C O R R E C T E D V E R S I O N

LAW REFORM COMMITTEE

Inquiry into sexting

Melbourne — 10 December 2012

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Mr M. Keeley, Director, and

Ms K. Tallon, Project Officer, National Children's and Youth Law Centre.

The CHAIR — Thank you very much for coming in today. It is greatly appreciated. This is a hearing where your evidence will be taken down and recorded by Hansard. You are protected by parliamentary privilege for everything you say here but not outside the room. Just be aware of that in case you are planning on saying anything inflammatory. Could you start with your name and who you represent for the transcript and then take us through your submission.

Mr KEELEY — Thank you, Chair. Firstly, let me thank you for inviting us to participate on this important issue for the committee today. My name is Matthew Keeley. I am the Director of the National Children's and Youth Law Centre at the University of New South Wales.

Ms TALLON — I am Kelly Tallon. I am a Project Officer with the National Children's and Youth Law Centre.

The CHAIR — Could you tell us first of all a bit about the National Children's and Youth Law Centre?

Mr KEELEY — Yes. The National Children's and Youth Law Centre is Australia's only national community legal centre devoted to the legal and human rights of children specifically under the age of 18, but we also do a lot of work for anyone under the age of 25. We provide a national legal information website called Lawstuff, which gets about 850 000 page hits a year, indicating a strong need for legal information for young people across the nation. We also provide approximately 1000 written legal advices to young people across the nation. We call that Lawmail. That comprises our legal practice, so we are a unique online legal service.

With UNICEF Australia we are also the co-convenors of what is called the Child Rights Taskforce, which is a group of about 80 NGOs and many more individuals who combine together every five years or so to write the non-government report to the United Nations Committee on the Rights of the Child.

Based at the University of New South Wales, the National Children's and Youth Law Centre is the leader in advocacy for the legal and human rights of children and young people in Australia.

The CHAIR — All right. Could you take us through your submission?

Mr KEELEY — Thank you, Chair. I am joined by Kelly Tallon, Project Officer. If I may, Kelly and I will attend to different aspects of our submission, but at the outset it might be convenient if I could table a report that you have not had before you before today. The report is called *New Voices/New Laws*. This is its inauguration, if you like; a formal launch is to follow. If I could table for the committee's benefit roughly six copies of that report.

The CHAIR — Thank you. Consider it launched.

Mr KEELEY — The report *New Voices/New Laws* was largely undertaken by Ms Tallon to my left, so Kelly will be speaking to it. It represents our consultations with approximately 1000 young people, students in New South Wales, so while not Victorian students, we can assure you the issues raised are very similar, and the level of research undertaken by Kelly and the report itself I commend to the committee.

I might be more brief and talk to some key matters that were raised in our submission. As I have indicated to you, our centre is a leader in the non-government organisation sector's response to the United Nations Committee on the Rights of the Child. In our submission we alluded to certain child rights principles, which we would respectfully ask that the committee consider in formulating its responses and recommendations.

Key amongst those is of course the issue of participation of children and young people themselves in this committee process, and I shall not be saying anything more about that, other than to say that we are tendering today a report which we believe reflects the voices of 1000 or so young people from the state of New South Wales.

Other key child rights principles are those of the best interests of the child. Of course we implore you in your decision making to give consideration to the fact that the best interests of the child, as required by the United Nations Convention on the Rights of the Child, extend to all children under the age of 18.

Another key child rights principle is that criminal responses should always be a measure of last resort. Chair, Deputy Chair and members of the committee, we implore you to give serious consideration to the United

Nations Convention on the Rights of the Child and those key child rights principles in formulating your response to this issue.

The centre perhaps has a unique place in the Australian legal landscape on this issue of sexting. Unique because we are a national centre and we know of no other legal service that provides a national legal response to this issue. To give you some indication of the scale, and without trying to overstate it, of the 1000 legal advices a year that we write to young people across the country, the majority are in New South Wales, Victoria and Queensland. But across all eight states and territories, 5 per cent or, say, 50, deal with cyberbullying, sexting, cyber harm-related issues. To put it another way, it is one a week from across the country. So on a week-to-week basis we experience a casework response to a young person on issues relating to cyber harm.

In terms of our legal information website law stuff, over the last two years and nationally in excess of 11 000 page hits have been made on our sexting-related pages and roughly 2200, as at the date of our submission, on the Victorian sexting page. Our website is very much targeted at young people and that is suggesting that over the last two years approximately 2200 children or young people have shown enough interest in the law relating to this issue to seek out our website, amongst others, to see what might be out there with information about this issue.

As lawyers, researchers and community legal educators — and indeed as part of the New Voices/New Laws project, which was a very significant education campaign — we believe we now have considerable experience in talking about, educating and researching the law as it relates to sexting. But our particular expertise is perhaps advising on what to do, and sometimes on what not to do, when responding to a sexting incident. I think it is important to make a distinction right here and now that what follows from my presentation will be about responding. It is my analysis of much of the evidence before this committee, in submissions and in oral testimony, that considerable attention has been given to education campaigns, cultural change within schools, and issues of curricula and education all directed to the issues of prevention.

A very significant opportunity to educate young people is lost when we do not give the same sort of attention to the issue of how to respond. Our analysis is that much less attention on a research basis and indeed on a policy and problem-solving level is given to the issues of appropriate responses — or, in short, many of us are much more comfortable talking about creating an education program than we are in trying to work out how an individual school should perhaps respond to an individual case involving sexting. Who should be involved? What services and what advice should be sought? What counselling is needed? What can a particular website do et cetera? Much of what I will say, and hereafter I will try to keep it a bit briefer, will be directed to imagining some alternative responses that are true to the child rights principles and which put criminal law as a last resort.

In our submission we identified the potential of website terms of use and mobile phone provider terms of use as perhaps having some utility in the response phase. We identified the role for schools, and I will come to ministerial order no. 184 shortly. But it is not uncommon for us when confronted by a young person who is wanting to know how to solve a particular problem, to say to that young person, 'It would be preferable if you brought this to the attention of the school, although we cannot guarantee that the school will not bring it to the attention of the police as well', because within the school context there is a chance to bring all the young people together who might have a particular image, say, on their phone and potentially resolve the problem there and then. Issues of school policy and how to respond to these instances are just so important.

Ms GARRETT — Can I just ask a question on that? We have heard a lot about these issues, and I agree with you absolutely that the response is critical. Do you think it is best done through each state's department? Should it be something that is done in conjunction with the Commonwealth authorities? How do we start rolling these things out, because we have heard that some schools have taken up this process, some have not; some are being trained, some are not? In your view, what is the most effective way that that should take place?

Mr KEELEY — Frankly, I think the research has not been done in this particular space. By the same token, one does not need research, particularly when one is a lawyer and a professional problem-solver, to realise that what is generally at issue is a complex dispute. Over the decades the legal profession has been developing alternative dispute resolution mechanisms; it has recognised the role of advocacy and appropriate advice and information as being important in any decision making; and specifically as regards schools, we know that

procedural fairness and natural justice requires that all parties be adequately informed and supported, for example, in a disciplinary process.

While I believe, on the one hand, that the research has not really been done to answer your question totally, I do believe that in the particular scenario of a problem that is just bubbling away in a school and a child who is thinking, 'Where do I go? I don't want to raise this with the principal. I do believe the principal is going to bring this to the attention of the police, and I am hearing that if it is brought to the attention of the police, I might get charged', we need much more clarity for the young person. The truth of the matter is that we are having to advise young people that while it would be preferable to engage the school and to talk to police in order to bring about a cessation to the dissemination of the image, we cannot guarantee that young person that the police — and bear in mind we are talking about a range of jurisdictions here — will not charge them.

Ms GARRETT — And a lot of these instances are happening off school grounds, which you talk about in your submission — how schools have that power.

Mr KEELEY — That is correct. A lot of them are happening on school grounds as well, and images are being accessed on school grounds. I think, in part, that delineation may be an arbitrary construct of policy and may not reflect reality.

In this area of responses, generally we all agree that the punishment should fit the crime and there should be proportionate sorts of responses. We do have, particularly in the administrative law or civil law, other analogues that one can look at in this space — sexual harassment laws are one and privacy law is another. I understand that the President of the Children's Court gave evidence earlier, and in his submission he suggests that intervention orders could be expanded to permit an order destroying certain material. I think in the context of resolving disputes consideration could be given to the role or to expanding the role of sexual harassment and privacy laws, and of course intervention orders, into take-down notices and destruction orders, thus placing dispute resolution primarily for young people in a civil or an administrative law context before racing to some pretty significant criminal charges, as we will turn to.

Equally, the President's evidence alluded to the fact that it would appear that Victorian police are already cautioning and actively diverting young people from the criminal justice system, and for that they are to be commended. Indeed, so commendable is it that I would suggest that the Victorian police perhaps follow the Tasmanian Police Commissioner's example, who recently announced that notwithstanding the law, his officers would, absent exploitation of a child, not be pursuing any prosecutions against under-age sexters in these sorts of circumstances — again absent exploitation.

What we are talking about so far is a range of potential responses which are outside the criminal law that suggest a graduated response — again, consistent with the President's evidence — and that would permit greater discretion and a more localised form of decision-making. Ministerial order 184 clearly presents problems to that. I would suggest that there is room, as many private schools do, to give consideration to extending ministerial order 184 to permit a school to deal with matters that might have been created outside the school grounds but that had some form of connection with the school, and it is our view that problems that can be solved at school may not ultimately require problem-solving within a criminal law context.

Having moved through a series of graduated responses we may yet still feel that there is room for criminal law offences in this area. And of course our submission refers to the need for consideration being given to national uniformity but also to the use of lower level offences.

Earlier in the proceedings of this committee evidence from Victoria Police referred to sections 68 to 70 of the Crimes Act, and also section 57A, as almost being the exclusive offences that Victoria Police would examine in a sexting case. In our submission we allude to the Commonwealth offence of using a carriage service in a menacing, harassing or offensive way, which has a three-year maximum sentence and which is not a type of offence which is amenable to sex offender registration. And in passing I mention that in New South Wales there is an offence called the publication of an indecent article, which carries a 12-month maximum penalty and which can be used in that jurisdiction.

I do not think it is my place or our centre's place to recommend a specific amendment to the criminal laws in the state of Victoria, but consistent with our submission that a national discussion and a national approach be looked at I would submit that there is a role for consideration of these lesser offences to be used in preference,

and perhaps subject to those police guidelines that I mentioned earlier, to the child pornography offences which we have, in our submission, suggested are totally inappropriate in the context of youth-to-youth sexting.

Lastly of course we mention some very specific amendments to plug some very specific gaps in the state of various provisions in Victoria. I did not propose to take too much more time to speak to our submission, but if I could in summary just reflect on a few key points that I did wish to emphasise. They are that a series of graduated responses are needed; that the level of discretion at each stage should be greater so that the best interests of the child can be given consideration at each stage; that because of the complexity not just of the laws but of the social and emotional harms that some sexting incidents can give rise to there is a very real need, I believe, for services and supports to be given to schools, to students, to the victim of a sexting incident as well as to others involved; and that with the benefit of a more flexible range of interventions and enhanced information, advice and advocacy, and consistent with alternative dispute resolution methodologies that are common throughout so much of the legal system that we take for granted today, localised resolution of these issues is far more possible than we currently imagine. Thank you.

Ms TALLON — I am happy to speak to the report now, unless you had any specific questions on what Matt said. My name is Kelly Tallon. I joined the centre in March to take over the *New Voices/New Laws* project as project officer. Before that I was a volunteer at the centre, as I was undertaking a masters in law degree in media and technology law at UNSW, so this was a really great fit for me.

I will just give you a little bit of background and maybe a summary of some of the methodology to the project and report, and then I can relate it to some of the key points within the terms of reference, take any questions you have and hand back to Matt. As background to the project, Matt spoke about our LawMail service, which is our online legal advice service, and also our legal information website, which is Lawstuff. As he mentioned, we were getting more page hits to the pages relating to things like sexting and cyberbullying; we were getting increasing queries through LawMail about these issues. So in 2011 the centre, along with Legal Aid New South Wales, undertook a project called *To Tweet or Not to Tweet*, which we referenced in our submission. The idea there was to take the most common types of queries we received about social media and online issues and develop one to two-page fact sheets on each of those issues that would explain the law but touch upon them in a plain English and child-friendly manner.

As we were researching those issues we realised that especially in relation to sexting and cyberbullying there were a lot more laws and penalties than we had originally imagined that touched upon these issues, and given that we were lawyers researching these issues and just making some new-found discoveries we realised that young people were not in a great place to know about what these laws and penalties involved.

So from the *To Tweet or Not to Tweet* project we again teamed up with Legal Aid New South Wales and launched the *New Voices/New Laws* project, which was specific to sexting and cyberbullying. The idea there was to go around to young people in New South Wales, educate them about what the criminal laws said and then survey them about what their opinions were, what their knowledge was of these laws before and after, and what they thought of the responses that the criminal law offered. This is because coming from a human rights perspective we felt that a lot of the responses, due to the fact that they were intended for adult predators of children, were obviously not passed with the intention of being applied against children and it is obviously not ideal to have such severe criminal laws apply to behaviours of young people.

What we did was create a presentation which used some of the common sexting incidents that would come to us through LawMail. We created a scenario around them and told a story of a young couple named Adam and Brie, who are 15 and exchange photos. As we were going through the scenario we would break and explain the criminal laws and penalties that could apply throughout the scenario. After the presentation we handed out a survey, which tried to examine the knowledge that students had before and after, although we found there was a bit of hindsight bias with their responses. We also asked them their opinions. Where we could we also held focus groups within the school and had a short discussion, primarily with legal studies students, about what they thought.

In the end we ended up speaking with about 1000 young people throughout seven regions of New South Wales at 10 consultations. The result is this report, which basically starts out by going through the different laws and penalties that can apply at the New South Wales and Commonwealth levels to sexting and cyberbullying. It talks about the methodology of how we talked to children and young people and what they told us. It then goes

into other jurisdictions and what they have done in these areas and then wraps up with some recommendations that are very similar to the recommendations that we have made in our submission to you.

I thought that because the primary thrust of the report is on young people's opinions of the appropriateness of the law I would start at term of reference 3 and give you some of the key points on that. If there is time, I could also touch on terms of reference 1 and 2.

The main point with the appropriateness of the laws is that there were some students who, when we asked 'What do you think of these laws and penalties?', said, 'I think they're fine; I think they're legitimate'. I think they included a lot of children and young people who had experienced issues with this and felt that the response had not been strong enough, who had gone to their school and said, 'I've been cyberbullied' or 'This has happened to me', and they were cast aside. So there were some young people who said, 'These laws are appropriate; I have no problem with that'. That said, there were nearly double who said, 'These laws and penalties are far too harsh. You're talking about young people and you're talking about sentences that you wouldn't even see applied to a murderer' — that kind of thing.

Ms GARRETT — I note on page 38 of your report, if I am reading this correctly, that most people considered it should be a crime.

Ms TALLON — Sorry, which page are you on?

Ms GARRETT — I am on page 37, 'Attitudes about the law'. For 'Sharing a naked/sexy photo of someone without permission', the overwhelming majority of young people said it should be a crime, just not that crime.

Ms TALLON — Right. What we asked is, 'Should it be a crime or should it not be a crime?', and very interestingly a majority said that all of the behaviours should be a crime, including sending within a consensual relationship. But when we asked them, 'So what should the penalties be?', they — —

Ms GARRETT — I think that is fascinating.

Mrs PETROVICH — It is fascinating.

Ms GARRETT — I think that is very interesting, that in a thousand young people the overwhelming majority viewed it as criminal.

Ms TALLON — Right, as something that should potentially be criminal. When you break it down for them to more than, 'Should it or should it not be?', then that is where the responses get a bit more interesting. But it is also interesting to note that even though it was a majority in all of the cases, when we talked about sharing a naked or sexy photo without permission, far, far more young people thought that that should be a crime than those who said just asking for it or consensually sharing it should be.

Mrs PETROVICH — Have we got any stats on the number of young people who are actually sharing those photographs?

Ms TALLON — I think so. We did ask. Our numbers are a little bit inflated in terms of the prevalence, because what we did was give them a 45-minute presentation on how illegal these activities are, and we did not then want to give them a survey that said 'So have you done this?' because we sort of felt that that was asking them to incriminate themselves. So the question said, 'Have you or anyone you know experienced these things?'. We asked three sexting-specific questions: whether they or someone they knew had been asked for a photo, whether they or someone they knew had been sent a photo and whether they or someone they knew had a photo shared without permission. Being asked for a photo was the most common. So 37 per cent said that they or someone they knew had been asked for a photo, 29.5 per cent said that they or someone they knew had been sent a photo and 17.2 per cent said that they or someone they knew had had a photo shared without permission. Like I said, those statistics are a bit larger than some of the other studies you have probably looked at, and I think that is because they include the 'or someone you know'.

We did go into schools, and within the school environment people will generally know the same people. But when you are comparing the behaviours across I think it is helpful to know that more kids are being asked for the photo than are seeing the photo sort of spread around without consent.

They started out, a lot of them, by saying that jail time and the sex offenders registry were inappropriate. They said that they wanted to see more flexibility in the responses. They had suggestions such as fines, apologising to victims and community service, and they thought that the response should be dependent on the offender's past conduct, the level of harm that they had caused to the victim and their awareness of what the laws were beforehand. They did not think that it made sense for the law to get involved when photos were only exchanged in the context of a private relationship. As you pointed out, they did say, 'Yes, maybe this should be a crime', but in our discussions they often said, 'No, if a photo is just passed back and forth between a boyfriend and girlfriend, it doesn't make sense, I don't understand, particularly if they are old enough to be having a sexual relationship'. There is a lot of confusion about why you can consent to sex at age 16 but you cannot consent to sexting.

Mrs PETROVICH — It is not only the kids who are confused about that point.

Ms TALLON — Right. We are finding now with our Lawstuff pages and our LawMail that we are having to be more careful, because we do get asked a lot, 'When can I have sex with my boyfriend?', 'When can I have sex with my girlfriend?', and we are having to sort of put a caveat in about the use of technology when you are talking about your sexual behaviours.

I think I have covered the major points that I wanted to talk about as to the appropriateness of the legal response. In terms of awareness and education, as I mentioned before, there was a bit of a hindsight bias, so we asked, 'Did you know that all of these behaviours could be crimes?' and 'Did you know of these penalties?', and the majority of kids said that they had already known that.

We had also offered the survey online, and the online respondents generally had not viewed our presentation, so we could compare their responses with the ones from those in schools who had seen our presentation, and when we asked about the specific laws those who had seen our presentation generally did better. So we think that education helps at the baseline for knowledge about these laws. While kids might have heard that there could be sex offender registration or there is something about child pornography, they do not know the specifics, they do not know what child pornography means, they do not know what the ages are and they do not know what the penalties are other than the idea that there is jail and there is a register.

The focus group suggested that the effects of sexting should be taught in school and mostly said that it should be part of a sex ed. class. They did not think that it should be like a cybersafety day, a kind of one-off session. A lot of the young people we spoke to sort of just view their use of communications technology as not a separate and distinct part of their lives, and so they think, 'If I'm learning about sex and relationships in this course, then I should be learning about the whole extent of sex and relationships, including how communications technology is used within that'.

I have already spoken on the prevalence a bit. As for the nature, because we were identifying the laws that could apply, we did not leave it open to the young people to describe to us what they thought the nature of sexting was. Rather we sort of presented, 'This is what we think, and these are the laws that apply'. But as a background in this report I just wanted to highlight for you that we did provide some case studies that informed how we define this. They start on page 12. They match up with how in our submission we broke down sexting into stages as we see it.

I will not read aloud from these case studies, I will just leave them for you, but I can sort of describe the most frequent kind of case that we were presented with at the centre. It is the one that Matthew alluded to, which is that we will generally get a LawMail, and it is usually from a girl who has been in a relationship, has exchanged photos within that relationship and the relationship has ended or is about to end and she is scared that a photo is going to be distributed but it has not yet been distributed. I think since I began working at the centre we have seen at least five of those. That is a very difficult scenario to deal with, as Matthew mentioned, because what we want her to do is be able to get help before it gets distributed. But there is a very real chance that if she goes and tries to get help, it will go to the police and, as you said, we cannot guarantee that she will not also get in trouble.

The CHAIR — Would you recommend that there be some mechanism — I do not know what; I suppose some sort of injunction — to prevent distribution or to reclaim images, and that if there has been a consensual sharing and the consent is withdrawn there be some right that a person has to be able to get the images deleted?

Mr KEELEY — I think that is a very valuable option to consider.

Ms GARRETT — How would that injunction work? Is that something the individual would have to seek?

Mr KEELEY — This is a phenomenon which in our practice we are noticing growing, and I think evidence today will suggest that the trend of more sexting is likely to continue. I very much believe there is a need for young people to have access to adequate advocacy, and not just young people but school principals, teachers — everyone involved — needs information and sometimes support about, 'How do I stop this image getting out even further?'.

We understand that in New Zealand consideration is being given to a form of administrative law-type tribunal with those sorts of powers. It was in that context that I alluded to three existing bodies — in two cases, I guess, I called them administrative law-type bodies. The sexual harassment laws across the country are generally dealt with by antidiscrimination bodies and of course the human rights commission.

Privacy, of course, is generally dealt with by commissioners, and we had the President of the Children's Court alluding to intervention orders in obviously the very serious cases, where a take-down notice and an order ordering destruction of an image might be able to be obtained. The reason I alluded to privacy is because in the past the law relating to privacy in Australia has applied to corporations and to public institutions, such as government departments. That is precisely because private things are meant to be private between individuals, but public institutions were not thought to be at liberty to breach our privacy. Much has been made of the fact that an image on the internet is no longer private, and any parent who has tried to have the discussion with their child where they say, 'I'd like to see what's on your laptop or your phone', may have said, as I have, 'If it's on the internet, it's not private. Everyone else can see it, and hence why can't I?'.

The CHAIR — How did you go with that argument?

Mr KEELEY — So far I have been successful. What we have is that the notion of a private image on the internet is very different to the notion of a private image in the family photo album, and I am not putting it any more strongly than a recommendation that it be looked at and that it may well be one avenue where a pre-existing administrative law mechanism that deals with private information could have that sort of power. Where the image is transmitted to abuse someone — and we are talking about sexting, so it is a sexualised image — then equally sexual harassment laws, which in some cases too are always about things like employment scenarios and what have you, could potentially be broadened to take in this scenario. So there are pre-existing bodies of law that I think are amenable to precisely that.

The CHAIR — I think it is a good idea to have some sort of way of pre-empting the issue when the relationship is broken up, and whether it is kids or adults it is the same issue — that if you know you are at risk, or you are vulnerable due to there being a compromising photo that you know that one person has got, then if there is a mechanism you can use to put the other person on notice, I think that would be useful. Amie, would you be able to make a note of that for our inquiry?

Ms GARRETT — Again the issue there is the timeliness, the capacity and who is paying for that approach. With the evidence we have had from police as to their approach, it would seem unlikely in that scenario that the police would say, 'No, you have to advise', but it would seem unlikely that the police would seek to charge the young girl, given that they seem reluctant to charge. Their approach is cautionary. Maybe it is dealt with by way of protocol whereby the police can immediately speak to both parties. This is for discussion and analysis, but it might be a much more cost-effective way than the victim having to approach the antidiscrimination commission and seek that sort of injunctive relief, to just have a protocol whereby both people who are spoken to get rid of the photos. Anyway, that is for discussion.

Mr KEELEY — With the police guidelines and perhaps ministerial order 184, we believe that the potentialities of those two documents to appropriately tease out all the discretions and the considerations have really significant value, but some of those considerations are, 'Is this problem capable of being solved some other way?'. It would not necessarily need to be an injunction. For example, I can speak to New South Wales defamation law, where you can issue, just by emailing someone, a cease-and-desist notice. A failure to respond to that essentially just aggravates a subsequent action and defamation. So the issuing of notices to cease and desist or to take down could be done much more administratively, one would think. It would have to be

resourced. It would then be up to the person who wished to oppose the order to maybe bring that application you are alluding to. I think you could move that to the front end.

The CHAIR — All right. Were there any other final questions or comments?

Mr NORTHE — Only a quick comment from me. Well done on your submission. I think it is fantastic. To be able to have those recommendations that you have put together for the committee is terrific, so thank you.

Ms GARRETT — And to have that research is terrific.

Mrs PETROVICH — I will just follow on with one question that I have also asked a couple of other people. One of the things we have been alerted to internationally is that if we reduce that charge of child pornography, are we at risk of then creating a loophole for the real predators and the real paedophiles out there?

Mr KEELEY — The National Children's and Youth Law Centre is fully supportive of maintaining provisions that are targeted at adult predators, whether they be within our borders or outside. Our submission has alerted the committee to the need for alternatives, both in terms of civil and administrative law and policy-based alternatives and alternative dispute resolution-type approaches, and indeed bringing organisations like Facebook and other website providers to the table for some form of greater cooperation.

But I guess the short answer to your question is that we do believe consideration needs to be given to some lesser offences, and presumably that would happen ideally with the Standing Committee of Attorneys-General, where consideration could be given to lesser offences, such as the 12-month offence that I mentioned in New South Wales or the three-year offence under Commonwealth law. So we recommend some consistency and some consideration of lesser offences, and therefore those quite excellent offences designed to protect very vulnerable young children and predators could largely remain as they are.

Mrs PETROVICH — Thank you.

The CHAIR — I will officially close the committee hearing. Thank you for your interest. We look forward to reading all about it tomorrow.

Mr KEELEY — Thank you.

Witnesses withdrew.