



Mark Speakman
Attorney General

MEDIA RELEASE

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REFORMS PROVIDE BETTER PROTECTION FOR CHILDREN

Offenders convicted of certain crimes against children who fail to comply with reporting obligations will be better held to account under reforms that passed NSW Parliament today.

Attorney General Mark Speakman said offenders on the Child Protection Register who claim to have a 'reasonable excuse' for not complying with their reporting obligations will now have to prove that excuse in court.

"The reporting obligations of these offenders is critical to community safety," Mr Speakman said.

"Offenders who breach their obligations without reasonable excuse are liable to imprisonment for up to five years and/or a fine of \$55,000. This reform clarifies that the onus is no longer on the prosecution to prove beyond reasonable doubt the absence of a reasonable excuse."

The NSW Government's reforms will also improve legal procedures in certain cases for children under the age of 14 who are victims or alleged victims of sexual offences.

"These children are some of the most vulnerable people in our community and to date they have been at a disadvantage, as they may be unable to provide consent to share potentially crucial information in the proceedings," Mr Speakman said.

"We want to rectify this to avoid unnecessary delays in what can already be highly traumatic court hearings."

The amendments will enable a 'suitable person', like a parent or guardian, to consent to the child's counselling records to become evidence in court. In the past, these records would have been inadmissible because of sexual assault communications privilege, which protects the relationship between a counsellor and a victim of sexual assault.