ATTORNEY-GENERAL

ALL CHILD ABUSE MATERIAL TO BE DESTROYED

09 October 2013

Attorney-General John Elferink today introduced to Parliament the Criminal Code Amendment (Child Abuse Material) Bill to rectify an anomaly in the current legislation, whereby child abuse material can only be destroyed if there has been a conviction recorded against a person for an offence.

Mr Elferink said that under the amended legislation, Courts and Police will be able to order the forfeiture and destruction of all child abuse material, even in the event where a person is found not guilty and no conviction is recorded.

“Additional powers will be granted to Police that will permit them to destroy any item containing the offending material, such as computers, mobile phones and other electronic devices, under the proposed legislation, Mr Elferink said.

“The process will also occur in cases where no one is charged due to difficulties in identifying who downloaded, created, viewed or possessed the material.

“It is illegal to possess, distribute, produce or sell child abuse material and anyone involved in this conduct will not only be punished, but also lose their valuable devices.

“Children are vulnerable and can be susceptible to falling victim to child abuse, and we must legislate to protect them.

“The destruction of child abuse material will provide greater assurance for the child and family involved that it will not re-emerge in the future.

“There is no place for child abuse material in our community and Police will continue to dedicate resources to investigate cases of this nature."

Possession of child abuse material in the Northern Territory carries a maximum penalty of 10 years imprisonment, while a person found guilty of using a child for the purpose of producing the material faces a maximum of 14 years in jail.

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