NEW LAWS MAKE INTIMATE IMAGE ABUSE A CRIME

People who record or share intimate images without consent could be jailed for up to three years and fined as much as $11,000 under tough new laws to be introduced by the NSW Government, Attorney General Mark Speakman announced today.

The Crimes Amendment (Intimate Images) Bill 2017 will make it an offence to intentionally record or distribute an intimate image of a person without their consent; these images are known colloquially as ‘revenge porn’.

“This activity is a form of abuse that can cause significant distress to victims. This Bill will empower victims and provide them with the legal right to ensure that perpetrators can no longer get away with such disgraceful behaviour. Behaviour between consenting parties will not be criminalised. Instead, victims will be enabled to take a stand against privacy abuse,” Mr Speakman said.

This Bill will also make it an offence to threaten to record or distribute intimate images, providing victims with additional protection against controlling or coercive behaviour which can occur in abusive relationships.

The introduction of the Bill into Parliament this week follows the endorsement on Friday of the National Statement of Principles on Criminalisation of the Non-Consensual Sharing of Intimate Images by the Law, Crime and Community Safety Council and coincides with Privacy Awareness Month.

Intimate images include photos and videos of a person’s private parts or of a person engaged in a private act in circumstances where a reasonable person would expect to be afforded privacy. If an offender fails to take reasonable action to ‘take down’ the material, they could face an additional two-year jail sentence and a $5,500 fine.

Special consideration will be given to cases involving children under 16 to ensure the new offences do not inappropriately criminalise activity by, or between, young people.

One of Australia’s leading experts in sexual violence, Dr Nicola Henry of RMIT University said, “The NSW proposed legislation is an excellent model that can serve as an inspiration for other jurisdictions both in Australia and internationally.”