

SUMMARY OFFENCES (INDECENT FILMING) AMENDMENT BILL

16 October 2008

The Hon. D.G.E. HOOD: I rise briefly to indicate Family First's wholehearted support for this bill. We acknowledge the comments made by the Hon. Mr Lawson in his second reading contribution about whether or not it is necessary, as well as the argument regarding whether this bill is actually covered by legislation; and, whilst we respect his knowledge of these matters, nonetheless we see that it does no harm at all to specifically clarify that this is clearly an offence—and, what is more, lay out the appropriate penalties for the offence. For that reason we will support the bill.

The bill makes indecent filming an offence punishable by a \$10,000 fine or imprisonment for two years. I note the comments made by the Hon. Mr Darley a moment ago about doubling those penalties in the case of minors (which I have heard him mention previously), and I can indicate that at this stage we would certainly be favourable to that. I will, of course, need to consult with my colleague, but I indicate our likely support for that as well.

These measures have been on the drawing board for some time. Let us not forget that the state Attorneys-General met back in July 2006 promising to tackle this issue. Victoria legislated against indecent filming some 12 months ago and many other jurisdictions (such as New Zealand and states throughout the United States) have prohibited the practice for a number of years now. However, we are pleased this legislation has come forward; it is better late than never.

We have had a number of incidents, and I understand the catalyst for this national approach was the well-publicised case of Takuya Muto, a Japanese student living in Sydney who pleaded guilty to three separate charges after he was caught filming women showering at a Melbourne backpackers' hotel about two years ago. On the same date he had also taken a so-called 'up skirt' photo of a woman at the Australian Open tennis tournament. Unfortunately, this offence is common in some Japanese subcultures—

apparently it is even promoted in some Japanese cartoons. However, we certainly do not want to have it here.

Closer to home, we had an incident where a camera was found in the woman's shower block at Lincoln College a year or two back. Any reasonable person accepts that such filming is unacceptable and, indeed, demeaning. It is particularly insidious given that digital images and video can now be shared so easily online on sites such as YouTube and the like. It will be reassuring to know that we have specific legislation to deal with the next instance of a camera being found inside a bathroom or hotel, or shop change room, and that the uploading of such film will also be an offence.

As I said, we are mindful of the concerns raised by the Hon. Mr Lawson. It does seem that sometimes we have legislation for legislation's sake but in this case I think that, being highly specific, it does no harm at all. One question this bill does not raise is: what happens when legal photos are uploaded to a voyeuristic website without consent? Several years ago photos of Victorian schoolchildren were uploaded to a voyeuristic website. The pictures were of clothed children, but many considered their display on such websites inappropriate. Certainly, in a world that is more digitally connected than ever before we will have to increasingly consider the implications associated with our images and private details being used without consent.

With those few words I indicate Family First support of this legislation. No doubt there will be some robust discussion in the committee stage, to which we look forward.