

Media Release

The Hon Martin Pakula MP
Attorney-General
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NEW LAWS TO PROTECT AGAINST CHILD ABUSE

The Andrews Labor Government today introduced new legislation to strengthen existing sexual offence laws to better protect children from abuse.

The Crimes Amendment (Sexual Offences) Bill 2016 will reform more than 50 offences, completing a process that began in 2010 as part of the Victorian Government's overhaul of sexual offence laws.

The proposed laws will address offences that have failed to keep up to date with changes in technology and subsequent new ways of offending – including new offences that will apply regardless of whether the offence occurs in person or using the internet.

Under existing laws, the offence of committing an indecent act in the presence of a child only applies if the child is physically present with the accused. New legislation will include offences that apply to a person using digital technology, such as Skype or Snapchat.

The legislation will also replace the term child pornography with child abuse material to more accurately reflect the nature and harm caused by this material.

The new definition includes the depiction of a child as a victim of torture, cruelty or physical abuse, irrespective of whether it is sexual to cover violent and sadistic depictions of children.

The changes also introduce new offences of distributing child abuse material and accessing child abuse material, both of which will carry a maximum penalty of 10 years' imprisonment.

The laws will provide extra protection for people with a cognitive impairment or mental illness who are particularly vulnerable to coercion or abuse.

Currently, these offences apply to service providers in more formal settings, such as a facility or institution. The legislation will broaden these offences so that they also apply in a home environment or community setting.

The reforms will apply to a range of other sexual offences, including sexual servitude, loitering and incest.

Quotes attributable to Attorney General Martin Pakula

"This is a comprehensive overhaul of the state's sexual offence laws to keep Victorians safe."

"Many of our current sexual offence laws are incomplete, too complex and use outdated language. These amendments will make our laws clearer and better understood, assisting juries in criminal trials."

"We're giving Police the legislative changes they need to deal with offences that are increasingly taking place through modern technologies."