

STATE OF TASMANIA v PMG
COMMENTS ON PASSING SENTENCE

18 DECEMBER 2025
JAGO J

PMG, you have pleaded guilty to two counts of indecent assault, one count of accessing child exploitation material, one count of production of child exploitation material, one count of possession of child exploitation material, and one count of distribution of child exploitation material.

In November 2023, you formed a relationship with a female, whom I shall refer to as "E". E had two children, a girl named "Z", born in 2017, who was aged seven when these crimes occurred, and a boy named "J", born in 2022. From June 2024, you lived with E and the children.

In January 2025, the Australian Federal Police received information that an email account linked to you, was involved in child abuse related activity. Police attended your residence on 24 February 2025. A search was conducted. They also attended at your place of employment and located you. You produced a mobile phone to police and provided them with the relevant PIN code. An initial inspection of the phone revealed a large amount of child abuse material, depicting real children in both video and image formats.

You spoke to police and told them that child exploitation material would be found at your residence. You also told police you had been involved in Telegram chats, a social media platform where child abuse material was discussed, but you said you would never do the things that you talk about within those chats, to children. You denied that you had ever sexually assaulted a child, including your partner's children. You admitted, however, recording a video of your partner's daughter, whilst she was naked in the bath.

Police found two images on your phone, which gave rise to the two counts of indecent assault. The first image showed Z in pink underpants, with her hand on your penis. The second showed Z lying on a bed with her legs spread apart and your hands were on her vagina, spreading her labia. You later admitted to police committing the acts and said you photographed them for your own "self-satisfaction". You said that you had not sent those photographs to anyone else.

Forensic examination of the phone revealed that between 10 May 2024 and 17 February 2025, you had accessed and downloaded 77 child exploitation files. It also revealed that you had used your phone to take 17 photographs and four videos of Z, all such material constituting child exploitation material. Examples of the videos and images you had taken included Z naked in a bathtub with no water with a focus on her genitals; images and videos depicting Z laying on a bed with an adult male (whom I am satisfied was you) whilst you are naked and masturbating. In another image, Z's feet are resting on your penis. There were also images of Z naked, near the bath with an adult male (presumably you), who had an erection. Another video depicted a female in the presence of Z. The female that is sexually touching Z can be heard making sexualised comments whilst you are filming. This female is the complainant's mother. She has been separately charged with allegations of sexual offending pertaining to Z. The fact that both you and Z's mother were involved in sexually abusing Z and producing child exploitation material depicting her, is particularly grave. It left Z in a position where there was no adult figure in the house whom she could trust and ultimately led to her having to be removed from her primary family unit.

Further forensic examination revealed that your mobile phone contained 1,000 child exploitation material files which had been downloaded from the internet. In terms of category one material – which involves files depicting real pre-pubescent children under the age of 13, where the child is involved in a sexual act, is witnessing a sexual act, or the material is focused or concentrated on the child's genitalia - there were 656 images and 77 videos. There were also 258 images and 9 videos, identified as category two material. Seventy-seven of these files were downloaded between 10 May 2024 and 24 February 2025, but the download date of the remainder of the files could not be identified.

The child exploitation material depicted real children, aged from infancy to about 17 years. The material included images and videos of children being vaginally and orally raped by adult men. In some instances, foreign objects were being inserted into the victim's vaginas. In other videos, the female victims appeared to be drugged. In some of the videos the children are crying and trying to resist the sexual violence. Another lengthy video appeared to involve a livestream, with the child following instructions and moving into different poses to expose genitals to the camera.

When you were spoken to by police, you admitted that you had been using the platform Telegram to chat to others about child abuse matters. You said people "sent things" to you and you also "sent things" to other people. You admitted that you had sent a file of graphic child exploitation material to another user of Telegram and had engaged in a chat conversation with that user.

I have an impact statement, partly written by the complainant and partly written by the complainant's maternal grandmother. Because Z's mother is also alleged to have been involved in the sexual offending, Z is now living with her maternal grandmother. The statement describes the damage and pervasive harm that has been occasioned to Z, and the broader family, from your crimes. As noted, Z had to relocate to live with her grandparents, even though prior to these matters being disclosed, she had a limited relationship with them. It was a difficult transition. The relocation meant she had to change schools and Z misses her friends. Z has been left feeling hypervigilant, anxious and has little self-esteem. She experiences nightmares, she is withdrawn and sad. She is nervous around men and keeps her distance from them. It is obvious that the impact upon Z has been immense, although given her young age, it is unlikely the full extent of the impact has yet manifested.

You are 39 years of age. You have no prior convictions for sexual offending but have prior convictions for assault occasioning bodily harm and drug offences in New South Wales. You grew up in New South Wales in difficult circumstances. Physical abuse was common within your home. You left home during your teenage years. You pursued work predominately in the fishing and hospitality industries. You have been a heavy user of illicit substances for many years, but in more recent times, have addressed that addiction. In the years leading up to these crimes, I am told you were largely abstinent from drugs.

I take into account your early plea of guilty and your extensive cooperation with police. You pleaded guilty to these charges when they were still before the Magistrates Court. The plea of guilty carries value in the sentencing exercise because it has saved Z from the traumatic ordeal of having to give evidence about distressing matters.

As noted, your behaviour in indecently assaulting Z and producing child exploitation material involving her, is particularly serious. It involves a terrible breach of trust. You treated your

partner's daughter as a sexual object; abused her, photographed her, took videos of her, for your own "self-satisfaction" and, in doing so, caused her significant harm. That harm is likely to be long term and has the potential to permeate all aspects of her life. She was 7. Her young age is an aggravating circumstance. She was vulnerable. She was unable to self-protect and the adults who were supposed to care for her and protect her, instead abused her, and recorded that abuse for future sexual gratification. It is simply reprehensible behaviour.

In addition to that grave criminal conduct, you also accessed and possessed child exploitation material and distributed some of that material to others. The allegation of distribution is of one image only. Some of the material you possessed was of a high level of depravity, although I accept the amount of it is not at the voluminous level which is sometimes seen before this Court.

The evils associated with accessing and possessing child exploitation material are well documented. Such crimes are generally regarded as extremely serious because the commission of those crimes tends to encourage the exploitation of children for sexual purposes.

Generally speaking, distributing child exploitation material is regarded as a more serious crime because distribution tends to encourage greater sexual exploitation of children, and can encourage recipients of the material to sexually abuse children themselves. Producing child exploitation material is a particularly serious crime because the producer is directly involved in the commission of unlawful sexual acts upon children. Your behaviour encompasses all of these evils.

In sentencing a matter of this matter, general deterrence is a fundamental sentencing consideration. It is a well-established principle that courts have a duty to protect children from sexual depredation. The courts must impose sentences that will be an effective deterrent to those who may be inclined to engage in such conduct. The need for the sentence to reflect general deterrence is enhanced where the perpetrator is in a position of trust in respect to the complainant.

In my view, the only appropriate sentence is a significant term of imprisonment.

You are convicted of all crimes to which you have pleaded guilty. I impose a single sentence. You are sentenced to imprisonment for a period of five years commencing 25 February 2025. I record that but for the plea of guilty, I would have imposed a sentence of six years imprisonment. I order that you not be eligible for parole until you have served one half of that sentence of imprisonment.

Because I imposed a single sentence, I am required to identify the sentences that would have been imposed for each offence had separate sentences been imposed. These indications reflect an appropriate discount for the pleas of guilty. They are as follows:

- Indecent assault (count 1 – complaint 50958/25) – 16 months' imprisonment
- Indecent assault (count 2 – complaint 50958/25) – 10 months' imprisonment
- Accessing child exploitation material – 12 months' imprisonment
- Production of child exploitation material – 18 months' imprisonment
- Possession of child exploitation material – 6 months' imprisonment
- Distribution of child exploitation material – 8 months' imprisonment

The single sentence I have imposed takes account of the need to address the principles of totality and proportionality.

Given the circumstances of this offending, 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* into 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 seven years following your release. I order forfeiture of the OPPO mobile phone.