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Prosecutor blasts Army over handling of sex offence, not stopping sergeant's behaviour

By Jesse Dorsett

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The Army's handling of a sex crime within its ranks has been slammed by the Northern Territory crown prosecutor, who noted the sergeant's superiors did not stop his behaviour.

Former sergeant Shawn Macey, 35, indecently assaulted three women he worked with at Robertson Barracks near Darwin before he resigned in 2013.

In one case, Macey grabbed the breasts of a pregnant woman sitting at her office desk.

He pleaded guilty to several counts of aggravated indecent assault in 2013 but [attempted to withdraw the plea](#) when he was informed about the NT's mandatory sentencing laws.

Chief Magistrate John Lowdnes rejected the application to withdraw the plea on Friday after a three-day hearing.

Under section 78 of the Northern Territory Sentencing Act, if a person is found guilty of a sexual offence - which includes aggravated indecent assault - that person must go to prison.

Mr Macey will be sentenced on Monday.

CASE REFLECTS POORLY ON AUSTRALIAN ARMY: PROSECUTOR

In his closing remarks, NT prosecutor Ian Rowbottom said the case reflected poorly on the Australian Army that his superiors did not stop this behaviour, although they were not aware of it at the time.

He reflected on evidence from an Army major who told the court she would not report the indecent assault if it happened to her.

Mr Rowbottom said the court should not condone the Army's attitude when sentencing Macey.

He said he held a disciplinary position within his unit and had not shown any remorse.

Macey's lawyer, Julia Ker, argued the Magistrate should exercise his discretionary powers set out in mandatory sentencing laws.

She said his behaviour was an "accepted" way "of personnel interacting with each other".

Ms Ker presented a psychiatrist's report that showed Macey suffered from post traumatic stress disorder.

She said the condition had been caused by "certain situations he's been exposed to in the armed forces".

Macey resigned from the Australian Army in 2013.

Ms Ker explained her client must provide for his wife and two children and that a prison term would cause hardship on the family.

Macey's wife sobbed during Friday's hearing.

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