

CHILD PROTECTION (OFFENDERS REGISTRATION) AMENDMENT BILL 2008

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Second Reading

The Hon. PENNY SHARPE (Parliamentary Secretary) [11.45 a.m.], on behalf of the Hon. John Hatzistergos: I move:

That this bill be now read a second time.

This bill will amend the Child Protection (Offenders Registration) Act 2000 to allow for freer exchange of information between agencies involved in child protection. Two important pieces of privacy legislation in New South Wales are the Privacy and Personal Information Protection Act 1998 and the Health Records and Information Privacy Act 2002. This bill introduces an exemption to these Acts in certain circumstances to facilitate the management of high-risk child sex offenders. This exemption is intended to allow these offenders to be managed across multiple agencies through the Child Protection Watch Team. The Child Protection Watch Team commenced on a trial basis in south-west Sydney in September 2004 after a 2003 election commitment by this Government to establish multi-agency child protection watch teams to manage high-risk offenders at a local level. However, the trial did not become fully operational until April 2005 after issues relating to the exchange of information between human services and law enforcement agencies had been resolved.

The team consists of representatives from the NSW Police Force, the Department of Corrective Services, the Department of Juvenile Justice, the Department of Community Services, the Department of Health, the Department of Housing, the Department of Ageing, Disability and Home Care, and the Department of Education and Training. An evaluation of the effectiveness of the watch team was conducted and resulted in recommendations to progressively expand a centrally coordinated, regionally focused team throughout New South Wales.

To ensure the free exchange of information between the agencies on the team, it was also recommended that the Child Protection (Offenders Registration) Act 2000 be amended to introduce exemptions from the privacy legislation that allow the exchange of information in certain circumstances, resulting in the bill we have before us today. The protection of an individual's privacy is highly valued in New South Wales, and stringent privacy legislation is in place to protect that privacy. However, the free exchange of information between certain agencies is essential for the effective functioning of the Child Protection Watch Team, and management of these high-risk offenders.

The bill introduces an authorisation process whereby agencies can exchange personal information relating to an individual on the Child Protection Register if a senior officer reasonably suspects that there is risk of "substantial adverse impact" on a person, including the individual themselves, or that a case management plan will be deficient, if that information is not exchanged. This test maintains the appropriate balance between protecting the privacy of the offenders, and protecting the safety of our children. Agencies will be able to exchange information only if they believe that it is necessary and appropriate. This bill, in supporting the operation of the Child Protection Watch Team and a new multi-agency approach to the management of high-risk offenders, continues to send a clear message to the community that protecting the safety of our children is one of this Government's highest priorities. I commend this bill to the House.