

Complete list of recommendations regarding the National Child Protection Register - MCPEMP 19 June 2009

Rec #	Details	Clause in CPOR Amendment Bill	Section as it will appear in Act
1	That all jurisdictions agree to increase the penalty for failing to comply with a reporting obligation to five years	21(2) 22(2)	63(1) 64
2	That all jurisdictions require registrable persons to report their email addresses and other electronic identifiers to police as part of their reporting obligations, as per the recent legislative change in NSW and WA	13(1)(c)	26(1)(d)f *Note: this amendment is strengthening WA's existing provisions to ensure account passwords are provided to police
3	That all jurisdictions require registrable offenders to provide a DNA sample on registration, and progressively back capture the DNA of those persons currently registered	N/A	N/A *Note: this is not included in the Bill as provisions allowing for the collection of DNA from persons who commit a serious offence are included within Clause 22 the Criminal Investigation (Identifying People) Amendment Bill 2012
4	That all jurisdictions ensure that information relating to their child protection register is clearly exempt from Freedom of Information requirements	43 and 44	Schedule 1 of the <i>Freedom of Information Act 1992</i>
5	That all jurisdictions limit the number of days of regular unsupervised contact with a child a registrable person can have to a maximum of three days, and require the contact to be reported to police within 24 hours	13(3)(6) (# days contact occurs) 14(1)(1) (time period in which to report)	26(2)(b) and 26(2)(c) 29(1)
6	That all jurisdictions agree to give the Police Commissioner the power to prevent name changes for registrable persons in certain circumstances, and to consider introducing a model similar to that used in Victoria for exchanging information with Birth, Deaths and Marriages (or equivalent)	23	Insertion of Part 4A
7	That is be noted that there is variation in the penalties for improper disclosure, but that consistency is not considered critical as long as a penalty is in place	N/A	N/A *No amendment required as penalties are already in place
8	That all jurisdictions require registrable persons to make their initial report to police within seven days of release from custody	12(2)	24(2A)
9	That all jurisdictions require registrable persons to present all valid passports when reporting in person to police, and/or to provide and update passport details as part of their relevant personal information	12(1) (requires details of reportable offenders passport to be provided during initial report)	25(1)(daa)
	That each jurisdiction consider requiring registrable persons to present their	16 (requires person to present passport as primary form of ID when making a report)	38(1)(a)

now cl 13(3)(b) and cl 14(1)

now cl 13(1)(a)

now s 26(1)(daa)

now s 38(1)(a)(i)

Annotations in red are additions to the document made by the Committee

	passport and travel documents (including itineraries, receipts, etc) when returning from overseas travel		
10	That jurisdictions commit to making the recommended changes to their respective child protection registers by 2010. A progress report in this regard should be provided to the second MCPEMP meeting in 2010	N/A	N/A *WA is implementing all recommendations except recommendation 3
11	That jurisdictions reiterate their commitment to the use of a recognised risk assessment tool to measure the risk of sexual re-offending of registrable persons, and to differential monitoring of registrable persons depending on their level of risk	N/A	N/A *WA already meets this recommendation
12	That jurisdictions agree to support and progress the work being done by the Registrars Board and the ANZPAA Child Protection Committee in relating to tracking registrable persons who are 'whereabouts unknown'	N/A	N/A *Not a legislative amendment
13	That jurisdictions agree to work towards the harmonisation of registrable offences between jurisdictions, in particular the inclusion of child murder and non-familial kidnapping as registrable offences	38(b)	Schedule 2 of Act *This amendment inserts kidnapping and child stealing (except in familial circumstances) as registrable offences **Note: Murder is already a registrable offence
14	That all future work relating to national harmonisation of child protection registers, and related issues, is referred to the ANZPAA Child Protection Committee for initial consideration	N/A	N/A