

REPORT 50

STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

*Terms of Reference: Inquiry into children and young people on the Sex Offenders Register –  
is mandatory registration appropriate*

**ANSWERS TO ADDITIONAL QUESTIONS TO THE  
YOUTH LEGAL SERVICE**

**3 SEPTEMBER 2019**

## ADDITIONAL QUESTIONS

1. *Page 6 of your submission cites a number of cases dealt with by the Youth Legal Service that were instances of low risk offending involving adolescent behaviour. Can you tell us more about these cases?*

Unfortunately, we have not got the permission from our previous clients to discuss these cases in details. We would confirm that in all but one of those cases, there was successful and protracted negotiations which resulted in Juvenile Justice Team referrals and the clients not being placed on the Sex Offenders Register.

2. *How does registration affect the long term future of children and young people? Can you provide some examples for the Committee?*

We have spoken to the mother of a previous client who is currently reporting under the Community Protection (Offender Reporting) Act and a previous client who has now had his reporting obligations cease at the end of the 7 ½ years.

This is what they have been required to do as part of the reporting requirements:

1. Young person must email Sex Offender's Management Service (SOMS) every week to let them know what shifts he works at a fast food chain. He is a casual employee so does not know his shifts in advance and worries about breaching this.
2. Young person plays football and must let the SOMS know where he is playing and which team he is playing against.
3. Young person is going to the hairdresser next week and wants to have his hair colour changed (bleached). He must let the SOMS know that he is having his hair coloured.
4. Young people on the register cannot travel overseas for the duration of their reporting (7 ½ years). This means that the young person cannot go with his school year on pro-social school tours. For example: Cambodia to assist in village house re-builds, to France for French speaking tour. He cannot

- holiday with his family overseas. He will not be able to do a University Exchange overseas when he goes to University while still on the register.
5. Young person on the register has been told by SOMS he will be in breach if he associates with anyone else on the Register. This is not something a young person or other young person is likely to disclose so appears to be an unreasonable demand.
  6. Young person is not allowed to have contact with anyone under 16 and cannot be around young children. Difficulties for him when lives in a family with younger siblings when they have friends over and he is only 15.
  7. Young person when he attends the SOMS must wait outside. His parent goes in and comes out to tell him when he can go in. He has been told by SOMS that this is because the adult reportable offenders who may be attending "*will rape him in a second*".
  8. Must let SOMS know every time phone number is changed, and if gets a new internet account. It also includes letting SOMS know what gaming he does such as X-box, whether it involves others and the passwords used.
  9. Must let SOMS know every time he gets a new tattoo or will be breached.
  10. When the previous client who has now ceased his reporting requirements was asked if there was any impact to him in not going to places where children may be, he said that he actively avoids being around children because he finds them "annoying" so this has never been a problem for him.

The long term future of children and young people is affected as they are unable to move on from the original offence. Despite having successfully completed their sentences and having no criminal record, they have the constant and prolonged stress in having to comply with reporting and conditions or they commit a criminal offence. In our opinion this unfairly penalises and stigmatises the young person.