

Ernest (Ernie) James Barry

The court case involving Ernie Barry on 25th January 2011 was brief and the defendant did not appear in person. The magistrate set a new date for a future plea hearing (Case No. A13163708).

Barry received five charges for indecent assaults on one victim. The matter was adjourned to 19th May at Morwell for a plea of guilty.

Case Number: A13163708

Case Date: 19 May 2011. 11:00 AM

Prosecuting Agency: Victoria Police

Informant: Lambert, L

Accused: Barry, Ernest James

Accused Representative firm name: Not Represented

Hearing Type: Plea Guilty

Prosecutor Representative Name: Not Represented

Plea: No Plea Taken

Location: Latrobe Valley Magistrates'

Ernie Barry was convicted and sentenced to six months jail. The conviction relates to multiple offences of sexual abuse of a child while Ernie Barry was a senior worker in Vic/Tas. His barrister immediately appealed the sentence and Ernie Barry was released on bail. Ernie Barry was supported in court by members of his family and others, including at least one worker.

The Magistrate advised that he had the option of giving a 12 month sentence, however had reduced it to six months on the basis that the defendant had made an early guilty plea, had attended counselling sessions, had no prior convictions and had expressed remorse and in the Magistrate's opinion was unlikely to re-offend.

The only evidence that could be produced in Court was that from the one victim who was prepared to make a formal complaint. The Magistrate was therefore unaware that there were a series of allegations against Ernie Barry that would have painted a picture of a serial offender.

Ernie Barry had his appeal heard Monday 12th December 2011.

His Psychologist Ms Northy provided a submission in the appeal process. Her diagnosis was that Mr Barry was not considered a pedophile because it was only an "isolated incident" as there was only evidence of the one victim.

The judge confirmed the 6 month gaol sentence originally handed down, but the sentence was wholly suspended for 2 years.

Ernie Barry was ordered to continue seeing his therapist for ongoing counselling / treatment.

The judge also ordered that his name be entered onto the register of sexual offenders and remain there for a 15 year term.

Ernie Barry was supported in court by members of his family and by David Leitch.