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THE SUPREME COURT OF  
THE NORTHERN TERRITORY

SCC 22407334

THE KING

and

LANCE PLEDGER

(Sentence)

GRANT CJ

TRANSCRIPT OF PROCEEDINGS

AT DARWIN ON TUESDAY 5 NOVEMBER 2024

Transcribed by:  
EPIQ

HIS HONOUR: Mr Pledger, on 11 October 2024 I sentenced you for the offence of using a carriage service to procure a person under the age of 16 years to engage in sexual activity. That conduct was contrary to s 474.26(1) of the *Criminal Code 1995* (Cth).

At the time that sentence was imposed, you were already serving a sentence imposed by the Local Court for the offence of engaging in conduct in contravention of the supervision order which had been made under the serious sex offender legislation. You had been sentenced by the Local Court to a total period of imprisonment for 12 months with a non-parole period of eight months, which was backdated to the time of your arrest on 1 March 2024. As the non-parole period fixed by the Local Court had not yet expired, I purported to fix a single non-parole period across the total sentence.

Counsel have since brought it to my attention that s 19AJ of the *Crimes Act 1914* (Cth) precludes a court from fixing a single non-parole period in respect of both federal sentences of imprisonment and Territory sentences of imprisonment. Accordingly, and with the consent of the parties, I propose to correct the sentence pursuant to s 112 of the *Sentencing Act 1995* (NT) to provide as follows:

- 1) In respect of the federal offence charged by indictment dated 17 July 2024, the offender is convicted and sentenced to imprisonment for 3 years and 4 months, which is to commence on 1 September 2024.
- 2) Pursuant to s 19AB(1) of the *Crimes Act 1914* (Cth), a non-parole period of 18 months is fixed for the federal offence which is to commence on 1 September 2024.
- 3) Pursuant to s 23ZD of the *Crimes Act 1914* (Cth), the Samsung Galaxy mobile telephone seized by police is forfeited to the Commonwealth.

The non-parole period fixed by the Local Court expired on 31 October 2024. That expiry has no bearing on the separate non-parole period now fixed under the Commonwealth legislation for the federal offence.

Now, what all of that means, Mr Pledger, is that your sentence remains effectively the same as the one I imposed on 11 October this year. I have sentenced you to imprisonment for 3 years and 4 months. That 3 years and 4 months is to commence from 1 September 2024, which is 6 months after the sentence imposed by the Local Court commenced. The total period of imprisonment will remain 3 years and 10 months and the total period during which you are ineligible for parole will remain unchanged.

THE ACCUSED: Yep.

HIS HONOUR: What that means, Mr Pledger, is that you remain eligible to be released from prison on parole, should it be granted by the Attorney, from the end of February 2026.

THE ACCUSED: Yep. Just quickly, your Honour, sorry for interrupting.

HIS HONOUR: Yes.

THE ACCUSED: What does it mean by “forfeited to the Commonwealth”?

HIS HONOUR: “Forfeited” simply means that the phone was seized by the Commonwealth and they now take ownership and possession of it.

THE ACCUSED: Roger, okay then.

HIS HONOUR: Yes.

THE ACCUSED: Just quickly, the other thing I wanted to mention during sentencing, I know it is like a little bit late now. You know how you mentioned I had Klinefelter syndrome.

HIS HONOUR: Yes.

THE ACCUSED: I am not actually taking testosterone for that anymore.

HIS HONOUR: All right.

THE ACCUSED: And can you also just quickly, do you know what the anti-libidinal medication name is, by any chance, or will I have to go through medical for that?

HIS HONOUR: Yes. I think Mr Drury will have to make contact with Dr Sullivan and he will have the details.

THE ACCUSED: Yes.

HIS HONOUR: Mr Drury is just making a note there. Can I leave it to you, Mr Drury, to make that enquiry of Dr Danny Sullivan who was the - - -

THE ACCUSED: Forensic scientist.

HIS HONOUR: - - - psychiatrist who did the report to find out the name of that anti-libidinal medication that he referred to.

MR DRURY: Yes, your Honour. And I have already discussed it with Mr Pledger, we will write him a comprehensive letter outlining the changes today.

HIS HONOUR: All right.

MR DRURY: And we will include as well for your Honour.

HIS HONOUR: All right, thank you for that, Mr Drury.

THE ACCUSED: Thank you, your Honour.

HIS HONOUR: Yes, anything from the Crown, Mr Moore?

MR MOORE: No, thank you, your Honour.

HIS HONOUR: Yes. And Mr Drury, anything from the defence?

MR DRURY: Nothing arising, your Honour.

HIS HONOUR: Yes, thank you very much for your assistance counsel and your attendance here today.

Adjourn the court, please.

THE ACCUSED: Thank you.

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