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MEDIA RELEASE

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NEW LAWS STRENGTHEN SAFEGUARDS AGAINST SEXUAL EXPLOITATION

Laws to protect young people from being sexually exploited by adults who hold positions of authority over them were passed by NSW Parliament last night.

Attorney General Mark Speakman said the [Crimes Amendment \(Special Care Offences\) Act](#) toughens NSW's 'special care' offences, which make it an offence for certain adults in positions of authority to engage in sexual activity with 16 or 17 year olds under their care.

"NSW's existing laws recognise that it is a criminal breach of trust for adults in positions of authority to engage in sexual activity with young people in their care, even if those young people are over the age of consent," Mr Speakman said.

"The Royal Commission into Institutional Responses to Child Sexual Abuse acknowledged the effectiveness of NSW's special care offence.

"Last night, the NSW Government took another significant step to strengthen and improve these laws to ensure young people are protected from sexual exploitation and are treated with the respect they deserve."

NSW's special care offences criminalise adults who engage in sexual activity with 16 and 17 year olds under their care within certain familial relationships, and in the context of schools and other educational instruction, youth justice centres and in the provision of health care. The maximum penalty for committing a special care offence is eight years' imprisonment.

Under these reforms, the scope and application of the offences is clarified, and two new relationship types are characterised as relationships of 'special care'. These are relationships formed between young people in youth residential care, and in refuges and homeless shelters, and adults who work in those facilities.

The Bill also clarifies that special care relationships exist between young people and their adoptive parents and grandparents and their partners, as well as adults engaged to work in schools in paid, unpaid and volunteer positions.

"We have struck the appropriate balance between protecting young people from sexual exploitation while also ensuring that young people's privacy and autonomy is respected, and innocent, consensual relationships are not inadvertently criminalised."

The new laws [implement](#) the recommendations of a [NSW Parliamentary inquiry](#) set up by the Attorney General and builds on the NSW Government's comprehensive response to the recommendations of the Royal Commission.