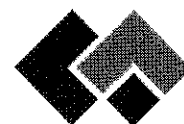


10 May 2013

Ms Julie Dennett
Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
PO Box 6100
Parliament House
Canberra
ACT 2600



Law Council
OF AUSTRALIA

Martyn Hagan
Secretary-General

By email: LegCon.Sen@aph.gov.au

Dear Ms Dennett

CRIMINAL CODE (MISREPRESENTATION OF AGE TO A MINOR) BILL 2013

I refer to my letter of 21 March 2013 in which I advised that the Law Council would not be making a separate submission on the *Criminal Code (Misrepresentation of Age to a Minor) Bill 2013* (the Bill).

I indicated that the Law Council may seek to endorse a submission by the Law Society of South Australia (LSSA) on the Bill.

I note that the LSSA made a submission on the Bill on 6 May 2013 which has been published on your website.

The Law Council endorses this submission which is consistent with matters the Law Council has raised previously regarding amendments to the *Criminal Code Act 1995* (Cth) (the Criminal Code) relating to sexual offences against children, including:

1. The need for offences to be properly defined and restricted to conduct which is clearly criminal in nature;
2. The need to avoid creating offences which are purely preparatory in nature;
3. The need to consider the extension of the scope of existing offences through the application of Part 2.4 of the Criminal Code which included extended liability provisions such as those relating to attempts, incitement and conspiracy to commit offences under the Code.¹

I hope that these views may be of assistance to the Committee.

Yours sincerely,

Martyn Hagan
Secretary-General

¹ See Law Council of Australia Submission to the Senate Legal and Constitutional Affairs Committee on the Crimes Legislation (Sexual Offences Against Children) Bill 2010 available at http://www.lawcouncil.asn.au/shadomx/apps/fms/fmsdownload.cfm?file_uuid=2B06CB2A-1E4F-17FA-D2FD-38A4B2324D19&siteName=ica