



13 November 2009

**Legislative Council
Standing Committee on Law and Justice**

**LAW AND JUSTICE COMMITTEE ANNOUNCES
INQUIRY INTO SPENT CONVICTIONS
FOR JUVENILE OFFENDERS**

The NSW Attorney General, the Hon John Hatzistergos MLC, has asked the NSW Parliament’s Standing Committee on Law and Justice to conduct an inquiry into whether the current prohibition on spent convictions for juveniles convicted of sex offences should be maintained.

Sex offences are some of the most serious crimes and the Government ensures that they are permanently recorded on the perpetrator’s record. However juveniles can be convicted of underage sex offences for consensual sexual relations and as a consequence have their convictions recorded for the rest of their lives.

Committee Chair, the Hon Christine Robertson MLC said, “For offences where a sentence of less than six months is imposed, a person’s conviction can become spent after a crime free period (10 years for adults and three years for child offenders). Once a conviction is spent the person does not have to disclose it, for example, when applying for employment, insurance or credit.

Ms Robertson said, “There are some exceptions to this rule, however, and currently in NSW convictions for sex offences are not able to become spent, no matter what the details of the offence are or how long the subsequent period of good behaviour.”

“The inquiry will carefully consider whether it would be appropriate and desirable to include sex offences committed by juveniles in circumstances of consent in the range of offences that can become spent under the *Criminal Records Act 1991* and if so, whether any limitations should apply”, said Ms Robertson.

The Committee will also look at exemptions from spent convictions for minor offences like indecent exposure, and where there is a finding that the sex was consensual or where no conviction was recorded.

“We aim to find a solution to this quite specific issue that meets community expectations by balancing the need to rehabilitate offenders and the need to protect the community,” said Ms Robertson. “We are inviting submissions addressing the terms of reference, due by Friday 29 January 2010, and we expect to hold public hearings in February 2010.”

Submissions can be submitted via email to: lawandjustice@parliament.nsw.gov.au or faxed to (02) 9230 3416 or mailed to: The Director, Standing Committee on Law and Justice, Parliament House, Macquarie Street, Sydney NSW 2000. The terms of reference for the inquiry and information about making a submission can be obtained from the Committee Secretariat on (02) 9230 2976 or via the Committee’s website at: www.parliament.nsw.gov.au/lawandjustice .

For further comment please contact the Hon Christine Robertson MLC, Committee Chair, on 0428674310 or 9230 2971