased items for them to gain their loyalty. You knew exactly what you were doing, in my view. The sexual assaults you perpetrated upon them were stepping stones towards your ultimate aim which was to engage in sexual intercourse with both C and M. That being said, you are of course, only to be sentenced for what you actually did and I take into account that generally the indecent assaults were less serious than many examples which come before this Court and, upon C or M demonstrating resistance to your advances, you did not continue with your endeavours. I also note however, that both C and M were very young, M

being only 11 when you assaulted her. This is an aggravating factor. One of the indecent assaults you perpetrated upon M occurred in front of C. The simple fact is you took advantage of young and vulnerable persons in order to gratify your own sexual desires.

The use of social media platforms by adults to prey on children for sexual gratification is disgraceful. The courts have a role in ensuring young persons are protected from such predatory behaviour by sending a very clear message to those who are minded to behave as you did, that such conduct will not be tolerated. General deterrence and denunciation are primary sentencing considerations.

You are 61 years of age. Following your release from custody in 2018, you experienced a period of stability, but it was soon followed by difficulties with your reassimilation into the community. You have been largely homeless in more recent times and living out of your car. You have been very lonely. You have been remanded in custody on these matters since 30 December 2022. You have endured a leg amputation whilst you have been incarcerated. This was because of a blood clot that developed. You have experienced considerable pain as a consequence of this surgery and I take into account that it also leaves you in a position of vulnerability within the prison environment.

I note in the Comments on Passing Sentence of Porter J (as he then was) in May 2015, it was noted, with reference to a psychological report from Mr De Jong, that "in Mr De Jong's view the paedophilic behaviour appears to have been opportunistic and not consistent with a longer standing sexual interest in pre-pubescent children. He suggests that the proceedings are likely to be a strong deterrent to similar offending...". It seems the psychologist's positive outlook was ill-conceived. Your behaviour on this subsequent occasion suggests an underlying sexual deviance, although I am not furnished with sufficient material to allow me to definitively find that. Nevertheless, I cannot sentence on the basis that this is out of character, or an isolated aberration. There is a strong need for personal deterrence to also be reflected in the sentence.

There is little to be said in mitigation of your offending. I take into account your pleas of guilty. I accept they were entered at an early stage and it has relieved the complainants from the need to give evidence. That counts in your favour.

The only appropriate sentence, however, is the imposition of a sentence of imprisonment. You are convicted of all matters to which you have pleaded guilty. In respect to the three counts of failing to comply with reporting obligations, I make no further order. Across all other matters there will be one sentence. You are sentenced to a global term of imprisonment of two years and nine months, which will be backdated to commence from 30 December 2022. I order that you not be eligible for release on parole until you have served twenty one months of that period of imprisonment. I am required to make an order under the *Community Protection (Offender Reporting) Act* 2005, unless I am satisfied that you do not pose a risk of committing a reportable offence in the future. Clearly, I could not be so satisfied. Accordingly, I order that your name be placed on the register pursuant to that Act, and that you comply with the reporting obligations under that Act, for a period of 15 years, which will commence upon your release from prison.