

Media Release



The Hon Martin Pakula MP
Attorney-General
Minister for Racing

Tuesday, 4 August, 2015

NEW LAWS TO COMBAT CHILD PORNOGRAPHY OFFENCES

New laws introduced in Parliament today will make it easier to prosecute and investigate online child pornography offences in Victoria.

Attorney-General Martin Pakula said easy access to the internet and advances in technology have made sharing and distributing child pornography online more prevalent, and these reforms to the *Crimes Act 1958* will ensure the law responds effectively.

The Crimes Amendment (Child Pornography and Other Matters) Bill 2015 will increase the maximum penalty for possessing child pornography to 10 years' imprisonment, and will introduce three new child pornography offences that make it an offence to:

- administer a child pornography website
- encourage use of a website to deal with child pornography, and
- provide assistance to another person about avoiding apprehension for a child pornography offence.

The reforms will allow the prosecution to use samples of evidence in proceedings for child pornography offences, so that people involved in the investigation and prosecution process, such as police, lawyers and judges, do not have to view high-volumes of child pornography evidence, which can be highly traumatic.

The reforms restrict an accused from personally inspecting evidence that is child pornography unless a court otherwise orders, although their lawyer will continue to be able to inspect the evidence in accordance with existing practices.

Magistrates will be given power to issue search warrants that allow police to direct a person to provide access to evidence that is held on a computer, for example, compelling the owner of the computer to give them the computer password.

The reforms have been developed in consultation with legal stakeholders.

Quotes attributable to Attorney-General Martin Pakula

"The new legislation sends a clear message to anyone considering committing these child pornography offences that the internet is no longer an anonymous domain for their abhorrent crimes."

"This bill will modernise Victorian laws to make the investigation and prosecution of online child pornography offences in this state more effective."

"The proliferation of child pornography is a significant issue confronting law enforcement agencies worldwide. The Government is taking action to combat online child abuse."