

William Greaves, you plead guilty to accessing child exploitation material. The background to this charge is this. On 31 October 2012 you raped a two year old girl in a public toilet and filmed the rape on your mobile phone. You were 24 at the time. For those crimes you were sentenced by Wood J in 2013 to imprisonment for five and half years from 8 February 2013. Six months of the sentence was attributed to the production of child exploitation material. You did not circulate the film you took but examination of your phone disclosed that you had searched for but not accessed child pornography on the internet in the period immediately before the crimes. The sentencing judge took into account your age and your willingness to participate in sex offender treatment programs. She made an order that your name be placed on the register under the *Community Protection (Offender Reporting) Act 2005* and that you comply with the reporting obligations under that Act for 15 years. Under that Act, your reporting obligations are suspended while you are in custody and extended by that equivalent period.

You are now aged 36. On 16 August 2023 two police officers conducted a routine check under the offender reporting legislation and searched your mobile phone. The internet browser immediately opened to a file sharing site showing thumbnail links to video clips of children aged between about 6 and 8 years, mostly girls but also boys, posing partially or fully nude and some engaging in sexual activity. Some of the videos involved bestiality. Your search history disclosed search terms which make clear that you had been looking for child pornography. The police officer who examined your phone did not look at all the material but observed about 100 thumbnails. When interviewed you admitted only that you were searching for adult pornography.

You have a very difficult and disadvantaged background. You were removed from your parents into State care when aged 4, partly as a result of your father's violence. Then, while in care, you were subjected to abuse. By 2013 you already had a long history of criminal offending. When you were sentenced for the rape you were also sentenced to an additional two year term for armed robbery and attempted armed robbery, making a total sentence of seven and a half years with eligibility for parole after four years. The sentencing judge took into account a psychiatric report that you had a lack of understanding of your own behaviour and an absence of appropriate social and moral guidelines.

I am informed that you served all or most of the total term of imprisonment. Following your release you continued to offend. Your record shows offences commencing in mid 2020 which must have been very soon after your release. The offences included three occasions of failing to comply with your reporting obligations under the community protection order. I accept that this was contributed to by your lack of stable housing at the time. However you also committed numerous dishonesty and driving offences during 2020 and 2021. On 20 October 2021 you were sentenced by a magistrate to imprisonment for a total of 14 months. The crime for which you are now to be sentenced was committed after having served that sentence. On 6 June 2024 you were sentenced to a term of two months from 7 April 2024 for breaching bail and another instance of failing to comply with reporting obligations. You have been in custody since then and so the sentence I impose is to commence on 7 June 2024. Your plea of guilty is in your favour. You have a supportive partner and a child of that relationship born earlier this year, although that child is not in your care. You have indicated a willingness to remove yourself from the relationship if that means that your partner can have care of your child.

The seriousness of child exploitation material crimes has been stated many times. By accessing such material you created a demand for it and increased the risk that children all over the world will be gravely harmed in its production. The children shown in the material are real children who are subjected to terrible abuse. The need to punish actual offenders and deter potential offenders are always important sentencing factors. Importantly, although you are not to be punished again for past crimes, and the sentence must be proportionate to the gravity of your offending, the circumstances I have described make clear that you have not been deterred by past sentences and, despite the passage of time and the opportunity for therapeutic programs to address the risk of sexual offending against children, you still pose a considerable risk. I will allow for parole but not until you have served a term which sufficiently addresses the factors I have referred to.

William Greaves, you are convicted. I order that the mobile phone seized by the police, and the USB containing child exploitation material used by the police as part of the investigation (although it was not your device) be forfeited to the State. I make an order under the *Community Protection (Offender Reporting) Act 2005* directing that the Registrar cause your name to be placed on the Register and that you comply with the reporting obligations under that Act for a period eight years. You are sentenced to imprisonment for two years from 7 June 2024. I order that you not be eligible for parole until you have served 15 months of that term.