

## **Child Protection (More Stringent Offender Reporting) Amendment Bill 2010**

### **Clause and Explanatory Notes**

#### **Introduction**

The proposed amendments seek to introduce strengthened requirements for offenders on the Sex Offender register.

#### **Short Title of the Bill**

The short title of the Bill is the *Child Protection (More Stringent Offender Reporting) Amendment Act 2010*.

#### **Objective of the Bill**

The purpose of the bill is to strengthen reporting requirements of sex offenders and also give the police the power to name missing sex offenders on the register, so that they can be located.

#### **Reasons for the amendment**

It was revealed in 2009-10 Estimates Hearings that eight sex offenders were missing from the Sex Offender register and that at least one offender had been missing for more than nine months.

The response to Question on Notice 310 of 2010 revealed that almost every week for the past two years, a sex offender known to the system has committed further sexual offences. Ninety-nine dangerous sex offenders on the Child Protection (Offender Reporting) register have committed further sex crimes since being released back into the community.

It was reported during 2009 that of the more than 3100 sex offenders on the 'register' more than 1000 prosecutions have been commenced against registered sex offenders for breaching laws associated with their registration.

#### **Estimated Cost for Implementation**

These amendments can be met through existing Departmental arrangements

## Child Protection (More Stringent Offender Reporting) Amendment Bill 2010

### **Fundamental legislative Principles**

The amendments have been drafted using Fundamental Legislative Principles.

### **Consultation**

The Community was consulted during the drafting of this Bill and their feedback was taken into consideration during the final drafting.

### **Notes on Provisions**

#### **Clause 1              Short title**

This clause states that the Act should be cited as the *Child Protection (More Stringent Offender Reporting) Amendment Act 2010*.

#### **Clause 2              Commencement**

This clause provides that the Act is to commence on a day to be fixed by proclamation,

#### **Clause 3              Act amended**

This clause states that this bill amends the *Child Protection (Offender Reporting) Act 2004*.

#### **Clause 4              Amendment of s 3 (Purpose of this Act)**

This clause is a consequential amendment caused by clause 5.

#### **Clause 5              Amendment of s 18 (Reportable offender must report annually)**

This amendment will mean that offenders must report their details every three months to police and not 12 months as is currently in legislation.

#### **Clause 6              Amendment of s 26 (How reports must be made)**

This clause is a consequential amendment caused by clause 5.

#### **Clause 7              Amendment of s 50 (Failure to comply with reporting obligations)**

This clause inserts a new offence for an offender who fails to report in more than 3 months after their required time. This significant time delay would be considered more serious, is taken to have committed a crime and as such a new penalty is applied

**Child Protection (More Stringent Offender Reporting) Amendment Bill 2010**

**Clause 8                  Insertion of new s 70A**

This clause will allow police to publish the details of missing sex offenders listed on the register who cannot be located. Under the current secrecy provisions police commit an offence if they release this information.