

Mr Taylor, you have pleaded guilty to one count of possession of child exploitation material.

Police found the relevant material in your possession during a search conducted on the 25 November 2021. The material was stored across a number of devices, in particular two mobile telephones, an SD card in a third phone and a USB storage device. There are features which indicate a degree of organisation of the material. The devices contained an aggregate of 1451 child exploitation material files, which have been categorised in accordance with the Interpol baseline categorisation system as follows:

- (a) 959 category one files
- (b) 272 category two files
- (c) 220 category three files

I do not intend to rehearse the detail of the examples of the material provided to me, but it is clear that a significant amount of the material, particularly in categories one and two, was of the most serious and depraved kind. There are numerous examples of videos depicting the sexual and physical abuse of very young children. The abuse includes the penile penetration of such children by adult males, as well as penetration by objects. Some of the children subjected to this penetrative abuse are babies less than 1 year of age. There are examples of bestiality involving sexual intercourse between young children and animals. Some of the children are bound by ropes or other restraining devices during these acts. In many cases, the children display distress and reactions indicating that they are in significant pain.

You were 23 years of age at the time of the seizure of this material, and you are now 27. You have no prior convictions whatsoever. You have a good work history, having obtained tertiary qualifications in information technology. You were employed by a large company at the time of your arrest but shortly after, resigned from that employment. You have not worked since. This is largely due to the strict bail conditions to which you have been subject since your arrest. You are currently in a long-term relationship. Your partner suffers from a serious and debilitating condition and is reliant on you for care. If you are not available because of incarceration, this care will need to be provided by third parties. This can be done because she has an NDIS package, but it will be difficult for her. I do not regard this as mitigating. In fact, it is another impact of your offending, which in the whole was selfish and irresponsible.

Your counsel tells me that you have suffered from mental health problems for some time including major depression and suicidal ideation. I am also told that a psychologist has suggested that you may also suffer from autism although there has been no formal diagnosis in that regard. I have not been provided with any expert material concerning these conditions, and it has not been suggested that there is a link between your mental health and the possession of this material. There is no basis for drawing of any conclusion in that regard in any event. I simply take these matters into account in a general way. I also accept that your time in custody will be particularly difficult given the issues relevant to your mental health and personality.

In my view, the primary sentencing consideration in this case is general deterrence. The collection and possession of child exploitation material creates a market which encourages and provides a reason for the production of such material. Its production results in the horrific abuse of children. In this case, the material depicted a high level of brutality and depravity. There was clearly immeasurable harm done to the children abused in its creation. Courts will not tolerate such conduct. Those who would possess material of this nature must understand that the consequence will be severe punishment. This crime is necessarily premeditated and relatively easy to commit. Accordingly, general deterrence is likely to have significant utility.

There is little that can be said by way of mitigation. I accept that there is no evidence that you have committed further crimes of this nature and you have no prior convictions, although the significance attributable to matters which might suggest good character apart from this offending are limited in a case such as this. I will take into account your plea of guilty and the punishment already incurred by the imposition of strict bail conditions. However, the need for a sentence emphasising general deterrence means that in my view the only appropriate sentence is one of actual imprisonment. I will permit early release on parole, having regard in particular to your age, lack of prior convictions and plea of guilty.

Michael Taylor you are convicted of the crime to which you have pleaded guilty and sentenced to imprisonment for a period of 15 months. The sentence will commence immediately. Were it not for your plea of guilty, I would have imposed a sentence of 18 months imprisonment. You are not eligible for parole until you have served eight months of that sentence.

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. Having regard to the circumstances of this case, I am not satisfied of that matter and, accordingly, must make an order. 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 five years. Pursuant to s 130F(2) of the *Criminal Code*, I order that the three mobile phones and the USB storage device seized by police be forfeited to the Crown