

Criminal Code Act 1899

210 Indecent treatment of children under 16

(1) Any person who—

- (a) unlawfully and indecently deals with a child under the age of 16 years; or
- (b) unlawfully procures a child under the age of 16 years to commit an indecent act; or
- (c) unlawfully permits himself or herself to be indecently dealt with by a child under the age of 16 years; or
- (d) wilfully and unlawfully exposes a child under the age of 16 years to an indecent act by the offender or any other person; or
- (e) without legitimate reason, wilfully exposes a child under the age of 16 years to any indecent object or any indecent film, videotape, audiotape, picture, photograph or printed or written matter; or
- (f) without legitimate reason, takes any indecent photograph or records, by means of any device, any indecent visual image of a child under the age of 16 years;

is guilty of an indictable offence.

- (2) If the child is of or above the age of 12 years, the offender is guilty of a crime, and is liable to imprisonment for 14 years.
- (3) If the child is under the age of 12 years, the offender is guilty of a crime, and is liable to imprisonment for 20 years.
- (4) If the child is, to the knowledge of the offender, his or her lineal descendant or if the offender is the guardian of the child or, for the time being, has the child under his or her care, the offender is guilty of a crime, and is liable to imprisonment for 20 years.
- (4A) If the child is a person with an impairment of the mind, the offender is guilty of a crime, and is liable to imprisonment for 20 years.
- (4B) The *Penalties and Sentences Act 1992*, section 161Q also states a circumstance of aggravation for an offence against this section.
- (4C) An indictment charging an offence against this section with the circumstance of aggravation stated in the *Penalties and Sentences Act 1992*, section 161Q may not be presented without the consent of a Crown Law Officer.
- (5) If the offence is alleged to have been committed in respect of a child of or above the age of 12 years, it is a defence to prove that the accused person believed, on reasonable grounds, that the child was of or above the age of 16 years.
- (5A) If the offence is alleged to have been committed with the circumstance of aggravation mentioned in subsection (4A), it is a defence to the circumstance of aggravation to prove that the accused person believed on reasonable grounds that the child was not a person with an impairment of the mind.
- (6) In this section—
deals with includes doing any act which, if done without consent, would constitute an assault as defined in this Code



Home of the Arts

22 Mar · 🌐



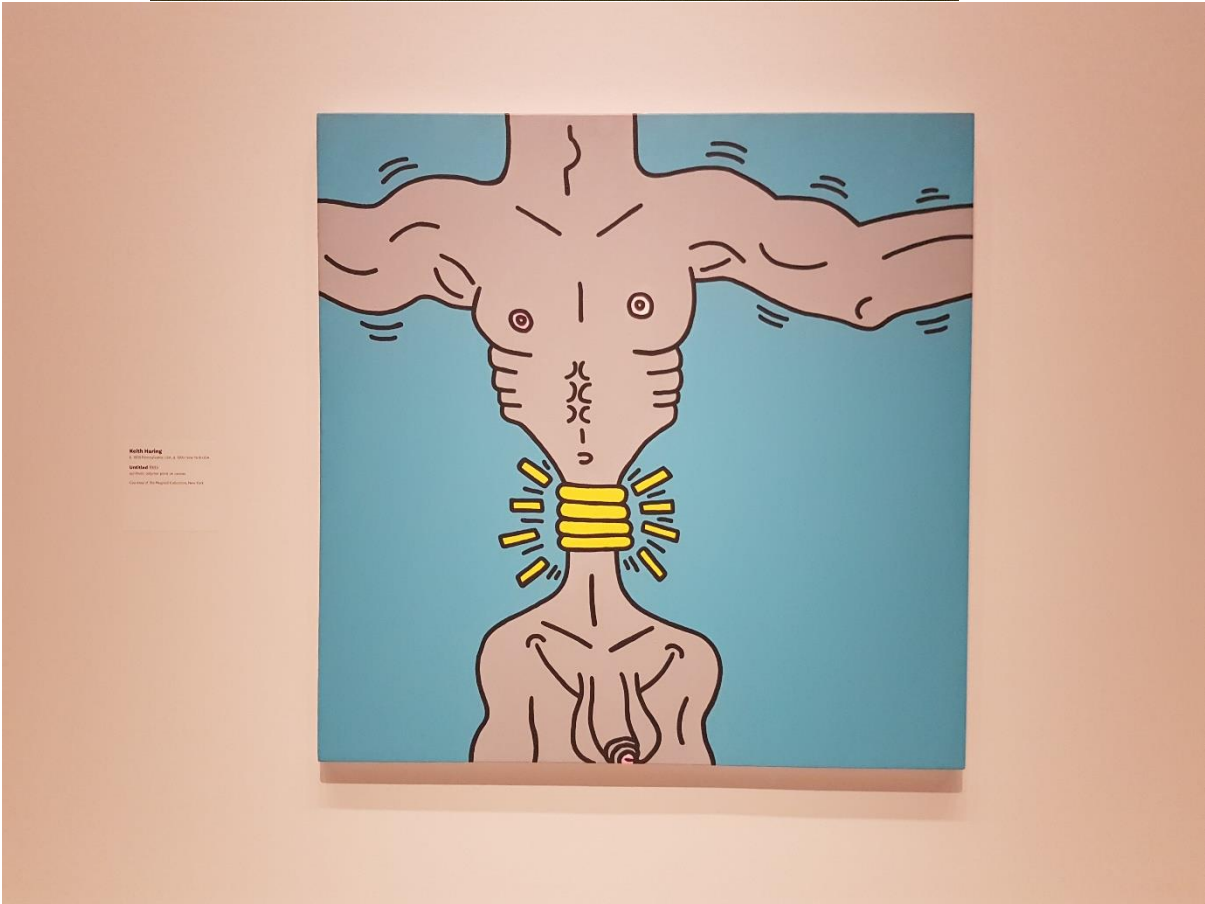
Start your school holidays early at HOTA! Kids Go Free from 27 Mar - 2 Apr to Pop Masters. Emma Memma popped by to explore the exhibition last week before her shows at HOTA.

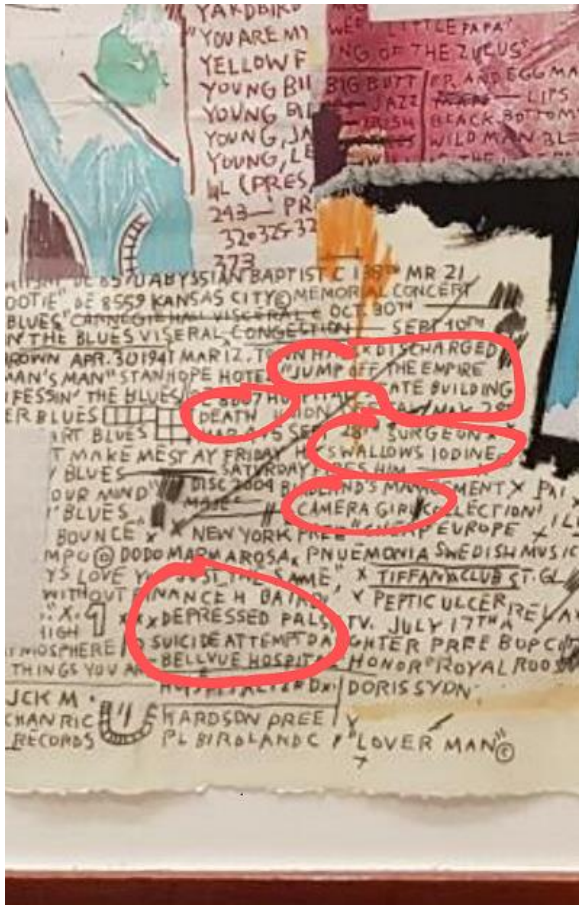
For every adult or concession ticket purchased, one child can enter for free. A child is aged 4-16 years old, children 3 and under can visit for free anytime.



Grab your Kids Go Free tickets at hota.com.au/popmasters







Tips for reporting the crime.

1. You are reporting a crime under section 210, subsection 1 e, of the 1899 Queensland Criminal Code taking place at the Pop Masters exhibition in Home Of The Arts (HOTA) on the Gold Coast.

Present print out of section 210 of the code.

2. Present image of Emma Wiggle promotional material, highlighting fact they are encouraging children to attend, by use of popular children's character and offering free tickets.

3. Present images of "art" on display.

4. Conclude with you are wishing to make a formal complaint and would like to report the crime.

Don't leave until the police provide you with a report number, which should start with a Q.

5. The remedy we seek, is NOT to limit the rights of adults to visit the exhibition, but to raise the age of entry to 18+, just in the same way a movie cinema would refuse entry to children under the age of 18, to an R18+ movie due to adult themes.

We also want clear signage on both the website and at HOTA, to read "This exhibition contains images of a graphic sexual nature, including bestiality, which are not suitable for children. Entry will be refused to all children under the age of 18" .

5. Art being up for "interpretation", is an invalid excuse, when we are discussing children being exposed to bestiality themes, suicide themes and male genitalia constantly being exposed.

6. It being left up to the parent or guardian to make a decision on what is appropriate for a minor, is an invalid excuse, as the child will already have been exposed to the graphic content once inside the display.

After the complaint has been made, please call and email HOTA directly, along with the Gold Coast City Council and the councillors individually, to voice your concern, disapproval and the remedy we seek.

HOTA Phone: (07) 5588 4000

HOTA Email: hello@hota.com.au

GC City Council Phone: 1300465326 or 07 56295629

GC City Council email: mail@goldcoast.qld.gov.au

Mayor Tom Tate

Mayor

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Cr Mark Hammel

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Cr Gail O'Neill

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<https://www.goldcoast.qld.gov.au/Council-region/Mayor-Councillors>