

COMMUNITY PROTECTION (OFFENDER REPORTING) AMENDMENT BILL 2007

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Jon Ford (Minister for Employment Protection)**, read a first time.

Second Reading

HON JON FORD (Mining and Pastoral — Minister for Employment Protection) [7.39 pm]: I move —

That the bill be now read a second time.

Since the enactment of the Community Protection (Offender Reporting) Act in early 2005, more than 1 100 offenders have been placed on the Community Protection Offender Register. The legislation provides a valuable tool for the Western Australia Police to monitor offenders who pose a risk to the community, particularly those who pose a risk towards children.

This Community Protection (Offender Reporting) Amendment Bill 2007 strengthens the existing legislation by tightening reporting requirements in relation to the online environment and travel movements of offenders, and adds to the reportable offences that bring offenders within the scope of the act. While a significant number of sexual predators use the internet to procure their victims, there are currently no provisions requiring reportable offenders to disclose any of their details relating to online communication. To address this situation the bill introduces a requirement for reportable offenders to disclose their telephone numbers and email addresses; the name of any internet service provider or internet carriage service that they use; any online chat name used when communicating via the internet; and details of any website or internet communications service where the offender's name—either real, alias, email or chat—is used.

These requirements are consistent with the reforms enacted in Arizona and Virginia in the United States of America, and proposed legislation in the United Kingdom. Once these important reforms are passed, Western Australia will be the leading Australian jurisdiction to implement such legislation to tackle the use of online communication to procure children.

Currently there are no provisions requiring reportable offenders to disclose their absence from residency that occurs within Western Australia. This bill rectifies this by requiring reportable offenders to advise police of their intended absence and their travel plans when away for seven or more consecutive days. Furthermore, reportable offenders will be required to report their intended absence to police when leaving Western Australia for any period of time. Currently, reportable offenders have to report to police only when travelling interstate for seven or more consecutive days. Requirements of reportable offenders travelling out of Australia will also be tightened, with new provisions that require reportable offenders to provide, within seven days of their return to Western Australia, their passport and any other documents that indicate information about their travels abroad.

Since the enactment of the “online grooming” cyber predator offences under the Criminal Code in March 2006, over 20 people have been convicted of these offences. However, they are not automatically bound by the provisions of the Community Protection (Offender Reporting) Act 2004, as the offence in question is not a reportable offence at present. This bill adds these offences as reportable offences under the act. However, such an amendment would apply only to persons convicted of such offences in the future. Additional measures also need to be taken in relation to persons who have already been convicted of these offences. Therefore, the bill will deem any person who has been convicted of a cyber predator offence prior to the provisions of the bill coming into effect as a reportable offender. In that way, WA Police can keep a closer eye on those offenders and give better effect to the cyber predator provisions of the Criminal Code as originally intended.

In 2004, provisions were inserted into the Criminal Code to the effect that persons who had been convicted of certain child sex offences and subsequently consorted with other child sex offenders, or loitered around areas frequented by children, had committed an offence and could be imprisoned for up to two years. This bill proposes to include these offences as reportable offences for the purposes of the Community Protection (Offender Reporting) Act 2004.

In closing, I want to reiterate that the measures contained in the bill will strengthen the capacity of the WA Police to monitor the activities of convicted child sex offenders, and in doing so will enhance the protection of children in the community.

I commend the bill to the house.

Debate adjourned, pursuant to standing orders.