



25th May 2017

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Secretary,

The Carly Ryan Foundation is a non-profit, registered harm prevention charity created to promote Internet safety and prevent crimes against children under the age of 18 years. The foundation was incorporated following the murder of Carly Ryan, 15 years old, in February, 2007.

The foundation supports families and the community through education, awareness, engagement, harm prevention, promotion and political advocacy.

The Carly Ryan Foundation's mission is to make the Internet safer for children and families. We have pioneered efforts to raise public awareness about the dangers of Internet pornography, sexual predators, cyber bullying, and other Internet threats.

We create solutions that promote shared responsibility between the public, technology, and the law. We stand for a community where all people are respected and valued; for a child's innocence to be protected and for a society free from online sexual exploitation of youth.

Carly Ryan was groomed online by Gary Francis Newman, a 50-year-old pedophile who created over 200 fake profiles online posing as an 18yr old boy to infiltrate Carly's life, lure her, then brutally murder her in February 2007.

Gary Newman misrepresented his age and identity online to prepare to harm Carly. This bill could have prevented that harm before Carly was lured to meet with Gary Newman in person believing she was meeting, Brandon Kane, an 18 year old boy- see below;

A person (the first person) commits an offence if: (a) the first person does any act in preparation for doing, or planning to do, any of the following:

- . (i) causing harm to a person under 16 years of age;*
 - . (ii) engaging in sexual activity with a person under 16 years of age;*
 - . (iii) procuring a person under 16 years of age to engage in sexual activity; and*
- (b) the first person is at least 18 years of age; and (c) the act is done using a carriage service.*



P (08) 8339 3992
E info@carlyryanfoundation.com

www.carlyryanfoundation.com
PO Box 589, Stirling SA, 5152



The Carly Ryan Foundation provides our full support to the amendments proposed under the Criminal Code Amendment (protecting Minors Online) Bill 2017 – Carly's Law.

We continue to advocate and raise awareness with regards to the online mediums and tools used by criminals to groom and procure children online in order to harm them and to create public awareness around the importance of providing Police with appropriate legislation in order to prosecute criminal matters effectively.

Under current legislation, procuring and grooming offences, we have a victim of crime before authorities can act, as there must be evidence of sexual abuse or sexual activity to prepare an investigation for criminal proceedings to continue.

Under the proposed (Protecting Minors Online) Bill 2017 Police can act sooner before a child becomes a victim of a crime, therefore preventing harm and a lifetime of suffering for that child if they survive the criminal act. This can also help to restore faith for the community in the courts.

The grooming of minors online is unfortunately a very common practice. Carly's case is not unique. Preparing to harm, preparing abduction and other preparatory acts with the intention to harm or commit an offence is an ever-increasing problem for investigating officers and Police teams dedicated to arresting criminals before they meet with a child victim.

Our organisation is victim focused, therefore embrace this legislation as an proactive and vital tool giving Police more power to intervene sooner before a child is harmed, creating the consistency required making the legislation clear for each state to utilize effectively.

The Criminal Code Amendment (Protecting Minors Online) Bill 2017 has been welcomed by the Australian Community and Police as a practical solution to prevent harm.

The foundation can provide many examples from Police in which Carly's Law can be used right now to prevent serious child sex offences nationally.

Should you wish to discuss this matter further, please do not hesitate to contact The Carly Ryan Foundation.

Yours sincerely

Sonya Ryan
Founder & CEO
SA Australian of The Year 2013
The Carly Ryan Foundation



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