

STATE OF TASMANIA v CHASE JOHN DIXON
COMMENTS ON PASSING SENTENCE

15 AUGUST 2025
JAGO J

Chase John Dixon, you have pleaded guilty to four counts of penetrative sexual abuse of a young person. I am also dealing with your pleas of guilty to several related summary offences being drive whilst not the holder of a driver's licence, breach of bail, use unregistered motor vehicle, possess thing used for administration of a controlled drug, and possess a controlled plant, namely cannabis.

At the time of the offending, you were aged 21 years. The complainant, who was born in 2012, was aged 12 years and 6 months. She was in primary school.

At the relevant time, you were on bail in respect to several complaints listed in the Magistrates Court. The bail conditions included a residential and curfew condition.

On 5 August 2024, you began communicating with the complainant via Snapchat. You knew her father and her aunt. You suggested to the complainant that you were only 17 or 18 and asked her whether she wanted to go out with you. She told you she was 12. You responded by saying, "Never mind. This conversation never happened". You nevertheless continued communicating with the complainant over the next couple of days. At one point, you told her not to tell her father about the communications. It is apparent then, from the outset, you knew the complainant was 12 years of age.

It seems you communicated with the complainant throughout the night of the 6th into the 7th August. The communications included you telling her that you knew her father, so you were "like family". You also told her that you would keep her safe. You invited her to come to your place and "chill and play PlayStation". At approximately 4am on 7 August 2024, you arranged to meet her. The complainant left her home via her bedroom window and began walking towards the arranged meeting point. You met her at a roundabout, which was between your two residences. When you met her, you said, "Hey bubba", grabbed her by the hips and kissed her on the lips. You held her hand as you began to walk back towards your residence. On the way, you got a ride with a person known to you, and you and the complainant were dropped back to your residence. You went to your bedroom with the complainant.

After a time, you told the complainant you needed to go somewhere. You drove your father's vehicle. The complainant was in the front passenger seat. You did not hold a driver's licence and the vehicle's registration was expired. The complainant felt uncomfortable with your driving, although it is not clear that she expressed this to you. At one point you told the complainant that you could drive her to her primary school.

You returned to the residence and you, and the complainant went to your bedroom. You asked her to sit on the bed and you moved towards her and put your hand on her thigh. You got on top of her and started kissing her. Apparently, the complainant felt uncomfortable and was panicking, although it is accepted that she did not make this clear to you. At one point you asked her if it was okay. She replied, "I don't know". You continued with your sexual advances and got undressed. You undressed the complainant. You licked her vagina and inserted your tongue into her vagina. This amounts to the first act of penetrative sexual abuse of a young person. You then proceeded to have vaginal penile intercourse with the complainant. You were not wearing a condom at the time. This comprises the second count of penetrative sexual abuse of a young person. At one point, you removed your penis from her vagina and kissed

her on the vagina, before re-inserting your penis. You asked her if it was "too rough". The complainant did not respond as she felt confused. At one point, you ejaculated. You removed your penis and wiped it with some toilet paper. You then began to masturbate whilst inserting your fingers into the complainant's vagina. This act comprises the third count of penetrative sexual abuse of a young person. You then took hold of the complainant's head and inserted your penis into her mouth. You instructed her to close her lips around your penis. You ejaculated into her mouth. This is the fourth count of penetrative sexual abuse of a young person.

The complainant described that during the incident you would alternate between inserting your penis into her vagina and her mouth. During penile vaginal penetration, when you came close to ejaculating, you would withdraw your penis to avoid ejaculating into her. At one point you informed the complainant that you had accidentally ejaculated. You told her to go to the toilet and urinate so the ejaculate would be discharged. She naively complied, which is demonstrative of her immature age and sexual inexperience and underlines the need for protective laws of this nature.

The four counts of penetrative sexual abuse of a young person all occurred during the same ongoing incident – probably over a few hours – and were part of a continuing course of sexual relations. You are, of course, only to be sentenced for the crimes to which you have pleaded guilty, but the context in which they occurred is relevant to assessing how the complainant felt during all of this. She later told her mother that it went on all night and she "felt like she was going to die". In assessing the complainant's response to the sexual activities, it is also necessary to bear in mind that the State accept that they could not prove beyond reasonable doubt that you did not hold an honest and reasonable belief that the complainant was consenting to the sexual intercourse. That said, to the extent you believed the complainant was consenting, it was a consent given by a child who had the life experience and emotional and sexual maturity of a 12-year-old. She was simply not old enough to make an informed and reasoned decision. You were 21. You very clearly had an obligation to not take advantage of her, and not have sexual intercourse with her, irrespective of any belief you may have held. You knew it was the wrong thing to do as evidenced by your prior communications with her.

The situation came to an end when your brother entered the room to find you and the complainant lying naked on your bed. Your brother asked you how old the complainant was, and she replied "12". He told you that the police were coming and that your father would be angry at you. After being told this, you told the complainant that the two of you needed to run from the house. You ran into nearby bush. At one point you told the complainant to wait in the bush whilst you returned to the home to get your phone. She was left there feeling alone and scared.

Meanwhile, at about 7.15am, the complainant's mother noticed that her bedroom window was open, and the flyscreen had been removed. Upon checking, she realised the complainant was not home. She rang friends and family trying to find out her whereabouts. She reported the complainant missing to police at approximately 7.30am. The complainant's mother informed the complainant's father that she was missing. Both continued looking for her. Police published a public post on Facebook, seeking information about the complainant's whereabouts. The complainant's photograph was depicted in this public post and was seen by many within the community. Police conducted multiple enquiries, including door knocks, in an endeavour to find relevant CCTV footage and ascertain the complainant's whereabouts.

At approximately 10am, the father of the complainant received information that the complainant had been seen with you in a vehicle. Your address was obtained. The complainant's mother went to your address, calling police on the way to advise that she was going there. As she pulled into the driveway, she saw you and asked where the complainant was. Initially, you feigned ignorance as to the complainant's whereabouts. Your brother, however, was also in the yard area, and he told you to return the complainant to her mother. The complainant's mother told you that police were on the way. You ran into the bushes, calling the complainant's name. The complainant then came out of the bushes and ran to her mother. As she did so, you asked her not to tell anyone about what had happened. You then sat down and started crying and expressed concern that the complainant's father would cause you harm.

The complainant left with her mother. She subsequently told her mother that she had gone to your address to play PlayStation and consume cannabis. She told her mother about the acts of sexual intercourse. She was upset.

Police arrived and you were arrested. A warrant for forensic medical examination was obtained and you were taken to the hospital. Whilst at the hospital, you said to members of Tasmania Police the following: *"I'm a dumb arse fuck; I'm such a loser, I don't know what I was thinking". "I'm willing to do whatever time I get". "I'm the way my brother was"*. This last comment was apparently a reference to a sexual matter that your brother had allegedly been involved in.

Forensic samples which were taken returned results consistent with you having had sexual intercourse with the complainant. The complainant was also subject to a forensic medical examination which disclosed injuries to her genitalia consistent with sexual intercourse having occurred.

Following your arrest, you were remanded in custody for 36 days. You were then bailed. You were returned to custody on 18 September 2024 and have been in custody since that date, however, ten weeks of the time that you have spent in custody has already been allocated to a sentencing order made in the Magistrates Court.

I have been provided with a victim impact statement prepared by the complainant's mother. The statement indicates the complainant remains badly affected by the incident and is unable to talk about it without experiencing distress. Her emotional wellbeing is tenuous. She has been embarrassed by the fact the incident became known about within her small community. The complainant is now anxious and withdrawn. She has difficulty sleeping. She experiences feelings of guilt and shame and her confidence and self-esteem have been badly affected. The statement also refers to the impact the crime has had on the family generally. They felt it necessary to relocate from the small community where this occurred in an endeavour to minimise the embarrassment and self-consciousness the complainant was feeling. This has come at a financial cost. The statement also refers to the panic and terror the family experienced when they realised the complainant was missing and could not locate her.

I take into account your pleas of guilty. Those pleas of guilty have value in the sentencing exercise. The indication of the plea of guilty was given sufficiently early to prevent the complainant from having to be briefed for trial. She has been spared the ordeal of having to give evidence about this matter, and that counts in your favour.

As noted, you were 21 when this crime occurred. You will be 22 in December of this year. You already have had significant involvement in the criminal justice system. You were first before the Youth Justice Courts when you were 15 years of age. You have been before the Youth Justice Courts on many occasions since for offences of dishonesty, driving offences, offences against police, drug offences, bail offences, offences involving damage to property. You have been provided with many supports and opportunities for reform by way of the sentencing orders made under the *Youth Justice Act*, but it appears that you have largely squandered them.

In June 2022, you were before the Youth Justice Court for offences involving common assault, committed against a person with whom you were in a relationship. You were also dealt with for offences of breach of interim family violence order, bail offences and property offences. You were placed on probation for this offending. In March 2023, you were sentenced in the Magistrates Court, as an adult, for further offences of breaching interim family violence orders and bail offences. You were required to perform a number of community service hours and placed upon a Community Correction order.

It appears you breached this order because in September 2024, you were re-sentenced on those matters. A four-month period of imprisonment was imposed with two months of that sentence being suspended. You were released on the day that sentence was imposed but seemingly returned to custody six days later when there was an issue with your bail. You have been in custody since that time.

Your still relatively young age remains a matter that must be taken into account, but you do not come before the Court as a first-time offender. You have had many opportunities extended to you in the past, seemingly to little avail. The principles relevant to sentencing youthful offenders are well understood. The law generally allows lenience to young offenders as their immaturity leads to them being "more prone to ill-considered or rash decisions" and means they may lack the degree of insight, judgment and self-control that is possessed by an adult. Whilst I accept your behaviour was obviously ill-considered, your actions could hardly be described as rash, in the sense of being impetuous or impulsive. From the time you first communicated with the complainant you were aware of her age. You nevertheless made arrangements to meet her in the early hours of the morning, and as soon as you met with her you displayed affection towards her. Some time passed before the sexual encounter. You had opportunity to reflect upon your intended behaviour. You knew what you were doing was wrong, but you choose sexual gratification over responsible behaviour.

I accept you have had a difficult upbringing. You experienced neglect and abuse within your family home during your childhood and consequently were taken into State care. Your placement in State care was abusive and traumatic. You have never had the benefit of positive and helpful role models. You struggle to form and maintain respectful relationships. You have been diagnosed with both Post Traumatic Stress Disorder and Attention Deficit Hyperactivity Disorder. There is nothing before me to suggest that either of these conditions have a direct nexus to the commission of these crimes beyond the impact they have on your behaviour and personality generally. You found school very difficult. You left early and your literacy is limited. You are prone to foolish behaviours and the influence of others.

The time you have spent in custody has been difficult. Given the nature of the charge, you have been targeted. This has necessitated you being placed in maximum security, and you have often been in isolation. You have been assaulted whilst you have been in custody. You have

experienced episodes of psychosis and have also self-harmed, which has led to you engaging with the mental health team during your time in custody. Pleasingly, it seems your mental health has settled in more recent times. I accept your time in custody has been a confronting and salutary experience. It is submitted on your behalf that you now appreciate the gravity of your conduct, and you realise that you have caused the complainant harm, and you are sorry for that. During the sentencing hearing, you indicated a wish to convey your remorse to the Court directly. You say you now understand how wrong what you did was and are determined to do better. It can only be hoped your claimed insight results in real change in terms of what seems to be a rather lawless attitude.

There are several aggravating features of this crime. Very clearly, you knew the complainant's young age. You knew she was only in primary school. The fact she was only 12 is an aggravating factor pursuant to s 11A of the *Sentencing Act*. You spoke to her about not telling anyone about what had occurred, reflective of the fact that you were aware of the criminal nature of the sexual relationship. Cannabis was involved. I do not know whether this was the complainant's first involvement in cannabis or not, but regardless, her use of it would have exacerbated her vulnerability, and contributed to poor decision making.

Your behaviour was not opportunistic or spontaneous. It was planned. You walked to meet her. You spent considerable time in her company before the first act of sexual intercourse occurred. There was ample time for you to reflect upon what you were intending. It was unprotected sexual intercourse. She was exposed to the risk of pregnancy and the risk of disease. The incident only came to an end when your brother became aware of what was occurring. You then fled with the complainant to a bush area, leaving her alone and scared. You put pressure on her not to disclose to others what had occurred.

Your conduct has had a very detrimental effect upon the complainant. The very reason laws of this nature exist is to protect children and young persons. The law recognises that young people need protection from adults who may try and take advantage of them, and also from their own poor and immature choices, which may be made at a time when they lack emotional maturity and understanding to fully appreciate the consequences of their choices. They are simply too young and immature to understand that engaging in sexual relations at such an early stage can be detrimental and damaging to them. Sentences for this crime must be effective as a general deterrent to others who may be tempted to act in this way, and by deterring others, the Court can hope to protect other young people. The primary aim in sentencing matters of this nature is to reinforce the need for the protection of children. This necessitates, in my view, the Court imposing a sentence which punishes and condemns your conduct and hopefully deters others who may be minded to act in this same way.

I take into account your still relatively young age. Your substantial involvement in the criminal justice system already, however, ameliorates to some degree the emphasis to be placed upon rehabilitation, and weighs against leniency being extended to you.

I make the following orders. You are convicted of the crimes and offences to which you have pleaded guilty. Given the sentence I am about to impose, I make no further order in respect to the summary matters. You are sentenced to a term of imprisonment of two years, backdated to commence 20 October 2024. I order that you not be eligible for parole until you have served one-half of that sentence of imprisonment. I am not satisfied that you do not pose a risk of committing a reportable offence within the meaning of that term in the *Community Protection (Offender Reporting) Act 2005* in the future. I, therefore, make an order 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 of five years from your release.

I grant a compensation order in favour of the complainant, the terms of which will be adjourned sine die. I make a forfeiture order in respect of the smoking devices.