

STATE OF TASMANIA v JARETH WADE GEASON
COMMENTS ON PASSING SENTENCE

27 SEPTEMBER 2024
MARSHALL AJ

Mr Jareth Geason has pleaded guilty to five counts of using a carriage service for child abuse material contrary to s 474.22(1) of the *Criminal Code*(Cth) and he has also pleaded guilty to one count of possession of child abuse material obtained or accessed using a carriage service contrary to s 474.22(A)(1) of the *Criminal Code*. Briefly stated, the circumstances of the offending are as follows. Count 1 concerns a breach of s 474.22(1), the period involved is 27 to 28 September 2021. During that time Mr Geason transmitted child abuse material using a carriage service. He participated in a conversation on the telegram application with a user, JS, to whom Mr Geason sent 14 child abuse images. The images depict actual prepubescent children, male and female. The children were engaged in sexual poses and sexual acts with each other and with adults.

The second count on the indictment is about the transmission of child abuse material using a carriage service between 1 and 19 June 2023. In that time, Mr Geason had conversations with another user, Humberto, on telegram. He sent 37 child abuse images to that person. Those images depict actual prepubescent male and female children engage in bonding sexual poses and performing sexual acts.

Count 3 concerns conversations between 15 and 30 June 2023 between Mr Geason and a user called PTo on telegram during which Mr Geason sent 43 child abuse images. He also transmitted text based child abuse material. The images depicted involved real children performing sexual acts. The text based material involved depraved conversations between Mr Geason and PTo about various matters, including having sexual intercourse with a two year old child.

Count 4 concerns conversations between 15 June 2023 and 13 September 2023 between Mr Geason and a user called DS. During the course of those conversations he sent DS 39 child abuse images and transmitted text based child abuse material. During the course of those conversations Mr Geason expressed love for photos of the penises of children and a good feeling about having anal sex with them. He messaged about "sucking", "molesting" and "fucking" children.

Count 5 concerns conversations between 13 and 14 September 2023 in which Mr Geason engaged in discussion with a user called Adam, during these conversations Mr Geason sent eight child abuse images to Adam. The images depicted real pubescent and prepubescent male children in sexual positions.

Count 6 concerns a breach of s 472.22(A)(1) of the *Criminal Code* (Cth). Mr Geason possessed child abuse material on 20 September 2023. On that day, his laptop computer was found to house 753 images and 2 videos of child abuse material. The images showed male and female children in sexual conduct. The images included an image of a prepubescent male child tied up and suggested gross behaviour in relation to that child. There was also a video of a number of prepubescent males engaged in sexual acts including oral and anal sex. Mr Geason's Apple iPad had 11 images of child abuse material. His mobile phone had three images of child abuse material on it. He had six USB's with a total of 1,100 images of child abuse material and one video of child abuse material. One was of a prepubescent female child about six years old lying on her back with her hands tied between her legs, her mouth gagged and genitals exposed.

There was also a male child of about 15 years old who was anally penetrating another male about eight years old.

When interviewed by the police, Mr Geason said that he understood the child abuse material to be "sex and stuff" of children. He said he had an interest in child abuse material for about five years before he was apprehended and he was unable to stop that interest. He said he developed a sexual interest in children about that time. He said he used his laptop to look for child abuse material and had previously used his mobile phone to do the same. He said that he participated in one live chat platform that shared child abuse material. He shared that material on several platforms including Wickr, telegram and Mega.nz. He said that he had developed sexual interest in young males and females and had sexual thoughts about young children. He understood that it was illegal to possess and transmit child abuse material but did not think he would ever be caught.

Mr Geason is 31 years old. He has no prior criminal history. He has support from his parents. He is the second eldest of five sons with ages ranging between 22 and 36. He was educated to year 12 and has undertaken trade courses since leaving school. He has casual work as a kitchen hand at two restaurants and has been a good employee. Mr Geason has a probable diagnosis of autism spectrum disorder. He has difficulty socialising and making friends. His socialising is mainly online including gaming. He has never had an intimate partner and never had a sexual experience with another person. Mr Geason said he was keen to participate in a treatment program to assist him with his sexual feelings and preferably on a one on one basis.

In her opinion dated 7 June 2024, forensic and clinical psychologist, Dr O'Donnell said "Mr Geason presented with pedophilic disorder". She said "he is sexually attracted to prepubescent children (male and female)". Dr O'Donnell opined that this was "the primary reason for the alleged behaviour". In an expert opinion dated 17 June 2024, Dr O'Donnell said that Mr Geason had shown contrition for his behaviour, made admissions to the police and during his psychological assessment interview, Dr O'Donnell considered that Mr Geason's offending was due to pedophilic disorder and not as a result of his autism.

Counsel for Mr Geason submitted that Mr Geason comes from a good family, the members of whom, especially his parents are horrified with this offending and were not aware of what was happening with Mr Geason with his devices behind closed doors. This has especially devastated his parents. In sentencing Mr Geason the Court takes into account general deterrence as the main consideration as well as specific deterrence and the condemnation of appalling conduct. Also, the Court is concerned to denounce the conduct, provide just punishment and protect the community, especially children.

The offending is extremely serious. It only has to be recounted for one to be horrified by it. To say so much is necessarily an understatement. At the conclusion of submissions on sentence by counsel on 19 September 2024, the Court considered that it would adjourn to today, its comments on passing sentence, however Mr Geason was also remanded in custody before the Court rising. Any sentence therefore imposed on Mr Geason will be backdated to 19 September 2024. Counsel for Mr Geason accepted that a custodial sentence was appropriate. The Court concurs with that submission, which was agreed in by counsel for the King.

Especially taking into account general deterrence, as well as recent penalties in like matters, the Court imposes a sentence of three years imprisonment but orders that after two years imprisonment, Mr Geason is to be released by the making of an order under s 20(1)(b) of the

Crimes Act (Cth) for Mr Geason to be good behaviour for a period of 12 months, the sentence is to commence from 19 September 2024.

The Court orders the release of the defendant under paragraph 20(1)(b) of the *Crimes Act 1914* after serving 24 months of the term of imprisonment upon the defendant giving security by recognisance of \$2,000 to comply with conditions that the defendant,:

- a) be of good behaviour for a period of 12 months; and
- b) be subject to the supervision of a probation officer (Community Correctional Services) appointed in accordance with this order for a period of 12 months; and
- c) obey all reasonable directions of the probation officer (Community Correctional Services); and
- d) not travel interstate or overseas without the written permission of the probation officer (Community Correctional Services); and
- e) undertake such treatment or rehabilitation programs that the probation officer (Community Correctional Services) reasonably directs; and
- f) report to the Hobart Community Corrections Centre located at 75 Liverpool Street, Hobart within two clear working days upon release from custody; and
- g) report to, and receive visits from, a Community Corrections officer or officers; and
- h) notify an officer at the specified Community Corrections Centre of any change of address or employment within two clear working days after the change; and
- i) attend for assessment and, if assessed as suitable, treatment for sex offender programs or programs to reduce re-offending as directed by Deputy Commissioner, Community Correctional Services and Sex Offender Management or his or her nominee; and
- j) attend, undertake and complete the Sex Offender's Program, if assessed as suitable, as soon as practicable after release from custody.

The Court has sentenced the defendant to a term of three years imprisonment and the Court has decided the defendant be released after serving 24 months.

The Court also orders that pursuant to s 23ZD of the *Crimes Act 1914* (Cth) that the following items are forfeited to the Commonwealth:

- 1 ASUS Laptop - serial number: CCKUDHDV
- 2 Apple iPad - serial number: DQTNQD7MG5VJ
- 3 Nokia Mobile Phone - IMEI: 356960090263703
- 4 Four USB's:
 - Silver black 16GB Sandisk USB Exhibit No: 37581-833-5
 - Purple USB 8GB USB Exhibit No: 37581 -831-7
 - Black/Silver Flash T2 USB Exhibit No: 37581-828-9
 - Black USB Exhibit No: 37581-827-8
 - Blue 4GB USB Exhibit No: 37581 -826-7

I further order that Mr Geason report to the Community Offender Register from the date of Mr Geason's release from custody pursuant to s 6(1) of the *Community Protection (Offender Reporting) Act 2005*. The registrar is directed to place the name of Mr Geason on the register and the offender comply with the reporting obligations under the Act for a period of two years.