We are a group of four year nine students from University High School and are currently participating in a program that involves working on a team project that contributes to the community. We became interested in this topic following a discussion about sexting and child pornography during a week focused on justice and the Victorian Justice System. We were informed that the Victorian Law Reform Committee was conducting an enquiry into Sexting and thought that we could offer a unique view on the situation considering our age and how these laws affect us and people our age.

The Victorian Law Reform Committee is currently making an inquiry into the issue of sexting. I think this is an issue that is of incredibly high importance that has a particularly harsh effect on teenagers. We are well aware that the law on sexting was originally created in the interest of children and teens to ensure their emotional and physical welfare and to protect them from predatory people. However, as the law stands at the moment, it is not serving its intended purpose well, to protect teenagers, but rather is leaving them wide open for prosecution and trouble with the law.

We think that it is well known that sexting does occur between teenagers and that this is not a good thing but is probably not an issue for the courts. The major problem occurs in the overlap between childhood and adulthood. The law does not think of teenagers in this situation who are between childhood and adulthood. The issue is the crossover, a girl who is 17 and 10 months (legally a child) sends a raunchy picture to her boyfriend who is 18(legally an adult), he can be charged with possession of child pornography and could be placed on the sex offenders register for 5 years, despite the fact he never even asked for the picture. She could be charged with the production of child pornography which would result in very serious consequences.

This then leads onto the law on child pornography, it is perhaps too broad. i.e. if someone takes a picture on their phone of themselves posing in a way that could be interpreted as sexual and sends it to their best friend as a joke, again, charges can be laid in regard to child pornography. The issue is
that it is open to too much personal interpretation, what is a sexual pose? We feel as if the law does not consider that not all of the situations that can be categorised as criminal are intended to be anything even remotely illegal, but rather are entered with quite innocent intentions.

However it needs to be remembered why the law was made, we understand the law was made to protect children and teenagers from predatory people however, at the moment it is not a protection as in the example given earlier, it leaves the boyfriend wide open for a severe criminal offence next to his name for nothing more than having a mobile phone and a girlfriend.

We think the law needs to be changed and not removed to ensure the protection from true sex offenders and sexual predators but it needs to adapt to modern technology and the way that children and teenagers use it. Our generation is becoming the victims of these laws rather than the ones that are being supported and sheltered by them.

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File1:

File2:

File3: