COMMUNITY PROTECTION (OFFENDER REPORTING) BILL 2004

Returned

Bill returned from the Council with an amendment.

Consideration in Detail - Motion

On motion by Mrs M.H. Roberts (Minister for Police and Emergency Services), resolved -

That the Council’s amendment be considered in detail forthwith.

Council’s Amendment - Consideration in Detail

The amendment made by the Council was as follows -

No 1

Clause 24, page 19, in the first paragraph of column 2 - To delete “30” and insert instead “53”.

Mrs M.H. ROBERTS: I move -

That amendment No 1 made by the Council be agreed to.

Mr M.J. BIRNEY: This amendment arose from debate in the original consideration in detail, during which I brought to the minister’s attention what I considered to be an anomaly in the original Bill. The anomaly to which I refer can be found in the second column on page 19, part 3, division 1 in clause 24. I preface my remarks by saying that this part of the Bill deals with the requirement for a reportable offender to report personal details that are to be processed. To refresh members’ memories, the Bill with which we are dealing creates a sex offender register, with particular emphasis on those people who have committed sex crimes against children. Under this Bill those people, upon conviction and/or release from jail, are required to present themselves and all their personal details to the police. Those details might include a person’s current employment, the name he is currently using, the registration number of his car, any organisations with which he is involved that might involve children, and a host of other personal information. The anomaly I pointed out to the minister during the consideration in detail was in column 2, which states that a reportable offender will be required to report -

Within 60 days after the commencement day or, if he or she is given written notice of his or her reporting obligations within 30 days after that day, within 7 days after he or she is given that notice.

It was decided that that clause was confusing, to say the least, and was perhaps not workable. I note that the minister has changed the 30-day period to 53 days. In combination with the final seven days that totals 60 days. I am pleased that the minister has taken on board my concerns, and that she has acted on those concerns in the amendment now presented to the House. The Opposition will of course support the amendment.

Mrs M.H. ROBERTS: I thank the member for Kalgoorlie for those comments and for his support of the legislation. No pun is intended when I say that this is very detailed legislation. Some changes were made to the legislation to make it tougher legislation than the national model, and to include shorter reporting periods. When that was done, some of the calculations that were made were not what they should have been. The member for Kalgoorlie pointed out the anomaly. When the legislation was considered in detail, I said at the time that the Government would consider the matter and look to redress it when the Bill was sent to the Legislative Council. I understand that the member for Kalgoorlie was consulted about the amendment when it was before the Legislative Council. I am very pleased that he picked up the anomaly, and I am very happy to have facilitated the amendment being made in the Legislative Council. I am happy to support it, and I thank the member for his support of the Bill.

Question put and passed; the Council’s amendment agreed to.

The Council acquainted accordingly.