



Speech By **Kim Richards**

MEMBER FOR REDLANDS

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CRIMINAL CODE (NON-CONSENSUAL SHARING OF INTIMATE IMAGES AMENDMENT BILL

 **Ms RICHARDS** (Redlands—ALP) (11.59 am), continuing: I restate my thanks to the Red Rose Foundation and the Centre Against Sexual Violence for their submissions on this bill. The work they do every day in my community, tackling the scourge that is domestic and family violence, is just incredible. Both of their submissions talked about how images can be used as a vicious tool to perpetrate domestic and family violence.

This legislation is excellent news at it contains really proactive steps to penalise perpetrators. It will now be an offence to distribute intimate images without consent. There are two new offences of making threats to distribute intimate images or prohibited visual recordings. There are also provisions to enable courts to make rectification orders. That will empower sentencing courts to direct offenders to remove and delete intimate images or prohibited visual recordings.

The new offence of distributing intimate images without consent prohibits the distribution of intimate images of another person without that person's consent and in a way that would cause the person distress reasonably arising in the circumstances. The maximum penalty for this offence is three years imprisonment. This is a really significant deterrent. Defences are included to provide protections for the new offence where distribution of the intimate image is for genuine artistic, education, legal, medical, scientific, public benefit or law enforcement purposes. These defences are consistent with other legislation in this space.

The new offences of making threats to distribute intimate images or prohibited visual recordings criminalise threatening to distribute intimate images of another person. Again, I think that is really important because, even though the damage is done once images are up and live, having that threat hanging over you is dreadful and causes victims terrible distress. I had a conversation with Betty Taylor in this regard and she gave me some examples.

The bill creates two threat offences: one that will apply when a threat is made to the person depicted in the image and the other that will apply where a threat is made to a person who is not the subject of the image. The latter offence would, for example, capture an ex-partner threatening a person's new partner or a person's family members with the distribution of an intimate image. The penalty for both of these offences is three years imprisonment. Rectification orders are really important. They allow the justice system to get that material down.

This is really important legislation that addresses the societal changes that technology has brought about. Technology continues to disrupt our society. It is really important that our legislation keeps up with where technology is taking us. This legislation has been designed to deal with the harm caused by the publication and sharing of intimate personal images. As we have heard in all of the contributions to this debate, significant damage can be caused to that individual. It is with pleasure that I commend this bill to the House.