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# ADFA cadet faces trial accused of raping student

Alexandra Back

An Australian Defence Force Academy cadet allegedly raped a Canberra university student after they began a consensual sexual relationship, a court heard on Monday. The student says she told the cadet what sexual acts she was not comfortable with and that he failed to respect her boundaries.

But lawyers for 22-year-old Sebastian Crago Ellis told the ACT Supreme Court jury at the opening of the man's trial that the cadet denied any non-consensual sexual activity and that he had respected her refusals.

Mr Ellis and the Australian National University student met in 2016 through a mutual friend. The court heard the two 20-year-olds struck up a friendship that became more than platonic.

But after an incident in a Canberra nightclub, and then a second incident in the cadet's room at ADFA, the woman reported Mr Ellis to police. He was later charged with six alleged sexual offences including rape and attempted rape. Mr Ellis has pleaded not guilty.

On June 25, 2016, Mr Ellis and the woman, who cannot legally be identified, ran into each other at Civic nightspot Mooseheads, the court heard.

They kissed while dancing in the club's basement. In a video recording of her interview with police played to the court, the woman said Mr Ellis tried to undo her pants and grope her genitals on the dance floor. "I kept trying to stop [him] and he wouldn't," she said. She said she sucked on his lip until it hurt him and he walked away from her.

They continued to talk on social media after the alleged incident, the court heard. He later apologised and one evening brought food to her at home, where she gave Mr Ellis a massage.

On July 24, the pair ran into each other again at Mooseheads. They kissed again, and at about 3am Mr Ellis asked if she wanted to go home. She said yes, but that she had a latex allergy and so they had to go to her home where she had latex-free condoms. They decided to get a taxi, and Mr Ellis suggested they go back to ADFA. "Sure," she said she told him, "but if we go back to ADFA we're not having sex."

Once back at his room, the woman said Mr Ellis took his clothes off to get into bed. She got into bed with him with her underwear on.

She said they kissed and started consensual sexual activity, and that she gave him oral sex. She said Mr Ellis then tried to insert his penis inside her vagina. "I snapped and I got off him ... and I said to him, 'What are you doing?'" She said she had told him that they were not going to have sex. "I'm really not happy with this," she said.

She said he apologised, and she accepted his apology. But she said after further sexual activity he inserted his finger into her anus and tried to do the same with his penis. "I was like, I'm not comfortable with this," she said. She told the court she had previously told him that she was not interested in anal sex.

She said she told Mr Ellis: "You're obviously not listening to me and you're obviously not respecting my boundaries."

"Boys will try to test the limits sometimes, sadly," she told the police in her interview.

She said she was angry, and rolled over to go to sleep. Mr Ellis allegedly said: "I'm not done." It's alleged Mr Ellis sat on top of the woman and ejaculated onto her chest while she tried to wriggle out from underneath him.

"The Crown says there were sexual acts that took place ... that they occurred without her consent and this lack of consent was known to the accused," prosecutor Rebecca Christensen said in her opening address to the jury on Monday.

Defence barrister Stuart Littlemore QC said in his opening address that every sexual act that took place was with the consent of both parties.

He said Mr Ellis had asked non-verbal "questions" of the woman while they were being intimate.

"[On] occasions she said no, or she was not comfortable, there was no attempt to go further," he told the jury, "he respected her refusal.

"If this fit, strong man wanted to have sexual intercourse with a slight, 20-year-old woman, it would have happened," he said. "It never got as far as an attempt."

Mr Ellis, who is from Melbourne, is charged with two counts of attempted rape, one rape, two acts of indecency without consent and one act of indecency in the third degree. He has pleaded not guilty to each count.

Justice John Burns also addressed the jury on Monday, warning the seven women and five men that they should not do their own investigations of the case and also to put any media reporting out of their mind when coming to their verdicts.

The trial continues.

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### ADFA cadet Sebastian Ellis acquitted of rape, jury yet to decide on alleged indecent acts

By [Elizabeth Byrne](#)

Posted yesterday at 4:29pm Fri 23 Mar 2018, 4:29pm



**PHOTO:** The jury is still considering two charges against Sebastian Ellis. (ABC News)

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The jury in the trial of an ADFA cadet in the ACT Supreme Court has acquitted him of four charges, including rape and attempted rape.

The verdicts came as the crown wrapped up its case against Sebastian Crago Ellis, 22.

But the jury asked that the trial continue to consider two other charges, related to alleged acts of indecency.

Mr Ellis is accused of sexually assaulting a woman in his room in July 2016.

The jury has asked to listen to the complainant's police interview for a second time.

The woman has admitted she consented to some sexual acts, but alleged Mr Ellis did things she had expressly told him she did not want to do.

Key evidence in the case includes a covert recording of a conversation between the pair after the incident, as well as Facebook messages.

Mr Ellis's lawyers have told the jury that when the woman said no, his client stopped, and there was no offence.

**Topics:** [sexual-offences](#), [law-crime-and-justice](#), [canberra-2600](#), [act](#), [australia](#)

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Source: <http://www.abc.net.au/news/2018-03-23/adfa-cadet-acquitted-rape-jury-other-charges-pending/9582168>

# 10 NEWS

## 10 NEWS

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# ADFA cadet Sebastian Ellis cleared of all sexual offence charges

By Narda Gilmore

Updated 13 minutes ago Wed 28 Mar 2018, 10:50am



**PHOTO:** Sebastian Ellis (centre) had already been acquitted of rape charges. (ABC News)

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An ADFA cadet accused of rape, attempted rape and indecent assault has been cleared of all charges, after earlier being acquitted of the most serious alleged offences.

The charges were brought against Sebastian Crago Ellis, 22, after several incidents with a woman he had a sexual relationship with.

In one instance, he was accused of attempting to do things to the woman she had previously ruled out during an encounter that began as consensual.

In another instance, Mr Ellis was accused of repeatedly groping the woman in a nightclub.

On Friday [a jury acquitted Mr Ellis of the rape and attempted rape charges](#), but continued to hear evidence about some charges, stemming from an alleged incident where Mr Ellis ejaculated on the woman.

Today the jury found him not guilty of the remaining charges.

Key evidence in the case included a conversation afterwards that the woman secretly recorded.

In the tape Mr Ellis can be heard repeatedly apologising, calling it "the worst thing" he had ever done.

Outside court after the acquittal, Mr Ellis said he "looked forward" to putting the trial behind him.

"I've done nothing wrong, I have nothing to hide, and I'm glad that my name has finally been cleared," he said.

**"This has been the most stressful two years of my life, for myself and my family.**

"Now that this is over, I can't wait to get on with my life and my career in the army."

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Source: <http://www.abc.net.au/news/2018-03-28/adfa-cadet-sebastian-ellis-cleared-in-rape-case/9596350>