

# **Child Protection (Offender Reporting) Bill 2004**

## **Explanatory notes for Amendments to be moved during consideration in detail by The Honourable Judy Spence MP, Minister for Police and Corrective Services**

### **Title of the Bill**

*Child Protection (Offender Reporting) Bill 2004*

### **Objectives of the Amendments**

To amend the *Child Protection (Offender Reporting) Bill 2004* by:

- inserting Section 26(3) (possession of child abuse computer game) of the *Classification of Computer Games and Images Act 1995* in Schedule 2, Class 2 Offences; and
- replacing the reference to section 69 with section 70 in Clause 93.

### **Achievement of the Objectives**

The policy objective of the proposed amendments will be achieved by inserting the proposed amendments.

### **Alternative Ways of Achieving Policy Objectives**

There are no identified alternative ways of achieving the policy objectives of the proposed amendments.

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

There are no additional costs to government through these amendments

## **Consistency with Fundamental Legislative Principles**

The inclusion of these amendments is consistent with fundamental legislative principles.

## **Consultation**

Consultation has occurred with the Department of Premier and Cabinet and the Department of Justice and Attorney-General. There is general agreement to include these amendments.

## **Notes on Provisions**

### **Schedule 2(1)(b)**

Section 26(3) (possession of child abuse computer game) should be added to the list of reportable offences. The purpose of this amendment is to update the list of reportable offences to ensure offenders perpetrating these types of offences are incorporated into the reporting scheme. This amendment is necessary to ensure the policy objectives of the Bill are achieved as this offence has been omitted from the Schedule in error. This is an addition to the original clause in the Bill that is otherwise to remain unchanged.

### **Clause 93**

Clause 93 should be replacing the reference to '*Child Protection (Offender Reporting) Bill 2004*, section 69' with '*Child Protection (Offender Reporting) Bill 2004*, section 70'. The purpose of this amendment is to give effect to the intent of the clause and maintain consistency with other references in the *Freedom of Information Act 1992*. This amendment is necessary to ensure the policy objectives of the Bill are achieved and the confidentiality provisions of section 70 of the Bill are incorporated into the Schedule of the *Freedom of Information Act 1992* secrecy provisions giving exemption from freedom of information applications.