



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON LAW AND JUSTICE

Inquiry into the adequacy and scope of special care offences

That the Standing Committee on Law and Justice inquire into and report on the following aspects of the adequacy and scope of the special care relationships recognised in the special care offence under section 73 of the *Crimes Act 1900*:

- (a) the adequacy of the scope of the special care offences in ensuring the safety of school students, in relation to their application to teachers and other school workers, including:
 - (i) whether the offences should apply where a school worker is a volunteer,
 - (ii) whether the offences should apply where the school worker is a recent ex-student of the school,
 - (iii) whether the offences should apply where the school worker no longer works at the student's school,
- (b) whether the offences should apply where a special care relationship existed but is no longer in effect,
- (c) whether youth workers and workers in youth residential care settings, including but not limited to homelessness services, should be recognised as having special care of any 16 or 17 year old young people to whom they provide services,
- (d) whether the offences should be expanded to recognise adoptive parents and adopted children as a special care relationship
- (e) whether any additional safeguards, including but not limited to Director of Public Prosecutions sanction of prosecutions, are required in any of the circumstances in paragraphs (a) - (d) above,
- (f) whether the incest offence in section 78A of the *Crimes Act 1900* should be expanded to include adoptive relationships, and
- (g) any other related matter.

Committee membership

The Hon Natalie Ward MLC	Liberal Party	<i>Chair</i>
The Hon Lynda Voltz MLC	Australian Labor Party	<i>Deputy Chair</i>
The Hon David Clarke MLC	Liberal Party	
The Hon Trevor Khan MLC	The Nationals	
The Hon Daniel Mookhey MLC	Australian Labor Party	
Mr David Shoebridge MLC	The Greens	