

CORRECTED VERSION

LAW REFORM COMMITTEE

Inquiry into sexting

Melbourne — 7 August 2012

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Mr M. Boulat,
Mr A. Hatwal,
Ms E. Zoppos, and
Ms M. Glyde, Youth Advisory Group to the Office of the Victorian Privacy Commissioner.

The CHAIR — Welcome everybody. My name is Clem Newton-Brown. I am the chair of the Law Reform Committee. Just to give you a bit of background, we are a cross-party committee set up by Parliament to provide advice to the Parliament to look at changes to laws. We are given references by the Attorney-General. This is the second reference we have been given, and it is to look into the laws around sexting. The process is that we call for people to give submissions to us — and thank you very much for giving your written submission. Some of the people we invite to come in and talk to us in person, which gives us an opportunity to ask some questions and get some more information about particular issues that we want to cover in more detail.

That all gets put into a report which we write. That will be at the end of the year, and early next year we will table the report in the Parliament. In that report we will make recommendations on what we see as being suitable changes to the law in this area based on what we have heard. The government then has six months to respond to that report and may or may not take up the recommendations that we make. This is certainly an issue that has some profile, and it was as a result of the profile that — I think it was the *Sunday Age* that wrote an article about a case that you would be aware of — the Attorney-General has asked us to look at holding this inquiry.

Thank you very much for your participation. First of all I need to say that you are protected by parliamentary privilege here, which means that you cannot be sued for anything you say in the room, but that does not apply outside the room. Please be aware of that. There are journalists who are following the proceedings and you may be asked to comment. Please be aware that you do not have that parliamentary privilege outside the room. We record everything.

Could you start by each giving your name and address — your professional address is okay — and then launch into what you want to tell us. Let us start with you, Eloise.

Ms ZOPPOS — Good morning, members of the committee. My name is Eloise Zoppos.

Ms GLYDE — My name is Megan Glyde.

Mr HATWAL — My name is Aishwarya Hatwal.

Mr BOULAT — My name is Marcel Boulat.

The CHAIR — Could you start by telling us what the Youth Advisory Group is and how it fits in?

Ms GLYDE — The Youth Advisory Group was set up in 2009 by Privacy Victoria with the aim of forming a group of young people who could inform and see what work the office does in raising awareness about protecting personal information. Our focus is on helping the office do that for young people in Victoria — that is: assisting it in developing campaigns that would target and attract young people, developing ways to engage young people and helping them to protect their personal information.

The CHAIR — Are you a voluntary group, or part-time, just called on on an occasional basis?

Ms GLYDE — Yes, called on as required.

The CHAIR — How are you selected?

Ms GLYDE — Initially we advertised that the group was being set up. We asked for respondents and they had to write a short statement about how they were connected with privacy, why they were interested in joining the group and just a bit about them as well.

The CHAIR — And are there only four of you on it, or are there more?

Ms GLYDE — No. We started off with 16 initially, and now we work with a core group of maybe about 6 to 10, I think.

The CHAIR — In relation to the evidence that you have given in your submission and the evidence you are giving here today, is that the view of the group, or is it the view of individuals who will be giving that evidence?

Ms GLYDE — They are of the group, so they are from the discussions we have had in our meetings — which we have usually four times a year — and are based on the survey we have conducted as well.

The CHAIR — How do you want to do this? Have you got a plan for how you are going to proceed?

Ms GLYDE — We have a short presentation to start off with.

Ms ZOPPOS — I will be starting the presentation today. Good morning committee members. As you know, I am Eloise Zoppos. On behalf of the YAG, as we call ourselves — that is, the Office of the Victorian Privacy Commissioner's Youth Advisory Group — I would first like to thank you for your invitation to speak at the hearing today. In presentation order we have representing the YAG today, myself, Eloise Zoppos. We have speaking then Aish Hatwal, following that we have Marcel Boulat and we have Megan Glyde to end our presentation.

As Megan said, our presentation today is based on the opinions of the YAG as a whole, and it supplements our submission to the Victorian Law Reform Committee and reports on a survey conducted by the YAG which examined the opinions and experiences of sexting amongst predominantly Victorian youth. Our presentation today covers survey design and responses; incidence, the prevalence and nature of sexting in Victoria; and the extent and effectiveness of existing awareness and education, with an emphasis throughout the presentation on the results of our survey. Our presentation will conclude today with some final comments on our opinions on the appropriateness of current legislation along with our recommendations.

Broadly, the survey we conducted asked young Victorians whether they have engaged in the act of sexting — both sending and receiving sexts — and their opinions on the legal aspects of sexting, including whether sexting is against the law and what they think penalties for sexting should be. The survey ran from November 2011 to May 2012 and elicited a total of just over 1000 respondents.

The CHAIR — Could I just ask a question — did your survey come about in anticipation of presenting the findings at inquiries such as this, or was it something that you decided needed to be looked at?

Ms GLYDE — We were between projects. We had finished a campaign earlier in the year and then we heard that the inquiry had been announced.

The CHAIR — The Victorian inquiry? This inquiry?

Ms GLYDE — Yes, this inquiry, and we thought our next project could be devoted to doing the survey to get some research that would be useful.

The CHAIR — That is great. Thank you very much for making that decision.

Ms ZOPPOS — No problem. Before we get into the results of our survey, we would just like to note that considering this survey was not subject to rigorous testing — for example: we did not have a pilot survey — the survey cannot be considered a scientific undertaking. Additionally, as the sample was self-selecting and voluntary, the sample in our survey is not representative of all young Victorians. Furthermore, it was not possible to verify details such as the age of participants; however, the anonymity inherent in the survey design most likely minimised any occurrence of respondent dishonesty. While the limitations that I have discussed, among others, mean that strict conclusions cannot actually be drawn from the data, the survey did fulfil its objective — which was seeking a wide range of youth views on the issue of sexting — and it provides the strong data which has informed our submission.

A total of 1012 participants began the survey, and the sample comprised 614 females and 398 males. Participants ranged in age from under 10 years to over 26 years, with the majority of participants — that is, roughly 50 per cent — aged 10 to 15 years. Participants in the survey reported predominantly residing in rural or country Victoria and suburban Melbourne. The remainder of participants reported living in Melbourne's CBD or elsewhere in Australia, and five participants reported living outside of Australia.

The results of the survey were surprising, and at times for the group I think they were a little bit concerning. For example, while the results suggested a significant number of young people have engaged in sexting and the results demonstrated the existence of a sexting subculture, they also revealed that almost half of 10 to

25-year-olds are unsure about the legality of sexting, which was quite concerning considering the prevalence of sexting that came out of the survey.

The survey results reported by the YAG in the submission and in our presentation today highlight and emphasise the fact that sexting is a complex and multilayered issue that needs to be at least partially addressed by implementing more effective and widespread education and information initiatives. These points will be discussed in the remainder of our presentation today.

I will now hand over to Aish, who will discuss the incidence, prevalence and nature of sexting in Victoria with regard to our survey results.

Mr HATWAL — Thanks, Eloise. Good morning, committee members and ladies and gentlemen. First of all I would also like to thank you for the opportunity to present today. Just as a bit of an introduction, my name is Aish, and as Eloise mentioned, I am a fourth-year medical student and I have been part of the Youth Advisory Group since its inception in 2009. I will be talking a little bit about the results of the survey that we conducted and the prevalence and the nature of sexting in Victoria.

As you are all aware, there has been a lot of media coverage recently about the issue, but the nature of sexting still remains largely unclear. That is why we decided to submit a report to the inquiry and why we conducted this survey. One of our aims was to determine the prevalence and the nature of sexting in the state.

As we have already mentioned, we received more than 1000 responses, with nearly 200 additional comments, which clearly highlighted to us that sexting is both relatively well known and prevalent in Victoria. I have some numbers for you — you have the report there with you. Overall 38.64 per cent of the respondents to the survey reported that they had engaged in sexting in some form or another, so they had either sent a sext or received one. After that we were able to break up the data into age groups.

We found that the older the respondent, the more likely they were to engage in sexting. The majority of our respondents were in the 10 to 15-year-old age group, and the prevalence of sexting in this group was around 20 per cent. However, the prevalence did jump up quite a bit in the 21 to 25-year-old age group, and went up with age generally. In this group — the 21 to 25-year-old age group — we found that 49 per cent of the respondents had sent at least one sext, and 54 per cent had received one; so they are quite high numbers. The numbers did tail off in the 26-plus age group, which is perhaps due to the lower uptake of sexting in the more mature young adults.

You can see from these numbers that sexting is prevalent in all the age groups, but the other aim for us was to quantify the nature of sexting. This was slightly harder, but our data showed that people are more likely to receive a sext than to send one, but there was still a significant proportion of respondents who said that they had both sent and received a sext. To us that suggested that for the majority of people engaged in sexting it was an interactive exercise.

The CHAIR — Does the fact that you are more likely to receive than send a sext mean that there are single images which have been sent to multiple recipients? Would that explain why there is more — —

Mr HATWAL — Are you referring to the kind of viral texting or forwarding data?

The CHAIR — Yes. Would that explain why more people say they receive it?

Mr HATWAL — That could be part of the reason, yes. And then later on we will refer to the actual numbers of those who said they had forwarded sexts. Just for your information, about 2.15 per cent of the respondents — or 21 out of 1000 odd — reported that they had actually forwarded a sext, so it was actually quite a small number who officially reported that in the survey. The 200 comments we received here were actually quite insightful. After reading the comments it was evident that the issue was quite controversial — otherwise we would not be here today — and it really polarised opinions of the respondents. The responses were highly divided and quite varied.

The opinions generally ranged from those who viewed sexting to be a devastating exercise with severe consequences to people who believed sexting ought to be legal between two consenting adults. I would just like

to highlight some of the comments of those who view it as a negative practice. One respondent had this to say, and I quote:

It's wrong, I feel violated even if it's not me. Young girls are being pressured into this, it's the truth and dare games gone viral. There needs to be more advertising about it and how wrong it is. It makes the boys feel like they have power over us. It scares me. My friend who had the pictures taken laughed but she actually feels really scared and like someone has stolen something special to her. It's so wrong.

So you can see they are quite strong words there. On the other hand, another respondent with a neutral view wrote this:

I share photos of myself with my boyfriend of a number of years and he sends me photos too. I believe this is both appropriate and normal. I would, however, never send a picture like this to someone I did not trust.

So from these two responses we can see they are two different views from two different people who are engaged in sexting either directly or indirectly.

Another major theme from the comments was the difficulty in drawing a line between the sharing of seemingly innocent photos and child pornography. Once again I will give you an example. One of the respondents wrote:

I and my child wear our swimwear at public pools and beaches — is it going to be criminal to take a photo of these happy family occasions and to share such photos with family and friends?

For many of the respondents the answer to this question seemed to be the intent rather than the content of the sexts that really mattered.

Although most of our comments were varied, one area where the majority of opinions was uniform was in regard to viral sexting, which we referred to earlier — that is, the sending or forwarding of a sext to a third party who is someone other than the originally intended recipient. Unsurprisingly, in view of such strong opinion against this viral sexting, as I mentioned earlier, only 2.15 per cent of the respondents reported having forwarded a sext of any nature to a third party.

So we can see from the statistics here that the practice of sexting is quite prevalent in the state and the opinions of young people on the issue are quite divided and varied. Even though you could expect this of such a controversial topic, it could also reflect the lack of education and awareness regarding sexting and its potential consequences.

With that, I will hand over to Marcel, who will talk more about the existing awareness and education about the issue and its social and legal ramifications.

Mr BOULAT — Thanks, Aish. Hello, ladies and gentlemen. I am also a fourth-year medical student. I have also been here since 2009 and am good friends with Aish. As Aish mentioned earlier, basically the survey revealed that about 50 per cent of respondents under the age of 25 understood that sexting of images of people under the age of 18 is illegal. The flip side of that is 50 per cent of people did not know that it was illegal, or were not sure. This is a huge proportion of youth, and I think that just highlights the need for more awareness.

In addition, of all the people who have sent a sext, about 56 per cent were aware that it was illegal to send a sext of a person under the age of 18. Which in itself is not really an issue because they might be sending sexts of people who are above the age of 18. But because of the demographics of the people who participated in the survey — half of the respondents were under the age of 15 — a high percentage of those people who are aware that it is illegal and sent a sext anyway were probably under the age of 15. Considering that 20 per cent of 10 to 15-year-olds have sent a sext, it is probable that they are aware it is illegal but they are just not aware of the consequences or what could potentially go wrong. So not only should you be informing them of the illegality of it, you should also be informing them in your education campaign, if you choose to do so, of the consequences of what could possibly go wrong.

In addition to that, about 38.7 per cent of people who have sent sexts are unaware that it is illegal, so they also need to be informed that it is illegal to send sexts of people under the age of 18 to make sure that they do not get a nasty surprise, let's say, in the unfortunate circumstance that they get prosecuted. Basically education needs to be targeted in two ways: one, to let people know of the illegality, and the second thing is to let them know of the consequences, other than legal. Indeed many of the respondents to the survey emphasised the need for greater

community understanding through targeted education programs, and a quote from a female 10 to 15-year-old showcases this lack of education. Basically the quote is nice and short: 'I learnt from others' bad experiences. So I will never do such a thing again. Ever!'. She had engaged in sexting, and obviously something bad has happened to her friend. What I like to suggest is that perhaps she should be learning from an education program and not from the bad experiences of her friends.

As was mentioned earlier, most respondents suggested that being mandatorily registered on the sex offenders register is a very bad idea. One suggestion was that a more suitable outcome would be to participate in an education program if, say, the judge thought it would be appropriate. For example, instead of being penalised, perhaps an alternative would be to participate in some sort of education program on the nature of and troubles encountered with sexting.

In summary, YAG strongly believes that effective education programs are one of the steps that need to be taken in regard to this issue. With, as I said, 18.42 per cent of 10 to 15-year-olds having sent a sext, we would like to underline the importance of exposing children to education in early high school, which is when they are engaging in it, and involving young people in all stages of the development of such a program to make sure it appeals to their peers and is effective in capturing their interest, because, as I am sure you are all aware, this might not be the most interesting topic to early high school kids.

Mr NORTHE — Marcel, just in terms of the submission you provided, in recommendation 1 you talk about replacing the mandatory aspect of the sex offenders register and about a discretionary registration model. You are not talking about another form of register, per se; you are more talking about programs associated with that?

Mr BOULAT — The main aim of our submission is that there be more discretion in what the judge uses, whether that be —

Mr NORTHE — From the judicial officers?

Mr BOULAT — Yes, exactly. Whether it be registration on the sex offenders list or making whoever it is undergo an education program or some other kind of penalty — that is our main goal. The suggestion is that one of the penalties be participation in education programs or something like that.

Mr NORTHE — Can I ask a subsequent question just about the education aspect of it? I think that is right; I think everybody would probably agree that there needs to be more education about the possible consequences of actions in this space. From a real, practical experience point of view, how do we do that? What suggestions could you make to this committee about what we actually do to educate people that there are consequences to these types of activities? How would we do it? A suggestion has been in the school system, but are there other such measures that you could suggest to us?

Mr BOULAT — That is the golden question, and like you mentioned, what you need to do is get a good amount of people, because you do not need to cover everyone; you just need to cover most people, and then it is kind of like vaccination — you get most people, and the issue is solved. The easiest way to get the most people, like you said, is in schools. In terms of specific education programs, you obviously cannot have an education program just about sexting, because you might not have a good uptake in — how do you say? — schools which do not want to pursue that issue. Perhaps integrating it into one of your existing programs — eat healthy or mental wellbeing or something along those lines — if you kind of sneak it in, I am sure it will be okay. The specific things you could cover — I am sure there have been other submissions which have covered that.

The CHAIR — With the situation where a picture has been taken and is forwarded on consensually and then the person who receives it sends it on, that seems to be where the most harm is done. Do you consider that offence to be of primarily a sexual nature or a bullying nature?

Mr BOULAT — I think that really depends on who, and the context, because in a school the sext might be more of a bullying nature, whilst in a different situation where someone is forwarding it to people who do not know the person in question there might be more of an interest — 'Look at this photo'. Anyway, in regard to that question, I would like to handball that across to Megan, because she looks like she wants to add something.

The CHAIR — Just following up, and I am interested in your answer as well, but as far as the response to that goes, your evidence is that magistrates should have the discretion to make that call in all the circumstances

as to whether this is of a sexual nature and whether it warrants the offender being put on the sex offenders register?

Ms GLYDE — As Marcel said, I think it depends on the situation and, like the issue of sexting itself, it is never going to be just one thing. I think it is multilayered, and there could be elements of bullying or it could be of a sexual nature. But I think it is too hard to say it is or it is not in each situation. I think it is too complex. What we are saying is that each situation should be taken on a case-by-case basis, so you could say this is enough to be registered on the sex offenders register or it is a situation where a warning would be sufficient to deal with it. It is very complicated.

Mr BOULAT — Basically that was me done. Thank you very much and I will pass it over to Megan to finish off.

Ms GLYDE — I think we have touched on most of the things that I am going to talk about, so it is the opinions of the appropriateness of the current legislation and the conclusions and recommendations of our commission. Both the YAG and what appears to be the vast majority of the survey respondents feel that, as I was saying, the law as it currently stands is much too black and white when it comes to the issue of sexting and, given the broad range of activities that fall within the scope of what is deemed to be sexting, we feel that any amended or proposed law should be flexible enough to deal with each instance on a case-by-case basis, as I said, and that any penalties handed down should be proportionate to the seriousness of the offence. They should take into consideration factors such as content, the images, the intent behind them, the presence or absence of consent from involved parties and the ages of participants.

As we said, nowhere was the discussion of the laws surrounding sexting more focused, both within our discussions in our meetings and the responses from the survey participants, than on the issue of the mandatory registration on the sex offenders register, if you have people who are convicted of creating or transmitting material depicting under 18s, the desire to have this aspect of the sexting laws changed or removed entirely was one of the most frequently expressed opinions of the survey, with the respondents citing, amongst others, issues such as the irreparable damage that registration on the sex offenders register can do to a young person later in life, including their employment prospects, and the fact that mandatory registration of sexting teens is not for the most part in line with the envisaged purpose of the sex offenders register in monitoring sexual predators who pose a serious threat to our society.

There are, however, those who felt that the registration of a sexter on the sex offenders register could be appropriate in more serious circumstances — so for repeat offenders, older offenders or in situations where the severity of the act warrants that penalty. In addition, there are also those who felt that the legislation of these issues would either not be worthwhile or would most likely not be effective in changing the nature and prevalence of the incidence of sexting in Victoria. Some of these respondents expressed opinions such as that the enforcement of these types of laws would be really difficult if not impossible and would represent a waste of taxpayer money; also that parents should be the ones who in fact bear the burden of monitoring and restricting their children's use of electronic media; and also that legislating actions such as sexting sends the message that sexuality is something bad or to be ashamed of.

With regard to more specific breakdown of how our respondents felt about sexting being illegal, it appears that about 15 per cent more females than males believe that it should be, and, apart from the 21 to 25-year-old age bracket, about half of the survey respondents believed that it should be illegal, but many of them added caveats to that so that it should depend on the situation that you are presented with. Also interesting from the results of the survey is that more than half of the respondents who want the penalty for sexting to be registration as a sex offender are under the age of 15. As the likelihood of respondents saying that any penalty imposed upon a convicted sexter should depend on the age of the person involved increases with the age of the respondent, it appears that these younger respondents who are in favour of registration as a sex offender do not appreciate the lifelong implications of such a sentence.

That brings us to the conclusions and recommendations that are outlined in our submission. As we mentioned at the beginning and all the way through, the issue of sexting is certainly a very complex and multifaceted one with no easy answers or one-size-fits-all solutions. It is also important to note that some forms of sexting are not necessarily negative, especially those that are undertaken by consenting participants who are of an age to have a fully informed opinion about participating.

The CHAIR — What age would that be?

Ms GLYDE — That is a very good question. It is hard to draw the line. Where would you place it — at the same age as the age of consent, keep it at 18? A lot of things have to be considered, considering how many activities fall in the boundaries of sexting. So I do not know if it is worth breaking them down into different actions or having just a — —

Mr HATWAL — I think it would be someone who has the capacity to consent, which normally is 18. Depending on whether someone has an intellectual disability, they might not have the capacity to consent. If they are legally able to consent — to make an informed kind of decision — then that should be what we are considering here.

The CHAIR — I think between 16-year-olds; is that legal sexual activity — between 16-year-olds? So would you suggest that 16 be an age that was a cut-off point, or do you see sexting activity as less harmful than actual sexual activity, and would you make it younger than 16?

Mr BOULAT — I would like to just jump in there. Like Aish was hinting at with the age of consent, it is more about the maturity of the person in question. I understand that it is something which is difficult to gauge and something where you cannot exactly just say, ‘Yeah, they’re mature enough to sext, and those aren’t’. But I think the whole point of our presentation is that there should be enough grey area so that the judge can say ‘Well, I think these people are mature, and even though they are 14, I am not going to do anything, because for them there is nothing wrong with that, because they know the consequences; they know what they are doing and they are happy to do it’.

The question you were trying to ask is whether we have a nice little cut-off for the legislature. Sixteen sounds like a good number to me, but that is just any number.

Ms GLYDE — As we said, it is not necessarily a bad thing in certain situations, but at the same time we have to recognise that it can have potentially devastating and destructive impacts on those who are involved, especially when it is done without the subject’s consent, particularly given the speed and ease with which information can now be disseminated by a wide variety of new and existing technologies.

Based upon the issues that my fellow YAG members and I have brought up this morning, which have arisen from our own discussions and obviously the survey, we would just like to reiterate — and we already have touched on a few of these — the three recommendations we would like to offer for the committee’s consideration. The first of these is that if only one change could be made as a result of this inquiry, we would recommend the replacing of the current system of mandatory registration on the sex offenders register. You have people who sext and are ultimately convicted, under current laws, of creating or disseminating child pornography. We would recommend that that is replaced with a discretionary model, allowing, as we said, the judicial officer hearing each individual case to consider the particular circumstances of that case and decide whether or not that young person should be registered as a sex offender in the instance.

The discretion of the judicial officer should also extend to being able to select from a sliding scale of penalties; say from no penalty at all through to official warnings, community service, mandatory education programs — as we mentioned earlier — fines, prison terms and, finally, registration as a sex offender, depending on the nature of the case. We consider that the laws as they currently stand do not adequately address the complexity of the issue of sexting and that they are too black-and-white to be fair and could actually cause irreparable damage to the futures of young people.

As we also mentioned, our second recommendation would be that more research should be conducted in order to form an accurate picture of the nature, prevalence and incidence of sexting in Victoria. As we said earlier, our survey is just a starting point. It is not rigorously tested, and so it is even more valuable to have people who are qualified to do the research and can do it in a systematic way, and for them to carry that out so that that is the groundwork from which any legislation is made.

The CHAIR — Does it make any difference, though, if we find that if a lot of time, effort and money was put into more research — given that it appears clear that it is occurring — and does it matter whether it is 20 per cent of people or 90 per cent of people who are engaging in the activity, and would that change the legislative response that we would have to consider?

Ms GLYDE — I think it would. Our survey demonstrates that there is clearly sexting going on, but the fact that it is slightly skewed towards a particular age group could then send the further stages off on the wrong path, so it may not quite be focusing on exactly the right age group or the right method of engaging with that age group, perhaps. I think it is a good first step.

Our survey results demonstrate that the community in general and young people in particular have a lot to say about sexting, if they are given the opportunity to do so. As I said, we had 1000 respondents in that short period of time, so there is obviously a lot of opinion out there waiting to be gathered.

The CHAIR — On that point, one of the challenges for this committee is to try to get information from young people, and we have struggled with how best to do that. How did you get 1000 people to respond to your survey?

Ms GLYDE — We sent it out through contacts that the office already had in schools and via newsletters, and that sort of thing.

The CHAIR — The schools promoted it amongst their students, did they?

Ms GLYDE — Yes. We saw that we would have whole classes that had completed the survey in one of their classes coming through. I think it was just before the summer holidays that we had classes doing that for us. But it is hard to connect with a group and with young people, which is partly the reason our group exists. Maybe it is easier if you are closer to their age group.

The CHAIR — Are you making presumptions about the committee members?

Ms GLYDE — No, I am not saying that at all. Finally, as we said before, regardless of any movements that are being made with regard to the law in this area, it is critical that education around sexting is enhanced for children and young people in Victoria. This education needs to be age-specific, practical and presented in a format that will engage children and young people.

We suggest that maybe this education about sexting could cover related issues as well, seeing that they are so often involved. Things like bullying, digital citizenship, respect for others and sexual education. As we always say with things like this, the most important thing is to involve children and young people in the development of those things — in the development of programs like that — as they are the ones who are best placed to know what is going to appeal to their peers.

We have previously seen, at conferences, videos created by young people on issues like this. I have seen a few, especially to do with sexting, which apparently were very well received by their peers when it was launched at their school. If you involve young people, it is more likely that their peers are going to take it up and take it on board.

On behalf of all of us here, all the group, I would once again like to thank you for inviting us to come and present to you.

Mr NORTHE — I want to ask a question which we have not really touched on, and that is: what are your views and thoughts on the rights of a person who might be the victim — in inverted commas, if you like — who has had messages or explicit photos of them sent forward without their consent? How do you see the current situation, and what could be done to have regard for their circumstance in this whole debate?

Mr BOULAT — That is a very difficult question, and I think it is not necessarily one which we are qualified to answer. I would like to point out that currently the police help them to try to destroy the images. Isn't that the way it is currently?

Mr NORTHE — Yes, I suppose I am raising a point from other submissions that have been provided to us, which have been saying that maybe there are not strong enough powers in place at the moment to give regard to a breach of privacy. Have you had any feedback on that through your conversations, and how do you feel it is? You may not have, and you may not have a comment — that is fine. But I think it is something we have to give regard to when we do this inquiry.

Ms GLYDE — There certainly should be support for victims of sexting. That may even be as part of the education process making people aware that it is something that is very harmful, or potentially can be very harmful. It is not just something that happens at school and gets left there. Obviously if people's personal privacy is breached, there should be a way for them to rectify that and have some recourse to fix it.

The CHAIR — Thank you very much for coming today. It has been great to be able to tease out a few more issues with you. The preparation of your report is outstanding. Thank you so much for the work you have done on that. It has given us an insight which we otherwise would not have got, because of the problems we have had with getting information directly from younger people. Clearly you have not given us a simplistic response. You have gone into this very complex issue and put some very complex and considered thought into your recommendations. Thank you very much for that. It is greatly appreciated. We will inform you as things progress and give you a copy of our final report. No doubt we will draw on your research and recommendations as we make those considerations.

Witnesses withdrew.