

## Question on Notice

No. 518

Asked on Wednesday 19 April 2006

**Mr HORAN** asked the Minister for Justice and Attorney-General (Mrs Lavarch) -

QUESTION:

With reference to the Criminal Code (Child Pornography and Abuse) Amendment Act 2005 which commenced in March 2005—

- (1) How many people have been charged with offences under that legislation?
- (2) How many convictions were recorded and what was the sentence imposed?
- (3) How many people were acquitted through the 'artistic' exemption [Section 228E(2)]?

ANSWER:

- (1) Defendants within the Court's criminal information system have been matched using surname and first name. Since the introduction of the Criminal Code (Child Pornography and Abuse) Amendment Act 2005 in March 2005, and as at 11 April 2006, 87 defendants have been charged with offences under the legislation.
- (2) As at 16 May 2006, eight defendants have been proven guilty and all defendants had a conviction recorded. One defendant was sentenced to twelve months imprisonment suspended after serving three months, one defendant was sentenced to three months imprisonment and a probation order, one defendant was sentenced to a community service order, two defendants were sentenced to twelve months imprisonment (totally suspended), and three defendants were sentenced to nine months imprisonment (totally suspended). 77 defendants were, as at 16 May 2006 still before the Courts.
- (3) While the Court's criminal information system does not capture details of defences available to defendants charged with criminal offences, of the ten defendants finalised, eight pleaded guilty and two had their charges dismissed in the Magistrates Courts.