

6 July 2010



Legislative Council Standing Committee on Law and Justice

Inquiry into spent convictions for juvenile offenders

FINAL REPORT

The Chair of the Standing Committee on Law and Justice, Hon Christine Robertson MLC, today tabled the Committee's report on spent convictions for juvenile offenders. The report makes nine recommendations for reforming the spent convictions scheme to include convictions for juvenile sexual offences:

'During this Inquiry we have sought to balance competing interests. Foremost is the need to protect the community from sexual offenders. Balanced against this is the community interest in rehabilitating past offenders and thereby reducing re-offending', Ms Robertson said.

After considering the contributions of Inquiry participants, the Committee concluded that, on balance, the evidence does not warrant continuing to treat juvenile sexual offences differently from other juvenile offences for the purposes of the spent convictions scheme:

'The Committee recommends that juvenile sexual offences be included in the spent convictions scheme provided that, like other offences, an offender meets certain eligibility criteria. We also recommend an appropriate mechanism for spending these convictions', Ms Robertson said.

'We believe that our recommendations will assist sexual offenders who have completed an appropriate period of good behaviour to rehabilitate and start afresh as productive and law abiding members of society'.

In reaching the conclusion that convictions for juvenile sexual offences should be capable of becoming spent, the Committee emphasised that the spent convictions scheme is not concerned with punishment, but with encouraging rehabilitation while managing the risk posed by past offenders:

'It is for the courts to determine the appropriate consequences of an offence. The courts view sexual offending very seriously indeed. Regardless of any changes to the spent convictions scheme, sentencing will maintain a hard line towards sexual offending.'

Ms Robertson can be contacted for comment on 0428 674 310 or (02) 9230 2971

Further information

A list of the Committee's recommendations is attached. The report is on the Committee's website www.parliament.nsw.gov.au/lawandjustice. Hard copies are available by phoning (02) 9230 3509.