



Pride in Law

NSW CHAPTER

A LETTER FROM THE PRESIDENT

By Jessica Lehman (she/her)

Dear members,

Welcome to the Pride in Law NSW newsletter.

This project came to life because of many of you. Over the past year of socials and events, so many of you have shared your stories with us. You have described your journeys to where you each stand now, some wondrous and others filled with adversity. You have expressed joy at the existence of Pride in Law NSW, as a place for you to belong and be celebrated. And often, many of you have asked - what else can we do? How can we get involved?



Well, friends, this is just the beginning.

This newsletter is a place for your voices. One of the core goals of Pride in Law NSW is advocacy for LGBTIQ+ people and issues. We have great ambitions to drive change in NSW and beyond, and we know that so many of you share these ambitions. So we want to hear about all the wonderful things you're doing. We want to showcase you, our members, and your achievements, and we want to talk about the issues that matter most to you. So treat this newsletter as your own - a place to share, connect, and advocate for LGBTIQ+ rights. And, your first mission? Choosing a name for this newsletter!

Thank you all, from the bottom of my heart, for being a part of Pride in Law. We couldn't do it without you.

With Pride,
Jessica

If you have an idea for a name for this newsletter, or would like to write an article, contact us at communications.nsw@prideinlaw.org with your submission idea.

FEATURE ARTICLE

PRIDE IN LAW X AUSTRALIAN LAWYERS HUMAN RIGHTS

By Lauren Devine (she/her)

Pride in Law recently joined the University of Newcastle Centre for Law and Social Justice at their Human Rights Symposium in Sydney to discuss anti-discrimination laws and how they work in NSW to protect the LGBTQIA+ community.



Pride in Law partnered with Australian Lawyers for Human Rights to deliver a panel on the current state of the law, amendments that have occurred over time, and changes that are required to better protect the rights of LGBTQIA+ people in accordance with international human rights obligations.

Bethany Butchers (Advocacy Officer at PIL), Lauren Devine (Advocacy Officer at PIL), Nicholas Stewart (President Australian Lawyers for Human Rights & Partner at Dowson Turco Lawyers), Katie Green (CEO Inner City Legal Centre), Justin Ellis (Lecturer in Criminology at the University of Newcastle), and Alistair Lawrie (Director of Policy and Advocacy at the Equity and Justice Centre) sat in a round table discussion to discuss some of the most prominent issues facing the LGBTQIA+ community, including the recent amendments to the *Anti-Discrimination Act*, religious exemptions to discrimination, policing, and the recent Special Commission of Inquiry into LGBTIQ hate crimes.

One of the biggest concerns for the LGBTQIA+ community in NSW is the scope of the current anti-discrimination framework. Unfortunately, the ADA is not a comprehensive legislative mechanism that protects the rights of all people in NSW on the basis of their sex, sexuality, or gender identity, and has failed to keep up with our evolving understanding of the LGBTQIA+ community. The NSW anti discrimination framework is far narrower than the Commonwealth framework and does not prohibit discrimination on the basis of gender identity, but rather restricts its protections to people who identify as being a member of a different sex.



Proud Pets

With paws, purrs and pride... Pride in Law NSW is embracing diversity in our furry, feathered and scaly friends!



INTRODUCING...

HASHBROWN (TOP) AND BUDDY (BOTTOM)

*Paw-rents: **Bethany Butchers**, Pride in Law NSW Advocacy Office (they/them) and **Alex Butchers** (she/her)*

Hashbrown and Buddy are two loveable and high-energy dogs who love to take long walks with their paw-rents and chasing the ball in the yard (endlessly). Both love to wear their winter outfits and being as trendy as possible. Hashbrown and Buddy love to snuggle up on the couch and watch musicals (sometimes singing along with the occasional awooooo).

*Is your pet filled with pride? Introduce them to us with some photos and fun facts!
Send submissions to communications.nsw@prideinlaw.org*

Spotlight

Meet Charlotte Kuszelyk



Charlotte Kuszelyk (she/her) is a final year law student with the University of Newcastle, Australia. She holds a bachelors in Criminology with Distinction from the same University.

Charlotte is a passionate advocate in the Criminal Justice space. Dedicated to providing alternative pathways to incarceration for young people and seeking justice for individuals who are victims of child sexual assault.

Charlotte identifies as a proud queer woman, her hobbies include reading, swimming at the beach, and spending time with her cat Biscuit.

TRIGGER WARNING

UNDERSTANDING ATTITUDES TOWARDS CHILD SEXUAL ABUSE

By Charlotte Kuszelyk (she/her)

A recent study from NSW indicates that child sexual abuse, particularly in an online setting, may be a very normalised concept amongst Australian men. Online child sexual abuse (OCSA) is an extremely difficult crime to link to offenders and as such greater tools of offender identification are needed. This article argues that financial institutions are in a unique position to identify early signs of OCSA and as such, amendments should be made to current mandatory reporting legislation to include financial institutions.

The recently released New South Wales report, 'Identifying and understanding child sexual offending behaviour and attitudes among Australian men' (the report) identified that 1 in 6 Australian men have sexualised feelings towards children and that 1 in 10 Australian men have sexually offended against children.[1] Of this abuse, online child sexual abuse (OCSA) was noted to be the most prevalent form of sexual offending, with at least 66% (or two-thirds) of child sexual abuse occurring via an online platform.[2]

Abundant research in child sexual abuse, in combination with the new prevalence rates highlighted in the report, illustrates that the Australian criminal justice system is struggling to target, prosecute and convict child sex offenders, particularly in an online setting. Consequently, OCSA remains a prominent issue within the Australian community.

This article suggests that reform is needed to current mandatory reporting legislation in Australia, to aid in better detection and prosecution of OCSA offenders earlier, and without the need for victims to initially disclose abuse to law enforcement agencies.

In line with the recommendation of the recent study, it is argued that particular attention should be paid to financial institutions as mandatory reporters, as financial institutions can algorithmically track and identify transactions that may be indicative of OCSA, often times before law enforcement are even aware of an individual's criminality.[3] The ability of financial institutions to assist in the detection and prevention of OCSA has also been recognised by the Australian Federal Police, the International Centre for Missing and Exploited Children and the Australian Institute of Criminology. [4]

Mandatory reporting by financial institutions also aligns with the Australian government's National Strategy to Prevent and Respond to Child Sexual Abuse, which strongly encourages close partnerships between the financial sector and law enforcement to address the prevalence of OCSA.[5] Moreover, many international government and non-government organisations are also calling for greater responsibility by financial institutions in preventing OCSA. [6]

[1] Australian Human Rights Institute et al, Identifying and understanding child sexual offending behaviours and attitudes among Australian men (Report, November 2023) 3.

[2] See *ibid* 13.

[3] Hee-Eun Lee, 'Detecting child sexual abuse material: A comprehensive survey' (2020) 34 *Forensic Science International: Digital Investigation*.

[4] Australian Transaction Reports and Analysis Centre et al, Combating the Sexual Exploitation of Children for Financial Gain: Financial Crime Guide (Report, December 2022) 3.

[5] Australian Government Department of Home Affairs, 'Child Sexual Abuse', National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030 (Webpage) < <https://www.homeaffairs.gov.au/access-and-accountability/our-commitments/child-safeguarding/child-sexual-abuse>>.

[6] See International Centre for Missing and Exploited Children, Following the financial footprint of technology-facilitated CSE (Webpage, 17 October 2023) < <https://icmec.org.au/blog/following-the-financial-footprint-of-technology-facilitated-cse/>>. See also Silvija Kurpena, 'Banks can help protect children: FinCEN advises on child sexual exploitation, RedCompass Labs (Webpage, 12 October 2021) < <https://blog.redcompasslabs.com/banks-can-help-protect-children-fincen-advises-on-child-sexual-exploitation>>.

End of Year 2024

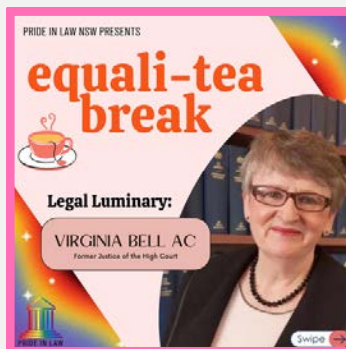
Pride in Law recently joined the College of Law in celebrating the end of 2024 in a fun evening of celebration of queer excellence in the legal scene.

Thank you to all of our members, sponsors, volunteers, and support network for a fabulous 2024 and we can't wait to see you again in the new year!



Want more Pride in Law?

FOLLOW @PRIDEINLAW ON



OR VISIT OUR WEBSITE: <https://www.prideinlaw.org/>

Write for us!

This newsletter is a place for you, our members! We accept all kinds of submissions, including:

- Feature articles about LGBTIQ+ news or issues
- Spotlight on legal professionals, students or organisations doing great things for LGBTIQ+ people
- Letters from our sponsors or members, about your work or personal journey
- Pets with Pride (incl. photos)
- Any other ideas you might have!

Send submissions to communications.nsw@prideinlaw.org