

Crown

CROWN SENTENCE SUMMARY

Accused	JOHN PHILLIP ROLLESTON	Court File No	2013/00172198
DOB	20/04/1938	DPP No	201309489
Offence	Section and Act	Maximum Penalties	SNPP
Act of gross indecency with male under 18 years	s78Q, Crimes Act, 1900.	2 years	No

Charges to be dealt with on a Form 1

Nil

Certificate for related and/or back up offences attached

No

Committed for Sentence on 1 November 2013 from Penrith Local Court.

Calculation of time spent in custody [in respect of above offence/s]:

Date of Offence	9 October 1984	Date of Arrest	20 May 2013. ?
In custody (this matter only) from		Nil.	

Offence committed whilst on Bail / Bond /Parole No**Has Parole been revoked** No**The Crown Case**

The Crown tenders the following material in its case:

1. Agreed Facts dated 17 December 2013.
2. Criminal History
3. Custodial History
4. Victim Impact Statement of AWD dated 16 December 2013. The victim does not wish to read out this VIS.
5. Remarks on sentence of Flannery DCJ dated 24 June 2011 & 6 July 2011.
6. Remarks on sentence of Flannery DCJ dated 9 November 2012.
7. Sentencing Statistics for s78Q

Legal Representative	Michael Ainsworth	Telephone No	9267 4955
Legal Representative is	<input type="checkbox"/> LAC lawyer <input type="checkbox"/> Private lawyer on assignment from LAC <input type="checkbox"/> Private lawyer		
Police/OIC to attend	«Yes/No»	Detective T ALCHIN	02 9671 9199

Comments / details of negotiations at the Local Court
 Plea to be entered on arraignment.

Section 81 – Indecent assault upon male of any age with or without consent (max 5 years): repealed from 8.6.84. (This offence committed on 7 October 1984).
 Section 78Q – Act of gross indecency with male under the age of 18; (max 2 years) in force from 8.6.84 – 13.3.2003.

(Act 61E(1) - 6yrs > 16yrs) →

2011 offences 10 x s81 offence (as per 6/7/11 Ros)

	1st Ind.	2nd Ind.
C1	16mth	C1 16mth + (Forn 1) x2
C2	16mth	C2 15mth
C3	- VD	C3 13mth
C4	16mth	C4 17mth (Forn 1) x1
C5	16mth	C5 14mth
C6	16mth	C6 16mth
C7	16mth	C7 15mth
C8	16mth	
C9	16mth	
10	16mth	
C11	31 mth	

18 mth
 16 mth
 17 mth
 4yrs
 NPP 18mth
 24/6/11 - 23/6/15
 NPP 24/6/11 - 23/12/12

2012 Sentences

C1 + Forn (x1)	13mth
C2 + Forn (x1)	13mth
C3	12mth
C4	12mth

Aggregate sentence of 14 months for 24/1/12 - 23/3/13...
 4mth to NPP

2y
Totally
Medical Conduct
 2y

2y plea + Delay.

Nil period in custody referable to this. 2