

Good Character in Sentencing

Dear NSW Sentencing Council,

NAPCAN is writing to express our strong concern regarding the continued use of "good character" references as a factor in sentencing individuals convicted of child sexual abuse. We believe that considering these references in these cases is not only inappropriate but fundamentally flawed, as it fails to align with the gravity of the offense and the principles of justice that should guide sentencing decisions. This approach completely disregards the power imbalance between the perpetrator and the victim, failing to recognise the exploitation and manipulation that can occur in these situations.

Morally, it is impossible to reconcile the notion of being a "good" person with the act of sexually abusing a child. Unfortunately, many offenders use their perceived "good character" to manipulate others and further their abusive behaviour. In the case of Ashely Paul Griffith,¹ a Gold Coast man sentenced to life imprisonment for rape and sexual assaults at childcare centres,² we see how offenders often use their "good character" to manipulate others and hide their abuse. Griffith appeared to be a trusted member of the community working with children, but used that image to cover up his harmful actions. Griffith leveraged these positions to present himself as a reliable and trusting individual, which he used to conceal his behaviour. Relying on subjective views rather than concrete evidence can lead to devastating consequences. We know that when children disclose abuse, they should be believed. Our focus must be on strengthening how we accept and prioritise children's testimony, rather than giving weight to character references from individuals who, more often than not, have been manipulated by a highly deceptive perpetrator.


The impact of "good character" references extends far beyond the offender. They significantly harm the victim-survivors by creating doubt about the legitimacy of their experiences. When a convicted offender is presented as a "good person," it undermines the survivor's credibility and may cause them to question the validity of their own experience. This can silence survivors, stopping them from coming forward and seeking justice, allowing the offender to stay in a position of power where they can continue to harm others.

The emotional and psychological impact of these references on survivors is deeply painful. They diminish the reality of the abuse and wrongly suggest that the abuser's "good deeds" somehow cancel out the harm they've caused. This belittles the survivor's pain and unfairly equates the abuser's actions with their so-called contributions to society.

¹ Australian Broadcasting Corporation (2024, September 2). Ashley Paul Griffith pleads guilty to sexual abuse of children:
<https://www.abc.net.au/news/2024-09-02/ashley-paul-griffith-pleads-guilty-sexual-abuse-children/104299284>

² Australian Federal Police (2023, February 14). Gold Coast man sentenced to life imprisonment for rape and sexual assault charges:
<https://www.afp.gov.au/news-centre/media-release/gold-coast-man-sentenced-life-imprisonment-rape-and-sexual-assaults>

Good Character in Sentencing



NAPCAN strongly advocates for the elimination of "good character" references in the sentencing process for child sexual abuse cases. This practice serves to protect the offender and perpetuate harm against the victim-survivor. The focus should be on the seriousness of the crime, the impact on the survivor, and the need for justice and accountability.

As adults, it is our responsibility to safeguard children, and when the duty is neglected, we must ensure that no further harm is inflicted. In these cases, where harm has already occurred, the consideration of a "good character" reference serves no legitimate purpose, especially not for the interests of children. When we prioritise children in our decision-making processes there can be no justification for allowing these references to influence sentencing. It is imperative that we act with greater care and commitment to ensure the safety and well-being of children comes first. When we disregard the voices of children, we fail in our fundamental duty to protect them, an unacceptable failure for any society.

We appreciate your consideration of this important issue and hope for a commitment to prioritising the safety and well-being of children, as well as the dignity and credibility of those who have experienced abuse. Please note, we are strongly committed to working to ensure young people's voices are represented in these discussions, and this letter has been guided by the voices of young people who work with NAPCAN.

Kind Regards,

Leesa Waters - Chief Executive Officer

Zahra Al Hilaly - Policy and Campaign Strategist