

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO**

Program: 1.7 National Security and Criminal Justice

Question No. AE17/151

Senator Pratt asked the following question at the hearing on 24 March 2017:

1. In November 2016, the Government announced a public consultation process on a proposed civil penalties regime targeted at both perpetrators and sites which host intimate images and videos shared without consent.
 - a) Will the Attorney-General's Department be responsible for this consultation?
 - b) Was the Attorney-General's Department consulted prior to the announcement of this consultation or did the Department provide any advice about how a civil penalty regime might operate?
 - c) What was the Department's view?
 - d) Did any submissions to the Senate Legal and Constitutional Affairs Committee's inquiry into the phenomenon colloquially referred to as 'revenge porn' express support for a civil penalties regime?
 - e) When will the public consultation process begin and when will the discussion paper be released?

The answer to the honourable senator's question is as follows:

- a) The Department of Communications and the Arts is leading public consultations on the proposed civil penalty regime for the non-consensual sharing of intimate images.
- b) The department was consulted by the Office for Women and the Department of Communications and the Arts prior to the announcement of the public consultation process.
- c) Given the department's responsibility for administration of relevant criminal offences, the department provided advice on the interaction between the existing criminal framework and any civil penalty regime.
- d) Submissions to the Senate Legal and Constitutional Affairs Committee's inquiry into the phenomenon colloquially referred to as 'revenge porn' are publicly available on the Parliament of Australia website: http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Revenge_porn/Submissions.
- e) The Committee should direct this question to the Department of Communications and the Arts, which is leading the public consultation process.