

CHAPTER 1

INTRODUCTION

Purpose of the Bill

1.1 On 20 September 2007 the Senate referred the provisions of the Crimes Legislation Amendment (Child Sex Tourism Offences and Related Measures) Bill 2007 (the Bill) to the Standing Committee on Legal and Constitutional Affairs, for inquiry and report by 10 October 2007.

1.2 The Bill relocates existing child sex tourism offences from Part IIIA of the *Crimes Act 1914* (Crimes Act) to the *Criminal Code Act 1995* (Criminal Code) as well as creating new 'grooming', procuring and preparatory offences. In addition, the Bill will make it an offence for Australian citizens and residents to possess, produce or distribute child pornography while overseas.

Background

1.3 The existing offences relating to child sex tourism, in Part IIIA of the Crimes Act, were enacted in 1994. The Attorney-General noted in his second reading speech that since the introduction of these provisions, 'there have been more than 20 prosecutions against these provisions with approximately 15 convictions.'¹ The Attorney-General went on to explain the rationale for the Bill:

New measures contained in the bill fill gaps in the current legislative regime and will enhance Australia's existing child sex tourism regime by creating new grooming, procuring and preparatory offences. These offences are essentially preventative in nature. Their purpose is to give law enforcement agencies and prosecutors the mandate to take action before any child is harmed.²

Conduct of the inquiry

1.4 The committee advertised the inquiry in *The Australian* newspaper on 26 September 2007. Details of the inquiry, the Bill and associated documents were placed on the committee's website. The committee also wrote to 86 organisations and individuals.

1.5 The committee received 6 submissions, which are listed at Appendix 1. The committee did not hold a public hearing for this inquiry but clarified a number of issues with the Attorney-General's Department (the Department), the Department of

1 *House of Representatives Hansard*, 13 September 2007, p. 4.

2 *House of Representatives Hansard*, 13 September 2007, p. 4

Foreign Affairs and Trade (DFAT) and the Australian Federal Police (AFP) through written questions.

Acknowledgement

1.6 The committee thanks those organisations and individuals who made submissions.

Note on references

1.7 References in this report are to individual submissions as received by the committee, not to a bound volume.