



PARLIAMENT OF AUSTRALIA

## PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

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# MEDIA RELEASE

## Inquiry into the *Criminal Code Amendment (Sharing of Abhorrent Violent Material) Act 2019*

The Parliamentary Joint Committee on Law Enforcement has received a request from the Attorney-General, the Hon Senator Michaelia Cash, to inquire into and report on the operation of the *Criminal Code Amendment (Sharing of Abhorrent Violent Material) Act 2019* (AVM Act). The Attorney-General has made this request consistent with the requirement under section 474.45 of the schedule to the *Criminal Code Act 1995* (Cth) that she cause to be conducted a review of the AVM Act within two years of its commencement. The committee has agreed to this request and intends to present its report to both Houses of the Parliament by 5 April 2022.

The AVM Act commenced on 6 April 2019, following the Christchurch terrorist attack on 15 March 2019. That incident demonstrated the potential for live streaming and other video sharing platforms to be abused by extremist perpetrators to amplify their messages.

The AVM Act introduced new offences (at Subdivision H of Division 474 of the Schedule to the Criminal Code) to ensure that internet, hosting or content services proactively refer abhorrent violent material to law enforcement, and that hosting and content services expeditiously remove abhorrent violent material that is capable of being accessed within Australia. It also provided the eSafety Commissioner with the power to notify service providers that abhorrent violent material is available on their services. These notices create a presumption that the provider is aware of the material and puts the provider on notice that such material should be removed.

The committee will inquire into and report on the effectiveness of the AVM Act in ensuring internet, hosting and content providers take timely action to remove or cease hosting abhorrent violent material when it can be accessed using their services, and the appropriateness of the obligations placed on those providers. The inquiry will also consider the effectiveness of the AVM Act in reducing the incidence of misuse of online platforms by perpetrators of violence, and the appropriateness of the roles and responsibilities of the eSafety Commissioner and Australian Federal Police under the Act. The committee will also consider the definition of 'abhorrent violent material' under the AVM Act.

The committee is calling for written submissions and requests they are received by **Friday, 15 October 2021** (although submissions received after that date can still be received).

The inquiry's terms of reference and further information can be found on the committee's website at [here](#), or by contacting the committee secretariat on +61 2 6277 3419 or [le.committee@aph.gov.au](mailto:le.committee@aph.gov.au).

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**Terms of Reference**

Pursuant to subsection 7(1) of the *Parliamentary Joint Committee on Law Enforcement Act 2010*, the Committee will inquire into and report on the operation and effectiveness of Subdivision H of Division 474 of the Schedule to the *Criminal Code Act 1995* (Cth), with particular reference to:

- a) the effectiveness of the AVM Act in ensuring that persons who are internet service providers, or who provide content or hosting services, take timely action to remove or cease hosting abhorrent violent material when it can be accessed using their services; and/or,
- b) the effectiveness of the AVM Act in reducing the incidence of misuse of online platforms by perpetrators of violence;
- c) the appropriateness of the roles and responsibilities of the eSafety Commissioner and Australian Federal Police under the AVM Act;
- d) the appropriateness of the obligations placed on persons who are internet service providers, or who provide content or hosting services, under the AVM Act;
- e) the definition of abhorrent violent material under the AVM Act; and,
- f) any related matter.