

STATE OF TASMANIA v LAWRENCE BERNARD SULLIVAN
COMMENTS ON PASSING SENTENCE

3 JUNE 2026
CUTHBERTSON J

Lawrence Bernard Sullivan, you have pleaded guilty to an indictment charging you with indecent assault and two counts of rape. These offences were committed in the early hours of the morning on 4 May 2025.

The complainant, an 18 year old male who was not known to you, had spent the previous night socialising with friends. He attended a number of licensed premises and consumed a significant amount of alcohol over the course of several hours. He then attended a nightclub in Hobart with his friends. By that stage he was very drunk. He was unsteady on his feet and unable to engage in normal conversation with those around him. One of his friends purchased a drink for him before moving off to talk to some other people.

The complainant remained at the bar consuming his drink. You approached and began chatting with him. You purchased a number of drinks, giving two of them to the complainant who had not finished the drink previously purchased for him by his friend. You walked off briefly and then returned with two drinks and again chatted with the complainant for several minutes. While chatting with him, you attempted to assist him to finish the drink he was holding and then placed one of the newly purchased drinks into his hand. The complainant took a sip from the drink, but before he could drink anymore, you took his hand and guided him towards the exit. This occurred within 10 minutes of first engaging in conversation with the complainant and was captured on the nightclub's CCTV. A bartender witnessed the two of you leaving. She was concerned about the complainant's level of intoxication and attempted to follow you but after 15 minutes abandoned her search as she could not find you.

At 5am, the two of you arrived by foot at a hotel in the city where you were staying. You both entered your room. One hour and 40 minutes later, the complainant left the room. He was only wearing a t-shirt and jeans and was not wearing shoes or socks. He could not initially locate the exit but eventually found the lifts and took them down to the lobby. He approached the front desk of the hotel with his phone in his hand, spoke to the receptionist, and asked them to charge his phone. You arrived at the front desk five minutes later and attempted to speak to him. He refused to engage with you and turned away. The complainant then called an Uber to take him to a friend's house.

When he arrived at his friend's house, he was distressed and briefly described what had happened at the hotel. He went to bed and slept for a short time. After a few hours, he decided to report the incident to police.

The complainant participated in a vulnerable witness interview. He told police he recalled being at the nightclub but lost all memory until he woke up naked in a bed in a hotel room with a male person on top of him who was unknown to him. He attempted to push the male off him and roll over, but he lost consciousness again before being woken up to male sexually assaulting him. He told police that the male was on top of him while he was on his back. The male was moving his hands around his groin and masturbating his penis. The complainant recalled trying to push him off but could not. He could only recall rolling over before blacking out again. He then reported waking up again and feeling fingers being inserted into his anus. He could hear the male telling him that he was "hot" and "sexy". He recalled pushing him off again and losing consciousness before waking to the male trying to kiss him. The complainant eventually told the man that he needed a phone charger as an excuse to leave the room.

Police commenced an investigation and reviewed CCTV footage. You were identified as the man responsible from that footage. You were interviewed that same evening. You told police that you had attended several nightclubs and had drunk a significant amount of alcohol. You recalled meeting a male at the nightclub and returning to your hotel with him. You told police that you engaged in oral sex, placing the complainant's penis in your mouth, and touched his body and his penis. You denied placing a finger in the complainant's anus. You recalled the male leaving the room and not returning and then finding him downstairs talking to staff. When you were pressed about the details of your interactions with the male, you became vague. You told police that you thought the male was awake when the acts occurred but then claimed you could not remember if he was awake or asleep. You then indicated that you assumed the complainant was awake at the time you were engaging in sexual acts with him.

The charge of indecent assault relates to you kissing the complainant and masturbating his penis. One count of rape related to you penetrating the complainant's anus with your finger. The second count of rape relates to you placing the complainant's penis in your mouth. The complainant did not consent to any of these acts. It is the State's case that there was no free agreement as the complainant resisted by pushing you away and rolling over, or did not say or do anything to communicate consent, or on the basis that you committed or initiated the sexual acts when the complainant was either asleep or unconscious.

The State do not accept that you were so impaired by the alcohol you consumed as to be unaware of and not in control of your actions. The CCTV footage from the nightclub depicted your interactions with the complainant. It is the State's case that you were in control of your movements and were purposeful when interacting with the complainant, including by purchasing him drinks and taking the initiative to lead him from the nightclub to the street.

The complainant has been deeply traumatised by your offending. I have received his victim impact statement which was read to me during the course of the sentencing proceedings. It was prepared in January 2026. He has had the benefit of strong support from his friends and family. Nevertheless, the complainant describes thoughts of what occurred intruding his mind almost every hour. He now feels anxious and wary of men of a similar age to you. His mental health has suffered badly. Your offending has affected his ability to work. His employer was very supportive and gave him some time off to try and deal with the trauma. This has had a financial impact on him. He has also incurred the costs of seeing a psychologist. He has since been diagnosed with PTSD. Since writing his victim impact statement, he has had to leave his job and leave Tasmania. His family have observed that he has changed from a relaxed, focused and friendly young man into a person who suffers from anxiety and has problems with self confidence. These are entirely understandable and predictable outcomes of the behaviour you engaged in.

You have a number of relevant prior convictions. Between 2003 and 2005, you maintained a sexual relationship with a young male who was aged between 15 and 17 years old. You were aged in your mid 30's at that time. The complainant was a troubled young person who struggled with his sexuality. Three occasions of unlawful sexual acts were relied upon by the State. They included anal sexual intercourse, kissing, mutual masturbation and indecent assaults. These three occasions were not isolated. The complainant was a willing partner to the sexual activity you engaged in with him at the time, although his consent was irrelevant to your guilt of that offence. You were also found guilty of abducting the same complainant. You took him to Melbourne for the weekend contrary to his parent's knowledge and wishes. Throughout the

course of your relationship you bought him cigarettes, alcohol, marijuana and clothes and took him on interstate trips.

Between 2008 and 2010, you indecently assaulted, raped and assaulted a young male aged between 13 and 14 years old. You were 40 or 41 years old at the time. You were found guilty of these crimes following a trial. These crimes were committed on three separate occasions. You indecently assaulted the complainant by touching his penis under his underwear while he was staying at your house with two female friends after consuming alcohol and cannabis. The assault involved you throwing a bottle of alcohol at the complainant, grabbing and swinging him to the ground, pinning him there and grabbing his finger and injuring it before driving your vehicle at him. The rape occurred in circumstances where you forced your penis into the complainant's mouth after you had allowed him to drive your car. You told the complainant that he owed you. The trial judge found that you had supplied the complainant with gifts, alcohol, cigarettes and drugs with the intention of seeking repayment from him in the form of sexual favours.

In 2012, you maintained a sexual relationship with another young male aged between 14 and 15 years old. You were 44 years old at the time. You met the complainant on social media and began seeing each other. Three occasions of unlawful sexual acts were relied upon for the purposes of that crime. The complainant again was a willing sexual partner during those sexual acts. He was also described in the comments on passing sentence as a troubled young man who was questioning his sexuality. The sentencing judge found that you had an arrangement where the complainant allowed the sexual acts to occur in exchange for money and gifts. The unlawful sexual acts involved kissing, cuddling, and sexual touching. You also pleaded guilty to a charge of making a communication with the intention of exposing a person under the age of 17 years to indecent material involving the same complainant. This related to you sending a photograph of your penis to him.

You were sentenced on 3 May 2016 for the 2003-2005 and 2012 offences by Tennent J to a period of six and a half years imprisonment. The minimum non-parole was imposed. You were then sentenced by Estcourt J for the 2008 to 2010 matters on 16 August 2017 to a further period of three years' imprisonment cumulative to the sentence you were currently serving. He also ordered that you be eligible for parole when you served one half of the sentence. His Honour on that occasion took into account that you were already serving a lengthy sentence of imprisonment.

Prior to both of these sentences being imposed, you had been sentenced to nine months' imprisonment by Porter J for an arson you committed on 17 May 2015. You had been banned from a nightclub you liked to attend in October 2014 for inappropriate behaviour. A short time later, you sent a threat to the owners that you would damage the nightclub. You were apparently spoken to by police about the threat. You were at the time on bail from the Supreme Court in relation to the sexual offences I have already outlined. You poured petrol on the front double doors of the nightclub and lit it with a match. The fire extinguished itself, but the front door was damaged.

At the time of committing the offences for which you fall to be sentenced today, you were on parole for the sexual offences the subject of the sentencing orders imposed by Tennent and Estcourt JJ. Your parole order commenced on 26 April 2021 and was due to conclude on 22 September 2025. The order initially included electronic monitoring. The electronic monitoring conditions were deleted with effect from 5 April 2024. It remained a condition of your parole

that you abstain from the consumption of intoxicating liquor and you not enter upon or remain on any licenced premises, including cafes and restaurants. You were also subject to a curfew condition between 10pm and 6am. It was also a condition of your parole that you be of good behaviour and not violate any law and, in particular, not commit any offence involving sex.

You are 58 years old. You accept that you were on parole and breached a number of the conditions of that order in the course of committing these offences.

You come from a close and supportive family and maintain a good relationship with them. I am told you experienced no adverse issues as a child. You attended boarding school in high school but found the experience of living away from your close-knit family difficult. After leaving school, you began working at Woolworths where you remained employed for 15 years, eventually becoming a department manager. You later held employment as a milk delivery driver, employment you maintained until you went to goal in 2015.

You have a longstanding issue with alcohol abuse. You commenced drinking in your late teens. You have also been diagnosed with major depression for much of your adult life. You are someone who has experienced periods of loneliness, lack of motivation and feelings of worthlessness. You have also experienced periods of suicidal ideation. You have had a number of admissions to hospital as a result of your depression and have engaged with various mental health services over the course of your life. Your counsel made clear that you are not suggesting your mental health issues reduce your moral culpability for your offending or are relevant in any of the other ways outlined in by *R v Verdins* [2007] VSCA 102. Your counsel pointed out that the last offence that you committed prior to committing these offences was the arson which was committed in May 2015. Counsel submitted that there has been a gap in your offending. It must of course be recognised that you have been in custody or subject to the conditions of parole, including electronic monitoring, for much of the intervening period.

While in custody you made good use of your time, completing a number of qualifications. You also began a degree in prison which you completed in 2025 while you were on parole. You held a number of trusted positions while employed in the prison.

As to your period on parole, you were compliant for a large portion of the time you were in the community. You managed to obtain work within six months of being granted parole, employment you maintained until you went into custody for these offences. You did find being on parole impacted your mood as you struggled with loneliness and a lack of connection to your community, particularly the gay community in Hobart. You were accessing psychological treatment while on parole.

In the two months leading up to committing these offences, you had made friends with someone who was a heavy drinker. You began to drink alcohol to excess again a short time before committing these crimes and going into custody. You maintain that you had been drinking for an extended period of time on the night and have little recollection of your interactions with the complainant at the nightclub. By pleading guilty, you have accepted it was clear that the complainant could not have consented to any sexual acts. Your counsel emphasises that you made significant admissions during the course of your interview, so much so that they constituted the only evidence of the oral rape. You do not recall the circumstances of the second rape but do not seek to question the complainant's recollection about it. It is submitted that your cooperation with police, together with your pleas of guilty, should be afforded significant

weight. You communicated at an early stage that you would be pleading guilty and the matters would resolve without the need for the complainant to give evidence.

As a consequence of committing these offences, your parole was revoked. It was due to expire four months after the commission of these offences. In effect, you have been given no credit for your four incident free years in the community. As a consequence of your parole being revoked, your latest release date is approximately 1 October 2029. Given the length of time you are still required to serve, your counsel submits totality has work to do. Your counsel also submits that it is appropriate to impose the minimum non-parole period in light of these factors.

The State has foreshadowed making an application that you be declared a dangerous criminal. That application cannot be made until such time as you are convicted of the crime involving an element of violence specified in the application: s 4 of the *Dangerous Criminal and High Risk Offenders Act* 2021. In effect, this means that the application cannot be made until you have been sentenced for these offences.

These are clearly serious offences. You engaged in predatory conduct towards a vulnerable complainant, taking advantage of his intoxication, including by plying him with further alcohol which no doubt increased his vulnerability. He was completely incapable of consenting to the acts you engaged in with him. I note you too were affected by alcohol. Nevertheless, you were capable of ordering drinks, supplying them to the complainant and leading him by the hand to find your accommodation. All of this is suggestive of a level of capacity that far outstrip that of the complainant and placed you in a position of relative power. In my view, you must have been aware of the complainant's incapacity to engage in that conduct. You lead him away from the nightclub and his friends only a short time after you first approached him. He was otherwise unknown to you. Your conduct shares some similarities to your prior matters. It involved you engaging in sexual conduct towards much younger males who were also vulnerable, albeit for different reasons. You have caused the complainant a great deal of harm which cannot be overstated.

It is aggravating that you committed these offences shortly before your parole order was due to expire. It is also not the first time that you have been sentenced by this Court for a sexual offence which involves an absence of consent. As a consequence, specific deterrence and denunciation assume additional importance in this sentencing exercise. Vindication of the complainant and general deterrence are also prominent considerations.

I take into account your pleas of guilty and cooperation with police. I accept your pleas have been entered at a very early stage and have assisted the administration of justice. The complainant has not been required to give evidence. I also accept that they represent a genuine acknowledgement on your part of the wrongfulness of your conduct. The sentence I impose will reflect that. I have already noted that counsel also urged that I impose the minimum non-parole period in the circumstances. In my view, the fact that you have re-offended in such a significant way while subject to a parole order for like offending warrants a non-parole period greater than the minimum. I am required to impose the minimum period of imprisonment that justice requires to be served, having regard to all the circumstances of the crime. In my view, the minimum non-parole period would not properly reflect those factors.

Lawrence Bernard Sullivan, you are convicted on all three charges on the indictment. As you are being sentenced for one Class 2 reportable offence and two Class 3 reportable offences, I am required to make an order pursuant to s 6 of the *Community Protection (Offender Reporting)*

Act 2005 and which requires you to comply with the reporting obligations for the remainder of your life or such lesser period as I determine unless I am satisfied that you do not pose a risk of committing a reportable offence in the future. I am not so satisfied. You have committed these serious offences only shortly after being released from prison and while you were still subject to sentence. I could not be satisfied you do not pose a risk of acting in a like or similar way again in the future. I order that the Registrar cause your name to be placed on the Register and that you comply with the reporting obligations under the *Community Protection (Offender Reporting) Act* for a period of 15 years on your release from prison.

I impose a single sentence of five years' imprisonment to be served cumulatively to the period of imprisonment you are currently serving. But for your cooperation and your pleas of guilty, I would have imposed a sentence of six years imprisonment. I order that you not be eligible for parole before serving three years of that sentence.