



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

4 May 2017

To whom it may concern,

Re: Criminal Code Amendment (Protecting Minors Online) Bill 2017

The Sexual Assault Support Service (SASS) is a community-based service committed to providing high quality support and information services to survivors of sexual assault in Southern Tasmania, their carers and support people, professionals, and the general public. SASS delivers a 24 hour sexual assault crisis response program; 24 hour phone support and counselling service to people affected by sexual abuse; and face to face information, support, counselling, and referral services for anyone affected by sexual abuse.

SASS welcomes the opportunity to respond to the Senate Legal and Constitutional Affairs Legislation Committee Inquiry into the Criminal Code Amendment (Protecting Minors Online) Bill 2017.

SASS strongly supports the intention and content of the Bill. However, we note that it is not clear how the Bill aligns with certain sections of the Tasmanian *Criminal Code Act (1924)* regarding sexual acts with a young person aged under 17 years, for example, sections 125B and 125D. These sections allow for the consent of the person against whom a crime is alleged to have been committed to be a defence, if at the time when the crime was alleged to have been committed, the person was of or above the age of 15 years and the accused person was not more than 5 years older. Under the *Criminal Code Act*, this defence would therefore allow a 20 year old adult to communicate with intent to procure a 15 year old young person, whereas under the Criminal Code Amendment (Protecting Minors Online) Bill 2017 we understand that this would be a chargeable offence.

Kind regards,

Jill Maxwell

CEO, Sexual Assault Support Service (SASS)