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POLITICS QUEENSLAND CYBER PROTECTION

Disturbing gap identified in Queensland's revenge porn legislation

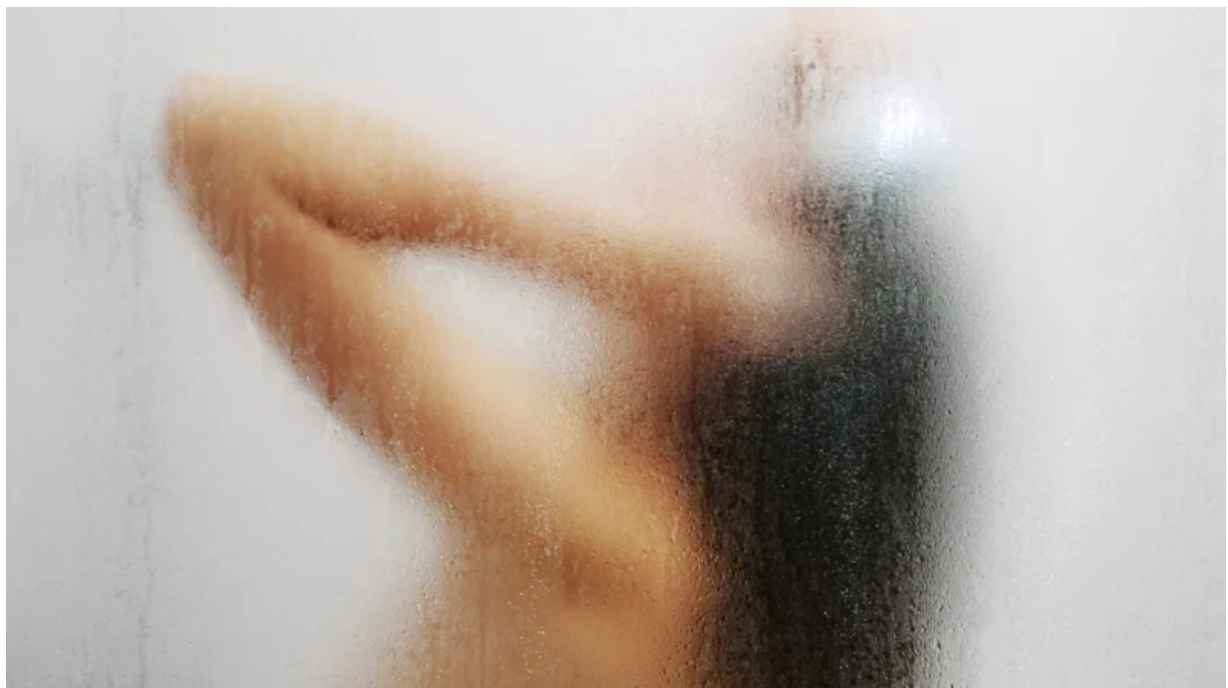
By **Felicity Caldwell**

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The Queensland government has been warned of a significant gap in its revenge porn legislation, which may not cover sexually threatening posts made without associated imagery.

Speaking at a parliamentary committee hearing into proposed revenge porn laws, Brisbane Domestic Violence Service team leader Rebecca Shearman cited one horrific example that she thought would not be covered by the legislation.



The Queensland legislation would introduce penalties of up to three years for posting intimate photos on the internet. ISTOCK

In that example, an offender allegedly posted details about his ex-partner, including her phone number and the type of humiliation she would purportedly enjoy online, prompting a flood of messages from strangers, including some with graphic descriptions of violent sex acts.

"She got 50 to 100 messages within a very short space of time, some of them were pretty demeaning and disgusting but that's because he'd posted that that's what she liked," Ms Shearman said.

Ms Shearman said "a lot of women" had spoken about a similar experience and being approached by unknown men.

"They'll actually publish their address and phone number so it's extremely unsafe that someone is going to consider that's a real invitation," she said.

Committee chairman Peter Russo asked Ms Shearman if she thought there was a gap in the legislation as it did not cover posts without images, to which she agreed.

It was one of several sickening examples detailed during the hearing.

Ms Shearman said women had been "extorted" and asked for \$500 to \$1000 by website operators to remove "revenge porn" photos.

Sharing, or even threatening to share, compromising images of another person in Queensland would result in three years' jail, under a [bill introduced](#) to Parliament by Attorney-General Yvette D'Ath last month.

In one case, Ms Shearman said a perpetrator sent intimate images of a woman to her senior managers after she said she was leaving him.

Katrina Weeks, from the Centre Against Sexual Violence, which provides counselling and support to females 12 years and older, said clients had sought help for sexting, non-consensual sharing of intimate images, pressure to participate in or watch pornography, revenge porn, cyber stalking and repeated requests for sexual photos.

"The effects of this sort of abuse can be devastating and often result in disruption to education, mental pain and anguish, isolation from family and friends, affecting them in their work and professional lives, disruption to schooling or to drop out of school altogether," she said.

"Victim-blaming is normalised in our experience, judging of young women or women who might have originally been filmed or photographed by consent is often brutal and uncompromising."

Ms Weeks called for an urgent review and independent inquiry into sexual violence in Queensland, which would hear the voice of survivors.

"We need a holistic prevention plan that includes the training of law enforcement staff and a review of the lack of convictions in our court system for sexual offences including the law around mistaken consent," she said.

Ms Weeks said there "wouldn't be many teenagers that wouldn't be having pressure" to be sexting.

Women's Legal Service Queensland chief executive Angela Lynch said non-consensual sharing of images could be used to threaten former partners.

Ms Lynch [repeated calls](#) for an independent inquiry into sexual violence to better understand low reporting rates and high attrition rates in the system.

"Unfortunately there are some fundamental problems with the current approach as the failure to address the issue of consent and mistaken belief in the Criminal Code will undermine the good intentions of the legislation and will provide fertile ground for perpetrators to avoid responsibility and not be accountable to the community for their actions," she said.

"For example, the existence of mistaken belief would allow for the success of arguments such as 'she consented to the video so I thought she would be fine to share it with my friends' or 'she is promiscuous anyway so sharing it shouldn't be a problem.'"

Fairfax Media revealed Labor's pledge during the [November election campaign](#) to make revenge porn and sexting images without consent a criminal offence.



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