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**QUESTION ON NOTICE**

**AFP response to Question on Notice from PJCLE Chair on 17 November 2021:**

- 1. Has the AFP seen any instances of fictionalised or animated vision of murder, rape and terrorist activities; and**
- 2. Has the AFP has seen people using this fictional or animated material to circumvent restrictions around abhorrent violent material?**

**Response:**

The AFP has seen a number of investigations where the individual was in possession of, or may have developed, fictionalised or animated vision of murder, rape and terrorist activities, including depictions of beheadings, rape scenes and violence. In these circumstances, it can be difficult to determine whether an individual is viewing fictional material in order to circumvent the restrictions around abhorrent violent material or whether they choose fictionalised or animated material for their own gratification.

The AFP highlights that whilst child abuse material of an animated or fictionalised nature may not fall under the definition of 'abhorrent violent material', it is still an offence to possess, control, produce, supply or obtain child abuse material of that nature, as the definition of "child abuse material" in section 473.1 of the *Criminal Code* includes that material depicts a 'representation of a person', or 'describes a person' who is, or appears to be, under 18 years of age.

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