

**Office of the Information Commissioner**  
Queensland

7 September 2018

Mr Peter Russo MP  
Chair, Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

By email: [lacsc@parliament.qld.gov.au](mailto:lacsc@parliament.qld.gov.au)

Dear Mr Russo

**Criminal Code (Non-consensual Sharing of Intimate Images) Amendment Bill 2018**

The Office of the Information Commissioner (OIC) welcomes the opportunity to contribute to the Committee's consideration of the Criminal Code (Non-consensual Sharing of Intimate Images) Amendment Bill 2018.

Queensland's *Information Privacy Act 2009* (IP Act) provides a framework for requiring government entities to deal with personal information in accordance with privacy principles. However, no comparable responsibilities are imposed on individuals.

To date, an individual's obligation to respect another's privacy with respect to intimate images has, in practical terms, fallen into a gap in the legislative framework. Although victims of this type of abuse have come to the OIC for assistance infrequently over recent years, distressed, angry, and vulnerable victims have had little or no recourse for redress or rectification.

Unequivocally, the need to provide some measure of privacy protection to a person depicted in an intimate image is essential. This is especially so in the context of a growing social acceptance of the taking of intimate images, the pervasive use of social media platforms and the ability for images to be instantaneously broadcast to a potentially unlimited audience.

This bill is likely to provide legal clarity for victims, perpetrators and law enforcement. OIC welcomes this reform and these provisions for their potential to discourage this malicious behaviour, hold perpetrators responsible for their actions, and provide some means of rectification for victims.

The OIC supports this vital, privacy-enhancing legislative reform and the content of the bill.

Yours sincerely



Rachael Rangihaeata  
Information Commissioner



Phil Green  
Privacy Commissioner



Level 7  
133 Mary Street  
Brisbane Q 4000

PO Box 10143  
Adelaide Street  
Brisbane Q 4000

Phone (07) 3234 7373  
[www.oic.qld.gov.au](http://www.oic.qld.gov.au)

ABN: 70 810 284 665

ie Office of the  
formation  
ommissioner is an  
dependent statutory  
thority.

ie statutory functions  
the OIC under the  
formation Privacy Act  
109 (Qld) (IP Act)  
clude commenting on  
e administration of  
ivacy in the  
jeensland public  
ctor environment.

is submission does not  
present the views or  
inions of the  
jeensland  
overnment.