

## Deputy Premier John Rau MP

Attorney-General

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### **New laws to combat child exploitation**

Proposed new laws will compel access to encrypted or restricted computer material to support the investigation and prosecution of child exploitation material offences.

The State Government will introduce a Bill that creates an offence to administer, host, promote or facilitate the establishment, operation or use of child exploitation material websites and other online networks.

It will also be an offence to fail to provide police with access to encrypted or other restricted access computer material that is reasonably suspected to relate to criminal activities.

These reforms will ensure that law enforcement agencies and the courts have the tools to deal with serious criminals who exploit children.

### **Background**

South Australia's existing laws address the possession and distribution of child exploitation material.

However existing offences do not always specifically capture the conduct of administering, establishing and operating child exploitation websites and online networks, which can occur without actual possession of the child exploitation material.

The new offence will draw on the model introduced by Victoria. It is proposed the new offence carry a maximum penalty of up to ten years imprisonment, which is the same penalty that applies to most existing aggravated child exploitation material offences.

Technological advances have drastically changed the way in which criminals operate. Offenders are increasingly making use of readily available and sophisticated encryption programs to protect electronic records that relate to child exploitation material and other crimes.

Police are increasingly unable to gain access to incriminating encrypted or restricted access material relating to many crimes.

There is currently no general power in South Australia to provide a password or other means of access to encrypted or other restricted access material.

## **Quotes attributable to Attorney-General John Rau**

The reforms proposed by the Government are a response to technological advances and the new way in which crimes, especially the sexual exploitation and abuse of children, are being committed.

The internet and rapid advances in technology bring obvious benefits for society, but there is a dark side to these advances.

It is crucial that the criminal law keeps pace with changes in society and new ways of offending.