

PROPOSAL PAPER

# Renaming sexual offences

Removing outdated language in Chapter XIV of the  
*Criminal Code Act 1924*



## Support services

The content of this Proposal Paper may be distressing to some people in our community. If at any time you feel that you would like to speak with someone there are services and support groups that can help.

Some options for advice include:

- 1800 Respect
- Lifeline on 13 11 14
- Sexual Assault Support Service (SASS) on 1800 697 877
- Relationships Australia on 1300 364 277
- The National Redress Scheme Information Line on 1800 146 713

## BACKGROUND

The Tasmanian Government is reviewing the language used in the *Criminal Code Act 1924* to describe sexual offences to ensure that it reflects contemporary community standards and expectations.

The Tasmanian Government is committed to ensuring that all Tasmanians have an effective, efficient and accessible justice system that reflects the community's expectations.

The terminology of sexual offences in Tasmania's criminal laws has been the subject of significant recent community discussion and concerns have been raised that the current sexual offences names do not accurately reflect the criminal conduct that they describe.

Words that are used to name the crimes that are committed against people should reflect the crime that has occurred and current community expectations. We know from the vast work of the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) that language which minimises the gravity of sexual crimes can cause further harm to victims. Change is needed in this area because language matters.

The Tasmanian Government is seeking views from legal stakeholders, advocacy groups and the community regarding the outdated language to be removed from the *Criminal Code* and the appropriate different terminology.

The Tasmanian Government acknowledges the bravery of victims and survivors that have come forward to explain how the criminal justice system's response to the crimes committed against them has affected them and their families.

## SCOPE OF THE PAPER

The Tasmanian Government seeks your views on the options for amendments to Chapter XIV (Crimes Against Morality) of the *Criminal Code* outlined in this Paper.

This Paper addresses a number of crimes within Chapter XIV (Crimes Against Morality) of the *Criminal Code*. The crime of 'Maintaining a sexual relationship with a young person' contrary to Section 125A of the *Criminal Code* has been the primary focus of community attention, however, it is important to consider all sexual crimes to ensure that:

1. the terminology used in the *Criminal Code* for sexual offending is appropriate; and
2. the language in the *Criminal Code* is consistent.

This Paper proposes to update language and terminology in the naming of chapters, and crimes relating sexual matters. It is **not** intended to change or have the effect of changing the elements of the crimes themselves.

# SEXUAL CRIMES UNDER CONSIDERATION

This Paper considers the names of sexual crimes within Chapter XIV (Crimes Against Morality) of the *Criminal Code*. The Chapter contains a number of crimes and provisions that relate to those crimes. Some crimes in the Chapter do not require consideration as they already incorporate language consistent with contemporary community standards. A list of the Chapter XIV crimes is as follows; those names of crimes that are not subject to review are marked with ‘\*’:

- Section 122. Bestiality\*
- Section 124. Sexual intercourse with a young person
- Section 125. Person permitting unlawful sexual intercourse with young person on premises
- Section 125A. Maintaining a sexual relationship with young person
- Section 125B. Indecent act with young person
- Section 125C. Procuring unlawful sexual intercourse with person under 17 years
- Section 125D. Communications with intent to procure person under 17 years, &c.
- Section 126. Sexual intercourse with person with mental impairment
- Section 127. Indecent assault
- Section 129. Procuring by threats, fraud, or drugs
- Section 130. Involving person under 18 years in production of child exploitation material\*
- Section 130A. Production of child exploitation material\*
- Section 130B. Distribution of child exploitation material\*
- Section 130C. Possession of child exploitation material\*
- Section 130D. Accessing child exploitation material\*
- Section 133. Incest\*
- Section 137. Indecency
- Section 138. Obscene publications
- Section 139. Misconduct in respect of human remains\*

## CHAPTER XIV - CRIMES AGAINST MORALITY

Chapter XIV (Crime Against Morality) of the *Criminal Code* contains all the sexual crimes in Tasmania except the crime of 'Rape' contrary to section 185 which is located in Chapter XX (Rape: Abduction: Stalking and Bullying).

'Morality' is typically defined as a descriptive account of social and personal values about the ways people in society should behave. When used in the context of a crime, this type of crime generally offends those values, or 'code of conduct.' Examples of this type of crime includes prostitution, bigamy, pornography, illegal gambling and illegal drug use.

Traditionally, crimes against morality are a category of crime that is considered victimless usually to reflect that the acts that constitute the crime are committed against consenting adults. As a result of shifts in perceptions of what is appropriate and inappropriate

behaviour, the use of 'morality' to describe contemporary sexual crimes is not appropriate.

The inappropriateness of the use of 'morality' as a descriptor for sexual crimes involving children is even starker. Children are unable to provide 'free agreement' as defined in section 2A of the *Criminal Code* and nomenclature that suggests otherwise does not reflect current community standards and contemporary understanding of sexual offences involving children and young people.

This Paper proposes that the name of Chapter XIV (Crimes Against Morality) be changed to use factual or descriptive language. Your views are sought on alternatives such as 'Sexual Crimes' or 'Sexual Offences'.

The terminology for equivalent Chapters in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Part	Title
TAS	<i>Criminal Code Act 1924</i>	Chapter XIV	Crimes Against Morality
ACT	<i>Crimes Act 1900</i>	Part 3	Sexual Offences
VIC	<i>Crimes Act 1958</i>	Division 1 – Offences Against the Person	Chapter (8) - Sexual offences (general provisions) Chapter (8A) - Rape, sexual assault and associated sexual offences Chapter (8B) - Sexual offences against children Chapter (8C) - Incest Chapter (8D) - Child abuse material Chapter (8E) - Sexual offences against persons with a cognitive impairment or mental illness Chapter (8F) - Sexual servitude Chapter (8FA) – Other sexual offences
NSW	<i>Crimes Act 1900</i>	Part 3 – Offences against the person	Division 10 - Sexual offences against adults and children
QLD	<i>Criminal Code Act 1899</i>	Part 4 – Acts injurious to the public in general	Chapter 22 - Crimes against morality Chapter 32 - Rape and sexual assaults

SA	<i>Criminal Law Consolidation Act 1935</i>	Part 3 – Offences against the person etc.	Division 11 - Rape and other sexual offences Division 13 - Miscellaneous sexual offences
WA	<i>Criminal Code 1913</i>	Part IV – Acts injurious to the public in general  Part V — Offences against the person and relating to parental rights and duties and against the reputation of individuals	Chapter XXII - Offences against morality  Chapter XXXI - Sexual offences
NT	<i>Criminal Code 1983</i>	Part V Part VI	Division 2 - Offences against morality Division 5 - Assaults

## SECTION 124. SEXUAL INTERCOURSE WITH YOUNG PERSON

### Charge: Sexual intercourse with a young person under the age of 17 years

The title of the crime of ‘Sexual intercourse with a young person’ does not currently recognise that a child or young person is unable to give lawful consent. For that reason, this Paper considers alternative names for this crime to reflect the criminality of this crime.

An obvious alternative would be to preface the charge with the word ‘unlawful’. While this is a simple solution, it could be argued that use of the term “unlawful sexual intercourse” sanitises the act and may not accurately reflect the crime committed.

This crime could be renamed ‘child sexual abuse’ or ‘sexual abuse of a child or young person’ which would be consistent with the terminology of the Royal Commission.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	124	Sexual intercourse with a young person

ACT	<i>Crimes Act 1990</i>	55	Sexual intercourse with a young person
VIC	<i>Crimes Act 1958</i>	49A 49B	Sexual penetration of a child under the age of 12 Sexual penetration of a child under the age of 16
NSW	<i>Crimes Act 1900</i>	66A 66C	Sexual intercourse – child under 10 Sexual intercourse – children between 10-16
QLD	<i>Criminal Code Act 1899</i>	215	Carnal knowledge with or of children under 16
SA	<i>Criminal Law Consolidation Act 1935</i>	49	Unlawful sexual intercourse
WA	<i>Criminal Code 1913</i>	320(2) 321(2)	Sexual penetration of a child under 13 Sexual penetration of a child over 13 and under 16
NT	<i>Criminal Code 1983</i>	127	Sexual intercourse or gross indecency involving a child under 16 years

## SECTION 125. PERSON PERMITTING UNLAWFUL SEXUAL INTERCOURSE WITH YOUNG PERSON ON PREMISES

**Charge: Permitting unlawful sexual intercourse with a young person on premises**

This crime is already prefaced with the word 'unlawful'. As noted above, the use of the term "unlawful sexual intercourse can be considered to sanitise the act and fail to accurately reflect the crime committed.

If the preferred terminology for Section 124 is 'unlawful sexual intercourse with a young person under 17 years' – the name of this charge should be retained to ensure internal consistency in the *Criminal Code*.

However, if the preferred terminology for section 124 is 'child sexual abuse' or 'sexual abuse of a child or young person' this crime should be renamed to 'permitting child sexual abuse' or 'permitting the sexual abuse of a child or young person' – with the optional addition of the words 'on premises' - to ensure the *Criminal Code* remains internally consistent.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	125	Person permitting unlawful sexual intercourse with young person on premises
ACT	-	-	-
VIC	<i>Crimes Act 1958</i>	49S	Facilitating a sexual offence against a child
NSW	-	-	-
QLD	<i>Criminal Code Act 1899</i>	213	Owner etc. permitting abuse of children on premises
SA	<i>Criminal Law Consolidation Act 1935</i>	61	Householder not to permit unlawful sexual intercourse on premises
WA	-	-	-
NT	-	-	-

## SECTION 125A. MAINTAINING A SEXUAL RELATIONSHIP WITH YOUNG PERSON

### Charge: Maintaining a sexual relationship with a young person under the age of 17 years

The crime of 'Maintaining a sexual relationship with a young person' contrary to section 125A of the *Criminal Code* has been the subject of significant community comment.

Section 125A represents the most serious type of repeated sexual offending against children and young people. However, the title 'Maintaining a sexual relationship with a young person' has been criticised on that basis that:

- it sanitises the true nature of the offending - being repeated sexual offending against children and young people;
- it implies a level of consent by children and young people where no such consent exists, or no such consent can be given due to the age and power disparity between offender and victim;
- the word 'relationship' should and does have a positive connotation in the community, and such connotation should not be imported into child sexual offending; and
- the offence name minimises the seriousness of the crime and trauma that victims have suffered.



The *Criminal Code* has recently been amended to include another 'course of conduct' offence being 'Persistent family violence' contrary to section 170A. For consistency, it would be appropriate to consider renaming section 125A as 'persistent child sexual abuse' similar to the approach in New South Wales, Victoria, South Australia and Western Australia.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	125A	Maintaining a sexual relationship with a young person
ACT	<i>Crimes Act 1990</i>	56	Maintaining a sexual relationship with a young person or person under special care
VIC	<i>Crimes Act 1958</i>	47A	Persistent sexual abuse of a child under the age of 16
NSW	<i>Crimes Act 1900</i>	66EA	Persistent sexual abuse of a child
QLD	<i>Criminal Code Act 1899</i>	229B	Maintaining a sexual relationship with a young person
SA	<i>Criminal Law Consolidation Act 1935</i>	50	Persistent sexual exploitation of a child
WA	<i>Criminal Code 1913</i>	321A	Persistent sexual abuse of a child
NT	<i>Criminal Code 1983</i>	131A	Sexual relationship with a child

## SECTION 125B. INDECENT ACT WITH YOUNG PERSON

**Charge: Indecent act with or directed at a young person under the age of 17 years**

The term 'indecent/indecency act' could be described as having fallen out of modern use. For the contemporary community, its use can be confusing. There is concern that the term 'indecent' no longer reflects the community's understanding of the nature of the acts prohibited by this crime.

In addition, the word 'indecent/indecency act' carries a moralistic connotation that does not sit well with the objective character of the criminal law. New South Wales and Victoria have removed the term from their criminal statutes.

In Tasmania, 'indecent/indecency act' is defined as something contrary to community standards, determined on the basis of the personal experience and values of a jury or finder of fact. It is commonly accepted as containing a sexual element.

Submissions are sought as to whether 'indecent/indecency act' should be replaced in the *Criminal Code*. An alternative to 'indecent act with a young person' that does not use this outdated language is 'engaging a child in a sexual act'.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	61	Acts of indecency with young people
ACT	<i>Crimes Act 1990</i>	55	Acts of indecency with young people
VIC	<i>Crimes Act 1958</i>	Numerous	Highly descriptive crimes – i.e. sexual activity in the presence, causing a child to be present, etc.
NSW	<i>Crimes Act 1900</i>	Numerous	Highly descriptive crimes – i.e. sexual touching child aged x, sexual act child aged x, etc.
QLD	<i>Criminal Code Act 1899</i>	210	Indecent treatment of children under 16
SA	<i>Criminal Law Consolidation Act 1935</i>	58	Acts of gross indecency
WA	<i>Criminal Code 1913</i>	204A	Showing offensive material to child under 16
		320(4)	Indecently deal with a child
		132	Indecent dealing with child under 16 years
NT	<i>Criminal Code 1983</i>	127	Gross indecency involving a child under 16 years
		132	Indecent dealing with child under 16 years

## SECTION 125C. PROCURING UNLAWFUL SEXUAL INTERCOURSE WITH PERSON UNDER 17 YEARS

Charge: Procuring unlawful sexual intercourse with young person

Charge: Procuring indecent act by, or with, young person

This crime is already prefaced with the word 'unlawful'. As noted above, it has been argued that use of the term "unlawful sexual intercourse" sanitises the act and may not accurately reflect the crime committed. It is also suggested that 'indecent/indecent act' no longer reflects the community's understanding of the nature of the acts prohibited by this crime.

If the preferred terminology for section 124 is 'child sexual abuse', to ensure the *Criminal Code* remains internally consistent, this crime of 'Procuring unlawful sexual intercourse with young person' should be renamed to 'procuring child sexual abuse'.

If the preferred position is to remove 'indecent/indecent act', an alternative to the crime of 'Procuring indecent act by, or with, young person' is 'Procuring a child (or young person) in a sexual act'.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	125C	Procuring unlawful sexual intercourse with person under 17 years
ACT	<i>Crimes Act 1990</i>	66	Grooming and depraving young people
VIC	<i>Crimes Act 1958</i>	49M	Grooming for sexual conduct with a child under the age of 16
NSW	<i>Crimes Act 1900</i>	66EB(2) 66EB(3)	Procuring children Grooming children
QLD	<i>Criminal Code Act 1899</i>	217	Procuring young person etc. for carnal knowledge
SA	<i>Criminal Law Consolidation Act 1935</i>	60	Procuring sexual intercourse
WA	<i>Criminal Code 1913</i>	320(3) 321(3)	Procuring, inciting or encouraging a child of 'x' age Child under
NT	<i>Criminal Code 1983</i>	131	Attempts to procure child under 16 years

## SECTION 125D. COMMUNICATIONS WITH INTENT TO PROCURE PERSON UNDER 17 YEARS, &C.

Charge: Communicating with intent to procure a person under the age of 17 years to engage in an unlawful sexual act

Charge: Making a communication with the intention of exposing a person under the age of 17 years to indecent material

This crime is already prefaced with the word 'unlawful'. Similar to that noted above, it can be argued that use of the term "unlawful sexual act" sanitises the offence and may not accurately reflect the crime committed. It is also suggested that 'indecent' no longer reflects the community's understanding of the nature of the acts prohibited by this crime.

If the preferred terminology for section 124 is 'child sexual abuse', to ensure the *Criminal Code* remains internally consistent, this crime could be renamed to 'Communication with intent to procure child sexual abuse'. A term used for 'communication with intent to procure' that has attained common usage following the Royal Commission into Institutional Responses to Child Sexual Abuse is 'grooming'. An alternate name for this crime is 'Grooming for child sexual abuse'.

This is the only section of the *Criminal Code* that uses the term 'indecent material'. If 'indecent/indecent act' is to be removed from the *Criminal Code*, an alternative term would be 'sexual material'. It would not be appropriate to use 'child exploitation material' as this charge currently includes pornographic material.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	125D	Communication with intent to procure person under 17 years
ACT	<i>Crimes Act 1990</i>	66	Grooming and depraving young people
VIC	<i>Crimes Act 1958</i>	49K	Encouraging a child under the age of 16 to engage in, or be involved in, sexual activity
NSW	<i>Crimes Act 1900</i>	66EB(2) 66EB(3)	Procuring children Grooming children
QLD	<i>Criminal Code Act 1899</i>	218B 218A	Grooming children under 16 Using internet etc. to procure children under 16
SA	<i>Criminal Law Consolidation Act 1935</i>	60	Procuring sexual intercourse

WA	<i>Criminal Code 1913</i>	320(5) 321(5)	Procuring, inciting or encouraging a child of 'x' age to do an indecent act
NT	<i>Criminal Code 1983</i>	131	Attempts to procure child under 16 years

## SECTION 126. SEXUAL INTERCOURSE WITH PERSON WITH MENTAL IMPAIRMENT

### Charge: Sexual intercourse with a person with a mental impairment

The title of the crime of 'Sexual intercourse with person with mental impairment' does not acknowledge that this crime cannot be charged if a person (with a mental impairment) gives lawful consent. For that reason, alternative names for this crime are being considered.

An alternative would be to preface the charge with the word 'unlawful'. While this is a simple solution, it could be argued that use of the term "unlawful sexual intercourse" sanitises the act and may not accurately reflect the crime committed. Another alternative under consideration which arguably better reflects the nature of the crime is 'sexual abuse of a person with mental impairment'.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	126	Sexual intercourse with person with mental impairment
ACT	-	-	-
VIC	<i>Crimes Act 1958</i>	52B	Sexual penetration of person with cognitive impairment or mental illness
NSW	<i>Crimes Act 1900</i>	66F(3)	Sexual intercourse: taking advantage of impairment
QLD	<i>Criminal Code Act 1899</i>	216	Abuse of persons with an impairment of the mind
SA	<i>Criminal Law Consolidation Act 1935</i>	51	Sexual exploitation of person with a cognitive impairment
WA	<i>Criminal Code 1913</i>	330	Incapable person, sexual offence against

NT	<i>Criminal Code 1983</i>	130	Sexual intercourse or gross indecency by provider of services to mentally ill or handicapped person
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## SECTION 127. INDECENT ASSAULT

### Charge: Indecent assault.

As previously noted, the term 'indecency/indecent' could be described as having fallen out of modern use and may cause confusion in the community. It is also suggested that 'indecent' no longer reflects the community's understanding of the nature of the acts prohibited by this crime.

As previously noted, the word 'indecent' carries a moralistic connotation that does not sit well with the objective character of the criminal law. New South Wales and Victoria have removed the term from their criminal statutes.

In Tasmania, 'indecency/indecent' is defined as something contrary to community standards, determined on the basis of the personal experience and values of a jury or finder of fact. It is commonly accepted as containing a sexual element.

An alternative to 'indecent assault' that does not use this outdated language is 'sexual assault'.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	127	Indecent assault
ACT	<i>Crimes Act 1990</i>	51-53	Sexual assault in the 'x' degree
VIC	<i>Crimes Act 1958</i>	40	Sexual assault
NSW	<i>Crimes Act 1900</i>	61KC	Sexual touching
QLD	<i>Criminal Code Act 1899</i>	352	Sexual assault
SA	<i>Criminal Law Consolidation Act 1935</i>	56	Indecent assault
WA	<i>Criminal Code 1913</i>	323	Indecent assault

NT	<i>Criminal Code 1983</i>	192	Gross indecency without consent
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## SECTION 129. PROCURING BY THREATS, FRAUD, OR DRUGS

Charge: Procuring by threats [or fraud].

The name of the crime 'Procuring by threats, fraud or drugs' is ambiguous and does not describe the element of 'sexual intercourse' that essentially defines the crime.

A proposed alternative is 'Procuring a person for sexual abuse by threats, fraud, or drugs'.

The terminology for equivalent crimes in Australian jurisdictions is outlined below.

Jurisdiction	Legislation	Section	Title
TAS	<i>Criminal Code Act 1924</i>	124	Sexual intercourse with a young person
ACT	-	-	-
VIC	<i>Crimes Act 1958</i>	44 45 46	Procuring sexual act by threat Procuring sexual act by fraud Administration of an intoxicating substance for a sexual purpose
NSW	-	-	-
QLD	-	-	-
SA	-	-	-
WA	<i>Criminal Code 1913</i>	192	Procuring person to have unlawful carnal knowledge by threat, fraud or administering drug
NT	-	-	-

## SECTION 137. INDECENCY

Charge: Indecency

The crime of 'Indecency' in Tasmania is an offence that covers a potentially broad range of conduct.

It is important to note that the crimes discussed above 'Indecent act with a young person' and 'Indecent assault' contrary to Sections 125B and 127 respectively are crimes which include a sexual element.

Section 137 'Indecency' is a crime that is commonly charged in relation to acts of public masturbation. However, the crime has broader application. This crime may also include acts that are not sexual in nature, or lack a sexual connotation, for example, the public slaughter of livestock in a metropolitan area.

There are significant differences in the way in which other jurisdictions' criminal statutes record this crime. The Australian Capital Territory records the crime as an 'Act of indecency without consent', Queensland as 'Indecent acts', South Australia as 'Acts of gross indecency', Western Australia as 'Obscene/indecent act in public', and the Northern Territory as 'Gross indecency in public'.

New South Wales and Victoria adopt more descriptive and contemporary language with 'Sexual act' and 'Sexual activity directed at another person'.

Submissions are sought addressing whether there should be any change to the name of this offence and preferred approaches.

## SECTION 138. OBSCENE PUBLICATIONS

### Charge: Exhibiting obscene matter

The crime of 'Exhibiting obscene matter', similar to the crime of 'Indecency', incorporates language that is becoming less frequently used. This crime can also incorporate conduct that is not predominantly defined by a sexual element.

However, this is a relatively obscure crime – not found in many other Australian jurisdictions. Queensland is the only other jurisdiction with a similar crime, being 'Obscene publications and exhibitions'. The Australian Capital Territory, Victoria and New South Wales' equivalent crimes for 'Indecency' (as noted above) could be read as extending to the type of conduct covered by 'Obscene publication'.

Submissions are sought addressing whether there should be any change to the name of this offence and preferred approaches.

## PROPOSAL TO RELOCATE CRIME

### 139. Misconduct in respect of human remains

If Chapter XIV of the *Criminal Code* is amended to a more descriptive title to reflect the sexual nature of the crimes it contains, it is proposed that the crime of 'Misconduct in respect of human remains' be relocated to an alternative or new chapter of the *Criminal Code*.

The crime of 'Misconduct in respect of human remains' encompasses a broader range of conduct than necrophilia. It includes, for example, neglecting to perform duties imposed by law in respect of burial.



As the crime includes conduct unrelated to sexual offending, it is proposed that it be removed from Chapter XIV. This would help to ensure that any descriptive amendment to the chapter title will not impact on the internal consistency of the *Criminal Code*.

It is not proposed that the crime itself be renamed. The current terminology is consistent with national practice. In Australian jurisdictions this crime is called 'Misconduct with regard to corpses', with the exception of Victoria where the crime is specifically sexual in nature ('Sexual activity with the corpse of a human being') and South Australia where there is no criminal offence for such conduct.

## MATTERS BEYOND THE SCOPE OF THE REVIEW

The following crimes and provisions are not recommended for amendment as it is suggested that they currently incorporate language consistent with contemporary community standards:

- Section 122. Bestiality
- Section 130. Involving person under 18 years in production of child exploitation material
- Section 130A. Production of child exploitation material
- Section 130B. Distribution of child exploitation material
- Section 130C. Possession of child exploitation material
- Section 130D. Accessing child exploitation material
- Section 133. Incest

## FEEDBACK

1. Do you have any comment or concerns on the proposed renaming of Chapter XIV – Crimes Against Morality to 'Sex Crimes' or 'Sexual Crimes'?
2. Do you have any comment or concerns as to matters that should (or should not) be included in the list of crimes proposed for amendment?
3. Do you have any comment or concerns on the specific proposals for each of the identified crimes subject to review, or preferred alternatives?
4. Do you have any comment or concerns on the proposal to move the crime of 'Misconduct in respect of human remains' to an alternative or new chapter of the *Criminal Code*?
5. Do you have any comment or concerns on potential practical impacts the proposal to rename the identified sex related crimes may have?
6. Do you have any further comment or concerns in respect of the proposals?

## HOW TO MAKE A SUBMISSION

All written submissions on the Proposal Paper must be received by close of business on Friday, 7 February 2020.

Submissions can be forward to:

Email: [haveyoursay@justice.tas.gov.au](mailto:haveyoursay@justice.tas.gov.au)

Mail: Department of Justice  
Office of the Secretary  
GPO Box 825  
Hobart TAS 7001

Other than indicated below, submissions will be treated as public information and will be published on our website at <https://www.justice.tas.gov.au/community-consultation>

Submissions will be published once consideration of the feedback has concluded.

No personal information other than an individual's name or the organisation making a submission will be published.

For further information, please contact: Oliver Hinss at [oliver.hinss@justice.tas.gov.au](mailto:oliver.hinss@justice.tas.gov.au)