

FACT SHEET

Criminal Code Amendment (Sexual Abuse Terminology) Bill 2020

The *Criminal Code (Sexual Abuse Terminology) Amendment Bill 2020* (the Bill) makes amendments to the *Criminal Code Act 1924* to remove outdated terminology in relation to sexual offending.

The Bill also makes consequential amendments to the *Community Protection (Offender Reporting) Act 2005*, *Evidence Act 2001*, *Youth Justice Act 1997*, and *Sentencing Amendment (Phasing Out Of Suspended Sentences) Act 2017*.

The Bill amends the *Criminal Code Act 1924* by:

- renaming 'Chapter XIV - Crimes Against Morality' to 'Chapter XIV - Sexual Crimes';
- replacing inconsistent references to victims in the name of charges with "child [or young person]" to give prosecuting authorities discretion to accurately describe the circumstances of a victim;
- removing the terminology of 'sexual intercourse' in relation to children, and replacing it with 'penetrative sexual abuse'; and
- incorporating the language of 'grooming' to describe crimes whereby a person seeks to prepare a child (or another person) for sexual abuse.

These amendments will ensure that the gravity of sexual crimes against children is properly reflected in the terminology of the appropriate charges and that this predatory and exploitative offending is clearly identified and recorded.

The Bill also include transitional provisions to ensure that:

- these amendments do not affect the elements or function of the crimes;
- any references to the previous terminology for these crimes in any Act, is taken to include the new terminology; and
- all the prosecutions that are not completed at the time of commencement of the Act are changed to the new charging terminology.