**ANONYMISED AND ADAPTED FOR EDUCATIONAL PURPOSES**

**IN THE COUNTY COURT AT MELBOURNE**

**CRIMINAL JURISDICTION**

Indictment Number:

CR-ZZ-QDTW

THE DIRECTOR OF

PUBLIC PROSECUTIONS

V

DARCY PARER

**OUTLINE OF SUBMISSIONS ON PLEA**

**Personal History**

The personal history of the defendant is related in the psychologist report of Mr Quigly which has been filed with the Court. The salient features are:

* He is 51 years old and has no prior convictions.
* His upbringing was unremarkable. He obtained tertiary qualifications and ultimately worked as a teacher and later, in sports management, for a company and on his own account before commencing work with Club Coach.
* His first marriage disintegrated after 11 years in 2006 at which stage he had three young children. (The circumstances were particularly distressing).
* The breakup of the marriage occurred at a time of severe financial difficulties which persisted for a number of years.
* This period of his life was marked by depression which became particularly intense from 2006 onwards. He continues to experience “transient bouts of suicidal ideation”. It is likely that he was suffering from an adjustment disorder with depressed mood.
* He has now remarried and is in a fulfilling relationship with a lady who has two children. He is working as a business development manager.

References filed with this submission and evidence to be called on the plea will indicate that the applicant has made significant contributions to the community by taking on voluntary organisational and coaching roles with schools and sporting clubs.

The defendant continues to have a close association with his children. ~~T~~he defendant’s daughter has been battling major depression. The defendant is closely involved with her treatment which focuses on family-based therapy supervised by a Hospital.

**Matters Relied on in Mitigation**

* No prior convictions, no police history.
* Acknowledged guilt from the outset. Plea of guilty at earliest opportunity.
* Unconscionable delay of over 5 ½ years arising from a delay in lodging a complaint and a delay in charging.
* Significant restitution was made before charges were laid.
* Most of the misappropriated funds were applied to paying employees of the defrauded organisations.
* At the time of the offences the defendant was suffering from significant depression arising from dire financial and domestic circumstances.
* If the defendant were to be incarcerated it would cause unwarranted personal and family hardship. Exceptional circumstances exist by virtue of his daughter’s condition and circumstances.
* The prospect of the defendant reoffending is remote.

**Disposition**

It is submitted that the imposition of a Community Correction Order is the appropriate disposition.

**Plea Duration.**

It is anticipated that the plea will occupy approximately two hours.