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THE SUPREME COURT OF  
THE NORTHERN TERRITORY

SCC 22406135

THE KING

and

PATRICK HUDDLESTON

(Sentence)

BROWNHILL J

TRANSCRIPT OF PROCEEDINGS

AT DARWIN ON THURSDAY 30 APRIL 2026

Transcribed by:  
EPIQ

HER HONOUR: Mr Huddleston, you have pleaded guilty to 20 counts on indictment. I am going to refer to them all specifically, even though it is going to take some time.

On count 1, that between 13 January and 20 February 2024, you accessed child abuse material using a carriage service, contrary to s 474.22 of the *Criminal Code* (Cth).

Count 2, on 5 February 2024, you transmitted child abuse material using a carriage service, contrary to 474.22 of the *Criminal Code* (Cth).

On count 3, on the same date, you transmitted child abuse material using a carriage service, contrary to the same section.

Count 4, between 6 and 11 February 2024, you committed an offence against that section on three or more separate occasions and the commission of each offence involved two or more people, contrary to s 474.24A of the *Criminal Code* (Cth). And there are five particularised offences of transmitting child abuse material. Three committed on 6 February and two committed on 11 February.

On count 5, that on 9 February, you transmitted child abuse material using a carriage service, contrary to 474.22 of the *Criminal Code* (Cth).

On count 6, on the same date, you caused child abuse material to be transmitted to yourself using a carriage service, contrary to the same section.

On count 7, on the same date, you transmitted child abuse material using a carriage service, contrary to the same section.

On count 8, on the 9 February, you caused child abuse material to be transmitted to yourself using a carriage service, again contrary to that section.

On count 9, that on the 10 February, you transmitted child abuse material using a carriage service.

On count 10, that on the same date, you caused child abuse material to be transmitted to yourself using a carriage service.

On count 11, on the same date, you transmitted child abuse material using a carriage service.

Count 12, on the same date, you caused child abuse material to be transmitted to yourself using a carriage service.

Count 13, on the same date, you transmitted child abuse material using a carriage service.

Count 14, on the same date, you caused child abuse material to be transmitted to yourself using a carriage service.

Count 15, on 10 and 11 February 2024, you transmitted child abuse material using a carriage service.

Count 16, on the same dates, you caused child abuse material to be transmitted to yourself using a carriage service.

Count 17, on the same dates, you transmitted child abuse material using a carriage service.

Count 18, on 11 February 2024, you caused child abuse material to be transmitted to yourself using a carriage service.

Count 19, on the same date, you caused child abuse material to be transmitted to yourself using a carriage service.

And count 20, on 21 February 2024, you possessed or controlled child abuse material in the form of data on a computer or storage device and used a carriage service to obtain or access it, contrary to s 474.22A of the *Criminal Code* (Cth).

The maximum penalties for the offences are imprisonment for 15 years for each count other than count 4. For count 4, the maximum penalty is imprisonment for 30 years, with a mandatory minimum term of imprisonment for 7 years.

The detail of the circumstances of the offending is set out in the lengthy agreed statement of facts which I have received. I will describe the circumstances as briefly as I can in relation to the various counts. My description includes my findings or observations about the nature and content of the child abuse material.

When I refer to a numbered category, I am referring to the categories under the Australian Child Abuse Material Categorisation Schema, which I will refer to shortly.

It is necessary to describe some of the detail of the child abuse material because the relative perversion and debauchery of the material is a relevant sentencing factor. When I refer to the ages of children, I note that they are approximate ages.

You were aged between 49 and 50 years old at the time of the offending.

You came to the attention of police for suspected child abuse material offending. On 21 February 2024, police executed a warrant at your home. You cooperated with police and provided the code to unlock your phone, confirming it was yours. You also facilitated access to a secure vault within that phone. Police found child abuse material on the phone, arrested you and referred the phone for analysis.

Your phone had a messaging application installed on it. Between 13 January and 20 February 2024, you used your account, which was not under your real name,

to access 106 child abuse material files, 104 of those were videos. 55 of those files were in Category 1, which is depictions of real children under 13 years involved in or witnessing a sex act, or depictions which focusses on their genital or anal region. Category 2 is child abuse material that is illegal but does not fall within Category 1.

During that same period, you also used Facebook Messenger to access five child abuse material files and Instagram to access seven child abuse material files. Two of those files were in Category 1 and the others were in Category 2. That is the offending the subject of count 1.

As regards count 2, you communicated with a user on the app and transmitted 52 child abuse material files to that user, including a 90-second video of an adult male orally raping a girl aged 10. That user said he would add you to a group chat for sharing child abuse material if you sent more child abuse material to him. You told that user you would add him to another group chat.

As regards count 3, you communicated with another user on the app. You transmitted child abuse material, and that user told you he did not want files showing kids. Nevertheless, you continued transmitting child abuse material and threatened to block him if he did not send child abuse material to you. He sent you adult pornography, and you said that was boring.

In total, you sent that user 56 child abuse material videos depicting high-level deprivation and cruelty to the children depicted, including the anal rape of a girl aged 7 to 9, adult men ejaculating on the faces of girls, adult women forcing their genitals onto the faces of prepubescent children, including a crying infant, and adult women fellating prepubescent male children.

As regards count 4, you were involved in a group chat with four people for the purpose of trading child abuse material. On five separate occasions on two days, you transmitted child abuse material to that group.

On the first occasion, you transmitted four child abuse material files to the group, each being videos between 17 seconds and one minute 40 seconds, depicting adult men vaginally and orally raping female children as young as 5 years. Another video depicted a girl aged 14 orally raping a male child of 6.

On the second occasion, you transmitted 14 child abuse material videos depicting similar material to the first occasion.

On the third occasion, you transmitted three child abuse material videos of a similar nature. One was a six-minute video of an adult orally raping an 8-year-old girl.

On the fourth occasion, after adding another user to the group after one had left, you transmitted 27 videos of child abuse material to the group, forwarding them from multiple other users of the app.

On the fifth occasion, the user you had added to the group asked for more material, and you transmitted four child abuse material videos. The videos transmitted on the fourth and fifth occasions were between nine seconds and five minutes 40 seconds. One depicted two adult males anally raping a pubescent girl.

As regards counts 5 and 6, you engaged, through the app, with another user to trade child abuse material files. You transmitted seven video files and received six video files in return. You asked if they wanted to trade videos. They asked if it was child abuse material. You confirmed it was and sent a video and asked for one back. They sent you one. You then sent them four videos and asked them to send four back. You were seeking to exchange the material on an even basis.

As regards counts 7 and 8, you engaged with another user of the app to trade child abuse material. You transmitted to them five videos of prepubescent children being sexually abused by adult men. In exchange, you received six videos. That user asked if you had more, and you said you did.

As regards counts 9 and 10, you traded child abuse material with the user that you had added to the group the subject of count 4. After confirming you both had child abuse material, you transmitted 41 videos and two images to that user, most of which depicted prepubescent girls being sexually abused by adult men. That user sent an undetermined number of child abuse material files to you in return.

As regards counts 11 and 12, you traded child abuse material with another user of the app. You sent nine videos to that user, depicting the same sort of material. That user sent you a thumbnail, indicating they had a large volume of videos, which police suspected but were unable to confirm contained child abuse material.

You and the user discussed trading channel links (which are tools for broadcasting messages to larger audiences) to share child abuse material. You said you did not know how to make these links and asked the user to send you videos. That user sent you four child abuse material videos.

As regards counts 13 and 14, you traded child abuse material with another user of the app. That user asked you for child abuse material, and you sent 22 videos, depicting similar content and depicting prepubescent girls masturbating. That user sent you three files and said he was trying to get more and would send them to you when he did.

As regards counts 15 and 16, you traded child abuse material with another user of the app. You sent 60 videos, which included an adult female raping a 5-year-old boy, an adult female anally raping a 6 to 8-year-old girl with a prosthetic penis. That user sent you 40 child abuse material files, one of which depicted an adult female sitting on top of an infant boy and inserting his penis into her vagina.

As regards counts 17 and 18, you traded child abuse material with another user of the app. You sent 27 videos with similar content, including two videos of adult men anally raping girls aged 4 to 10 years. That user sent you an unknown number

of child abuse material files in return, including one of an adult ejaculating onto the genitals of a prepubescent girl.

As regards count 19, you asked another user of the app to send you videos with a screenshot of what they had. They sent a screenshot of a video depicting three girls involved in sex acts. They also sent a file depicting a girl fellating an adult male. They also sent an encrypted link, which you could not access. You said you would send more to them if they kept sending you material.

As regards count 20, at the time of your arrest, you possessed 119 child abuse material files on your phone, including the material the subject of count 1. Another file depicted a child being defiled with duct tape around their head.

Some of the child abuse material was in a secure vault in the app which required a PIN to access. You provided that to police. In that vault were another 14 child abuse material files, being five Category 1 videos and nine Category 2 videos. You possessed or controlled a total of 133 child abuse material files on your phone, being 62 in Category 1 and 71 in Category 2.

You were arrested on 21 February 2024 and have been on remand since.

You are now 52 years old. You have a prior criminal history, which includes four convictions for drink-driving, the most recent committed in 2014, a number of convictions for driving an unregistered and uninsured car or driving while disqualified and a conviction each for trespass and stealing from 2013.

You also have six instances of breaching the conditions of bail, an alcohol protection order or a Community Correction Order, most recently in 2014.

I have received some information about you.

You are an Aboriginal man. You were born in Darwin. In your early childhood, you lived with your parents and five siblings at Bagot community. Your mother was from Yarralin and your father is from Pine Creek. Your father's father was from Elliott. You speak both your mother's language, Ngarinyman, and your father's mother's language, Wagiman.

When you were around 7 years old, you were placed with another family for around a month because your parents had leprosy. When you were about 8 years old, your family relocated to Pine Creek.

You went to school to year 10 and attended various schools in the Territory. You enjoyed school. At 15, you left school to work at Kybrook Farm. You also did station work and work as a ranger, which you did into your 30s. You then worked as a carpenter, building houses and such.

Your mother passed away around seven years ago. Your father is alive and is your main support. You have five siblings, as I have said, but two of your brothers

have passed away. Your brothers-in-law are also supportive of you. You were married for a time and grew up three stepchildren.

You told the presentence report writer you would be prepared to undertake a sex offender treatment program while in custody.

I have received a report of a psychological assessment of you. The psychologist said you demonstrated significantly limited insight, not recognising the severity of your alcohol use and sexual offending behaviours and denying associated risks.

The psychologist said your judgement is compromised in areas related to child abuse material, substance use, impulse control and interpersonal boundaries. The psychologist identified that you fit the diagnostic criteria for alcohol use disorder and best fit the personality disorder classifications of narcissistic, histrionic or unspecified (either turbulent style or sadistic style). You do not meet the criteria for a diagnosis of PTSD.

Your personality types are said to be enduring and pervasive, with self-indulgent, hedonistic and exploitative traits characterising your personality, with a high degree of impulsivity. The psychologist opined that you are at an increased risk of child molestation and a medium risk of sexual assaults.

You have limited insight into your maladaptive sexual behaviours of accessing and viewing child abuse material, as evidenced by your statement that you do not look at child videos, and deleted those, which is inconsistent with the agreed facts, and said, "but videos with teenagers are okay," and that is what you wanted to masturbate to. The psychologist made various recommendations for psychological treatment.

You have pleaded guilty to the offences, thereby saving the community the need for a trial. By that, you indicate responsibility for your offending and a willingness to facilitate the course of justice. The Crown accepts you have entered an early plea but says the case against you was compelling, given the material was found on your phone. Your plea is a recognition of the inevitable.

You did provide your passwords to police, but that was in compliance with lawful orders to do so. On the basis of your statements recorded in the psychologist's report and what you told the presentence report writer, I cannot be satisfied that you are genuinely remorseful for your offending. I do not afford any discount or further discount for assistance to authorities as I do not accept that complying with a lawful order to provide PINs or passcodes to devices constitutes cooperation with authorities.

Nor do I accept that your consent to forfeiture of your phone, the device through which you committed these offences, constitutes cooperation with authorities. The forfeiture order would have inevitably been made regardless of your consent to it. I propose to reduce the sentence I would otherwise impose for these offences by approximately 20 percent to reflect these matters.

It is plain that this was very serious offending. This is reflected in the maximum penalties of 15 and 30 years' imprisonment. The Commonwealth penalties for these offences were increased in 2005 because the use of the internet to commit such offending meant it was becoming pervasive and widespread and, consequently, increasingly destructive.

In June 2020, a new sentencing regime was introduced into the *Crimes Act*, which added various provisions, including the one imposing mandatory minimum penalties to ensure courts impose sentences that reflect the gravity of such offences, to reflect the harm suffered by victims of such offences and to recognise that the demand for and commercialisation of child abuse material often leads to further sexual abuse of children.

That sentencing regime makes actual service of a period of imprisonment mandatory, subject to exceptional circumstances. No exceptional circumstances were put to me, and I find that none exist.

Essentially, your offending comprised you:

- a) Accessing 116 child abuse material files, 57 of which were in Category 1.
- b) Trading child abuse material files with seven separate users of an app, with you transmitting some 170 files and receiving some 60 files, plus an additional number of files, which is unknown.
- c) Transmitting some 108 child abuse material files to two other users.
- d) Causing one child abuse material file to be transmitted to you by one other user.
- e) Engaging in a group chat with at least four other people, in which you shared 52 child abuse material files to those group members on five separate occasions.

The offending has occurred across a period of some five weeks. The child abuse material you transmitted and possessed depicted actual children, aged from infants to around 13, engaged in various sex acts or posing, most of which involved adult males sexually abusing prepubescent females.

The material was in various categories of deprivation and abhorrence, including penetrative activity by adults with very young children. All categories of child abuse material are of great concern, obviously for the harm to the child depicted but also more broadly because of the dangers of exposing other vulnerable children to that harm as a result of the market created by you and others for collecting and viewing the material.

I have no information about how many actual children were depicted in the child abuse material files, but it may be inferred to be a significant number, given the number of files you transmitted and possessed.

The offending took place over a relatively short period. There is no suggestion that you paid for or received payment for the material, but the offending involved trading of files you had for files possessed by others, thereby actively seeking it out yourself and providing it to others who sought it and so perpetuating the demand and market for child abuse material.

Count 4 involved sharing the files in a group chat directed to mutual viewing of the material. Given the nature of it and your disclosures to the psychologist, I have no doubt the offending was motivated by your sexual gratification.

I consider the offending in count 4 to be towards the lower end of the range of seriousness for such offences. I consider the other offending to be around the low end of the range of seriousness for such offences.

Cases of this kind attract significant sentences which emphasise general deterrence as the primary sentencing consideration and also, to a large degree, specific deterrence, denunciation, punishment and the protection of the community.

Given this prevalence of offending of this kind and the public interest in protecting children and in recognition of the fact that these are not victimless crimes, general deterrence will prevail over factors personal to the offender. That is not to say that personal circumstances are irrelevant, but the more punitive aspects of sentencing law must prevail in these circumstances.

There is no suggestion in the psychologist's report that your mental conditions materially reduced your moral culpability for the offending or causally contributed to it. To the extent that they did, those same conditions would enhance the risk of your reoffending in a similar way.

As to your prospects of rehabilitation, you are now 52 years old. As I have said, you have a relatively dated criminal history, which does not involve any sexual offending or offending of this nature. You have a good employment history. You have a supportive family.

Given the psychologist's opinions as to your risk of sexual offending in the future, I consider your prospects of rehabilitation to be quite guarded at this stage.

The Crown has submitted, and your barrister has conceded, that a sentence of imprisonment is warranted in relation to each offence. You have been in custody since your arrest on 21 February 2024, a period of some two years and two months now.

The offences are subject to the provisions of the *Crimes Act 1914* (Cth). Section 19 of that Act provides that sentences for Commonwealth child sexual

offences are to be served cumulatively unless the court is satisfied that imposing a sentence in a different way would still result in sentences that are of a severity appropriate in all the circumstances. If something other than total accumulation is done, the court must give reasons for imposing the sentence in that manner.

I will impose individual sentences for each offence, with a degree of accumulation to reflect the different offences and their nature but with a significant degree of concurrency to reflect the principle of totality.

As regards count 4, it is open to me to impose a sentence of less than 7 years only if I consider it appropriate to reduce the sentence I would otherwise impose to take into account the plea of guilty. Given that I do not consider this offending to be a least serious example of this offence, the appropriate starting point will not be such as to have that effect.

I take into account the need to protect the Territory community from the risk you may reoffend in a similar way in the future. Section 19AB of the *Crimes Act* provides that a court must fix a single non-parole period for all Federal sentences if they exceed three years in aggregate.

I have considered the comparative sentences referred to by the Crown. One case involved a sentence of 15 years' imprisonment for engaging in direct messaging with two other people, transmitting four files and four text messages. The offender had developed insight and taken steps towards rehabilitation.

The other case involved a sentence of 14 years and 4 months' imprisonment for engaging with a group forum that had thousands of users, although the amount or nature of the child abuse material shared is not stated. The offender received a 25 percent reduction for his guilty plea and a further 10 percent reduction for his assistance to authorities.

Those cases involve offending that is both less serious and more serious than yours.

I have also considered the comparative sentences referred to by the defence. Importantly, neither of those cases involved an offence against s 474.24A, which is count 4, and to which a mandatory minimum sentence of 7 years applies.

I have nevertheless taken those sentences into account in relation to the charges of accessing, transmitting and soliciting child abuse material.

I was provided with a report assessing your suitability for supervision in the community. You were found unsuitable at this time.

Mr Huddleston, I will now sentence you. Can you, please stand up?

I convict you of each of the offences in the indictment. I sentence you as follows.

On count 4, imprisonment for 8 years, commencing on 21 February 2024, ending on 20 February 2032.

On count 1, imprisonment for 1 year and 6 months, with three months cumulative on the sentence on count 4. So count 1 commences on 21 November 2030 and ends on 20 May 2032.

On count 20, imprisonment for 1 year and 6 months, with one month cumulative on the sentence on count 1. So the sentence on count 20 commences on 21 December 2030 and ends on 20 June 2032.

On count 3, imprisonment for 1 year and 6 months, with one month cumulative on the sentence on count 20. So the sentence on count 3 commences on 21 January 2031 and ends on 20 July 2032.

On count 2, imprisonment for 1 year, with one month cumulative on the sentence on count 3. The sentence on count 2 commences on 21 August 2031 and ends on 20 August 2032.

On count 9, imprisonment for 9 months, with one month cumulative on the sentence on count 3. The sentence on count 9 commences on 21 December 2031 and ends on 20 September 2032.

On count 15, imprisonment for 8 months, with one month cumulative on the sentence on count 9. The sentence on count 15 commences on 21 February 2032 and ends on 20 October 2032.

On count 16, imprisonment for 7 months, with one month cumulative on the sentence on count 15. The sentence on count 16 commences on 21 April 2032 and ends on 20 November 2032.

On count 5, imprisonment for 6 months, with one month cumulative on the sentence on count 16. The sentence on count 5 commences on 21 June 2032 and ends on 20 October 2032.

On count 6, imprisonment for 6 months, with one month cumulative on the sentence on count 5. The sentence on count 6 commences on 21 July 2032 and ends on 20 January 2033.

On count 7, imprisonment for 6 months, with one month cumulative on the sentence on count 6. The sentence on count 7 commences on 21 August 2032 and ends on 20 February 2033.

On count 8, imprisonment for 6 months, with one month cumulative on the sentence on count 7. The sentence on count 8 commences on 21 September 2032 and ends on 20 March 2033.

On count 10, imprisonment for 6 months, with one month cumulative on the sentence on count 8. The sentence on count 10 will commence on 21 October 2032 and end on 20 April 2033.

On count 11, imprisonment for 6 months, with one month cumulative on the sentence on count 10. The sentence on count 11 will commence on 21 November 2032 and end on 20 May 2033.

On count 12, imprisonment for 6 months, with one month cumulative on the sentence on count 11. The sentence on count 12 will commence on 21 December 2032 and end on 20 June 2033.

On count 13, imprisonment for 6 months, with one month cumulative on count 12. The sentence on count 13 will commence on 21 January 2033 and ends on 20 July 2033.

On count 14, imprisonment for 6 months, with one month cumulative on count 13. The sentence on count 14 will commence on 21 February 2033 and end on 20 August 2033.

On count 17, imprisonment for 6 months, with one month cumulative on the sentence on count 14. The sentence on count 17 will commence on 21 March 2033 and ends on 20 September 2033.

On count 18, imprisonment for 6 months, with one month cumulative on the sentence on count 17. The sentence on count 18 will commence on 21 April 2033 and end on 20 October 2033.

On count 19, imprisonment for 4 months, with one month cumulative on count 18. The sentence on count 19 will commence on 21 July 2033 and end on 20 November 2033.

That gives a total sentence of 9 years and 9 months from 21 February 2024 to 20 November 2033. I imposed a non-parole period of 4 years and 6 months.

I make a forfeiture order pursuant to s 43ZD of the *Crimes Act 1914* (Cth) that the item seized by police is forfeited to the Commonwealth, namely the black Nokia C2 mobile phone, exhibit DC/001.

Anything arising from that, counsel?

You can sit down, Mr Huddleston.

MS HEDGE: No. Thank you for that moment just to check that we had each count. Thank you.

HER HONOUR: I note that given the number of counts and the way that everything has been imposed, if counsel does identify an error in the commencement or ending

dates or something like that, please, let my associate know and it may be able to be corrected under the relevant provision of the *Sentencing Act*.

Mr Huddleston, what that means is I have sentenced you to imprisonment for a total of 9 years and 9 months. I fixed a non-parole period of 4 years and 6 months. That means that you will be eligible to be released from prison after you have served a total of four years and six months. If you are granted parole by the Attorney-General, you will serve the balance of the sentence in the community, subject to the conditions of a parole order.

Your parole will be subject to the condition that you be of good behaviour and not violate any law. The Attorney-General may impose other conditions if appropriate. If you commit another offence or fail to comply with the conditions of parole, if you are granted parole, your parole may be revoked, and you could be required to return to prison to serve out the balance of the sentence.

Thank you both for your assistance in the matter.

Adjourn the court, please.

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