

Mr Huskic has pleaded guilty to charges of accessing and possessing child exploitation material. Police officers conducted a search at his home as a result of learning that child exploitation material had been downloaded from the internet there. The searching officers seized a quantity of computer equipment from his home. They discovered that Mr Huskic had viewed and downloaded a small quantity of child exploitation material, comprising 14 videos and one image. The material has been classified in accordance with the Australian National Victim Image Library System. The worst material was in Category 4, involving the depiction of penetrative sexual activity either between children or between adults and children. There were six videos in that category. There were two videos in Category 3, depicting non-penetrative sexual activity between adults and children. There was one video in Category 2, depicting either non-penetrative sexual activity between children or solo masturbation by a child. There were 5 videos and one image in Category 1, depicting children with no sexual activity. Category 1 involves such things as nudity, sexually suggestive posing, explicit emphasis on genital areas, or surreptitious images showing underwear.

Mr Huskic co-operated with the police. He took part in an interview and made significant admissions. He told them that he accessed child exploitation material every few months, that he knew that was illegal, and that he understood that there were real children involved somewhere, and that his accessing of such material encouraged its creators to produce more videos. He said it made him sick to think about it. He admitted that his wife sometimes used the same computer.

Mr Huskic is now 28 years old. He has no prior convictions. He came to Australia as a refugee when he was 11 years old. He is married, with no children. He and his wife live with his mother at her home. He had steady employment at a supermarket for over 10 years, but suffered a knee injury in 2017, had to leave his job, and has not yet found another one. He is financially dependent on his wife.

I have been provided with reports about Mr Huskic by two psychologists, as well as a pre-sentence report by a probation officer. There is no suggestion that Mr Huskic is mentally ill, though he has obtained medical assistance in relation to anxiety and depression over the last 10 years. After being charged, he sought professional assistance from one of the psychologists. That assistance is ongoing. He has an extensive history of drug use, but ceased taking drugs altogether a couple of years ago. He began watching adult pornography on the internet as an adolescent, and more recently moved on to watch child pornography. However he would usually delete the material that he downloaded almost immediately. There is no suggestion that he is attracted towards prepubescent girls. He acknowledges that the viewing of child exploitation material encourages further production of such material, and is now very remorseful. It seems that there is a fairly low risk of him re-offending. The probation officer has reported that he is eligible to participate in community service, and has a recommended a community correction order with a supervision condition.

Having regard to the small quantity of child exploitation material involved in this case, and to Mr Huskic's apparent remorse, I do not think this is a case that warrants a sentence of imprisonment. Orders requiring him to perform community service and placing him on probation should be sufficient. I will also have to make an order requiring his name to be placed on the sexual offenders' register.

Demir Huskic, I convict you on both charges. I make a community correction order, to operate for 12 months from today, with conditions that (a) during that period you must submit to the supervision of a probation officer as required by the probation officer; and (b) during that period you must satisfactorily perform 70 hours' community service, as directed by a probation officer or a supervisor. I order that the Registrar appointed under s 42 of the *Community Protection (Offender Reporting) Act 2005* place your name on the register under that Act, and that you comply with the reporting obligations under that Act for four years from today.