1. The Member for Moggill and Shadow Minister for Education and Training, Dr Bruce Flegg, introduced the Criminal Code (Filming or Possessing Images of Violence Against Children) Amendment Bill 2009 as a Private Member’s Bill in October 2009.
2. The Explanatory Notes to the Bill state the objective of the Bill is to amend the Criminal Code to provide protection for children who are the targets of cyber bullying through the confiscation of devices used by bullies. Because the aim of cyber bullying is the capture of the image of bullying, the confiscation of the device effectively stops the mode and the intent of the offence.
3. School principals currently have the power to confiscate student property. There are sufficient powers of seizure for police in the *Police Powers and Responsibilities Act 2000.*
4. Where bullying or cyber bullying incidents constitute criminal behaviour, the behaviour would be captured by offences in the Queensland Criminal Code and the Commonwealth *Criminal Code Act 1995.* Queensland and national education policies and guides address bullying, including cyber bullying.
5. The Bill is also not supported for the reason that the amendments inappropriately insert bullying by school children into offences regarding the making and distributing of child pornographic material.
6. Cabinet decided to oppose the Criminal Code (Filming or Possessing Images of Violence Against Children) Amendment Bill 2009.
7. Attachments
* [Criminal Code (Filming or Possessing Images of Violence Against Children) Amendment Bill 2009](Attachments/CCodeFPIVACAB09_P.pdf)
* [Explanatory Notes](Attachments/CCodeFPIVACAB09Exp_P.pdf)