



**Office of the Information Commissioner  
Queensland**

7 September 2018

Mr Peter Russo MP  
Chair, Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

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Dear Mr Russo

**Criminal Code (Non-consensual Sharing of Intimate Images) Amendment Bill 2018**

The Office of the Information Commissioner (OIC) welcomes the opportunity to contribute to the Committee's consideration of the Criminal Code (Non-consensual Sharing of Intimate Images) Amendment Bill 2018.

Queensland's *Information Privacy Act 2009* (IP Act) provides a framework for requiring government entities to deal with personal information in accordance with privacy principles. However, no comparable responsibilities are imposed on individuals.

To date, an individual's obligation to respect another's privacy with respect to intimate images has, in practical terms, fallen into a gap in the legislative framework. Although victims of this type of abuse have come to the OIC for assistance infrequently over recent years, distressed, angry, and vulnerable victims have had little or no recourse for redress or rectification.

Unequivocally, the need to provide some measure of privacy protection to a person depicted in an intimate image is essential. This is especially so in the context of a growing social acceptance of the taking of intimate images, the pervasive use of social media platforms and the ability for images to be instantaneously broadcast to a potentially unlimited audience.

This bill is likely to provide legal clarity for victims, perpetrators and law enforcement. OIC welcomes this reform and these provisions for their potential to discourage this malicious behaviour, hold perpetrators responsible for their actions, and provide some means of rectification for victims.

The OIC supports this vital, privacy-enhancing legislative reform and the content of the bill.

Yours sincerely

Rachael Rangihaeata  
**Information Commissioner**

Phil Green  
**Privacy Commissioner**

The Office of the Information Commissioner is an independent statutory authority.

The statutory functions of the OIC under the Information Privacy Act 2009 (Qld) (IP Act) include commenting on the administration of privacy in the Queensland public sector environment.

This submission does not represent the views or opinions of the Queensland Government.