



# Queensland Parliamentary Library and Research Service

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## Research Brief

### Research and Information Service

**For** Ms Sandy Bolton MP

**Attention** James Latham

**Request** Sex offender register

**Date** 16 January 2025

Thank you for your request for research, specifically

*1. Sex offender register. With the WA sex offender register being used as a model for a proposed Qld register could you please:*

- *Summarise any research or reports on the success/performance of the WA register since its introduction*
- *Produce a table comparing other states and territories to WA, where they may have a sex register and difference to the WA model*

**Please note that, following our conversation, this brief is a compilation of 2 briefs sent in September 2024. The table of contents has been updated to reflect the combined briefs as 'Part 1' and 'Part 2'.**

**A table has been added comparing Australian jurisdictions under the section 'Sex offender registers in Australia'.**

### Disclaimer

This brief provides some contextual information regarding the relevant jurisdictions, in Australia and globally, in which public sex offender registers have been implemented.

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Please consider the legal and political contextual information provided in this brief to be an outline only.

In particular, please note that the US public sex offender register system, underlined by Megan’s Law, is commonly used as a case of comparison to legislation in Australia and elsewhere.

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## Part 1

### List of acronyms

Table 1 lists the acronyms used in this brief and their associated meanings.

**Table 1 List of acronyms**

Acronym	Meaning
<b>SOR</b>	Sex Offender Register
<b>SORN</b>	Sex Offender Register and Notification (System)
<b>CPOR Act</b>	Community Protection (Offender Reporting) Act 2004 (WA)
<b>AIC</b>	Australian Institute of Criminology
<b>QPL</b>	Queensland Parliamentary Library

Source: Compiled by the Queensland Parliamentary Library, as referenced in this brief.

### Scope

This brief provides information on government reports and reviews that examine the effectiveness of public Sex Offender Registries (SORs), also known as ‘Sex Offender Registration and Notification’ (SORN) regimes.

Public SORs provide information that is either:

- completely accessible to the public with no restrictions, or
- accessible to the public in a limited capacity, such as via an application system.

This brief includes information on both child-sex offenders and other sex offenders (e.g., adult sex offenders), where specified.

The Queensland Parliamentary Library (QPL) has included information in this brief that is relevant to measuring the effectiveness of SORs, including, but not limited to, factors such as:

- notifying and informing the community of sex offenders
- reducing of sexual violence
- reducing of sex offender recidivism (reoffending)
- assisting in law enforcement (e.g., locating missing sex offenders)
- improving public perceptions of community safety.

Please let us know if there are any other topics or areas you require information on, for example:

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- issues surrounding the implementation of SORs, such as vigilantism
- rehabilitation and reintegration programs for sexual offenders.

## Sources of information

This brief focuses on the following sources of information using the key search phrase ‘public sex offender register’ and specifying the relevant jurisdiction, where applicable:

- [Australian Institute of Criminology](#)
- [Capital monitor](#)
- [Google scholar](#)
- [Queensland Parliamentary Library Online \(Liberty\)](#)
- [Queensland Police Service](#)
- general internet searches.

## Sex offender registers in Australia

Sex offender registration laws and registries exist in each Australian state and territory.<sup>1</sup>

The Parliament of Australia Joint Committee on Law Enforcement writes:<sup>2</sup>

*Currently, each Australian state and territory requires certain child sex offenders to report personal information to police, such as their address, though there is variation between jurisdictions. This information is generally not publicly available but there are some exceptions.<sup>[158]</sup> For example, Western Australia has allowed restricted public access to information about sex offenders since 2012.*

According to research conducted on sex offender registers in Australia, most registers are focused on child sex offenders (ACT, NSW, NT, Qld, SA) while registers in Tasmania, Victoria and Western Australia reference sex offenders broadly.<sup>3</sup>

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<sup>1</sup> L Bartels et al., [‘What does the public think about sex offender registers? Findings from a national Australian study’](#), *Psychiatry, Psychology and Law*, vol 28, no 4, 2021, p 560.

<sup>2</sup> Parliament of Australia. Joint Committee on Law Enforcement, [‘Chapter 6 – Offending, prevention and education’](#), *Inquiry into Law Enforcement Capabilities in Relation to Child Exploitation*, November 2023.

<sup>3</sup> L Bartels et al., [‘What does the public think about sex offender registers? Findings from a national Australian study’](#), *Psychiatry, Psychology and Law*, vol 28, no 4, 2021.

In addition to individual registries in Australian states and territories, the Australian National Child Offender System (NCOS) is a national record of all child sex offenders.<sup>4</sup>

According to Bartels et al, NCOS is not available to the public:<sup>5</sup>

*Australia currently has a non-public National Child Offender System. This includes the Australian National Child Offender Register, which permits authorised police officers to register, manage and share information about registered offenders, in order to reduce offenders' likelihood of reoffending (Australian Criminal Intelligence Commission 2020). Importantly, it is not intended to be punitive.*

According to research from the Australian Institute of Criminology (AIC), the purpose of the legislation underlying SORs is two-fold:<sup>6</sup>

- to reduce the likelihood that sex offenders will reoffend; and
- to facilitate the investigation and prosecution of any future offences they may commit (AIFS 2013).

## Table of Australian Registries

Table 2 presents a brief summary of Australian jurisdictional approaches to offender registers. More detailed information is presented on select jurisdictions in the following section.

**Table 2: Table of Australian Offender Registry information**

Jurisdiction	Primary Legislation	Reportable offenders	Access
Western Australia	<a href="#">Community Protection (Offender Reporting) Act 2004 (WA)</a> (CPOR Act)	Sex offenders broadly <sup>7</sup>	Partially restricted access  3-tiered system: <ul style="list-style-type: none"> <li>• Tier 1: missing sex offenders non-compliant reportable offenders</li> <li>• Tier 2: local search for serious or high risk offenders</li> </ul>

<sup>4</sup> M Hall, '[Sex offender registries don't prevent re-offending \(and vigilante justice is real\)](#)', *Conversation*, 10 January 2019.

<sup>5</sup> L Bartels et al., '[What does the public think about sex offender registers? Findings from a national Australian study](#)', *Psychiatry, Psychology and Law*, vol 28, no 4, 2021, p 563; see also M Hall, '[Sex offender registries don't prevent re-offending \(and vigilante justice is real\)](#)', *Conversation*, 10 January 2019.

<sup>6</sup> S Napier et al., '[What impact do public sex offender registries have on community safety](#)', *Trends & issues in crime and criminal justice*, no 550, Australian Institute of Criminology, May 2018, p 3.

<sup>7</sup> [Community Protection \(Offender Reporting\) Act 2004 \(WA\)](#), pt 2.

Jurisdiction	Primary Legislation	Reportable offenders	Access
			<ul style="list-style-type: none"> <li>Tier 3: community protection disclosure scheme</li> </ul> <p>Public has unlimited access to information in Tier 1 but must submit an online application for information in Tiers 2 and 3.</p>
<b>Queensland</b>	<a href="#">Child Protection (Offender Reporting) Act 2004 (Qld)</a>  See also: <a href="#">Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld)</a> (DPSOA)	Child sex offenders <sup>8</sup>	Restricted access  Access limited to the Police Commissioner or authorised persons as set out in the Police Commissioner Guidelines or as required by law. <sup>9</sup>
<b>South Australia</b>	<a href="#">Child Sex Offenders Registration Act 2006 (SA)</a>  See also:  <a href="#">Child Sex Offenders Registration (Public Register) Amendment Act 2024 (SA)</a>	Child sex offenders <sup>10</sup>	Partially restricted  SA has adopted a model similar to WA providing public access to Tier 1 information, but other information is accessible only by application <sup>11</sup>
<b>New South Wales</b>	<a href="#">Child Protection (Offenders Registration) Act 2000 (NSW)</a>	Certain registrable offences against a child <sup>12</sup>	Restricted by the Police Commissioner and accessible by agencies established under the Act in accordance with the Act <sup>13</sup>

<sup>8</sup> [Child Protection \(Offender Reporting\) Act 2004 \(Qld\)](#), pt 2.

<sup>9</sup> [Child Protection \(Offender Reporting\) Act 2004 \(Qld\)](#), s 69; see also [Explanatory Notes](#), *Child Protection (Offender Reporting) Act 2004 (Qld)*, p 34-35.

<sup>10</sup> [Child Sex Offenders Registration Act 2006 \(SA\)](#), pt 2.

<sup>11</sup> See [Child Sex Offenders Registration Act 2006 \(SA\)](#), pt 5B.

<sup>12</sup> [Child Protection \(Offenders Registration\) Act 2000 \(NSW\)](#), pt 2.

<sup>13</sup> See [Child Protection \(Offenders Registration\) Act 2000 \(NSW\)](#), pt 3, div 9.

Jurisdiction	Primary Legislation	Reportable offenders	Access
<b>Victoria</b>	<a href="#">Sex Offenders Registration Act 2004 (Vic)</a>	Sex offenders broadly <sup>14</sup>	Restricted by the Chief Commissioner for Police <sup>15</sup>
<b>Tasmania</b>	<a href="#">Community Protection (Offender Reporting) Act 2005 (Tas)</a>	Offenders who commit sexual or certain other serious offences <sup>16</sup>	Restricted by the Commissioner or as provided by law <sup>17</sup>
<b>Northern Territory</b>	<a href="#">Child Protection (Offender Reporting and Registration) Act 2004 (NT)</a>	Offenders who commit certain serious offences <sup>18</sup>	Restricted by Commissioner or as provided by law <sup>19</sup>
<b>Australian Capital Territory</b>	<a href="#">Crimes (Child Sex Offenders) Act 2005 (ACT)</a>	Child sex offenders <sup>20</sup>	Restricted by the chief police officer <sup>21</sup>

Source: Compiled by the Queensland Parliamentary Library, where all sources are linked and included in the table.

## Public sex offender registers in Australia

This section provides background information regarding **public** SORs that have been implemented or proposed in states or territories in Australia.

<sup>14</sup> [Sex Offenders Registration Act 2004 \(Vic\)](#), pt 2.

<sup>15</sup> See [Sex Offenders Registration Act 2004 \(Vic\)](#), pt 4.

<sup>16</sup> [Community Protection \(Offender Reporting\) Act 2005 \(Tas\)](#), pt 2.

<sup>17</sup> [Community Protection \(Offender Reporting\) Act 2005 \(Tas\)](#), s 44.

<sup>18</sup> [Child Protection \(Offender Reporting and Registration\) Act 2004 \(NT\)](#), pt 2.

<sup>19</sup> [Child Protection \(Offender Reporting and Registration\) Act 2004 \(NT\)](#), s 65.

<sup>20</sup> [Crimes \(Child Sex Offenders\) Act 2005 \(ACT\)](#), ch 2.

<sup>21</sup> [Crimes \(Child Sex Offenders\) Act 2005 \(ACT\)](#), s 118.

## Queensland

The Queensland government provides the following information regarding a child sex offender register:<sup>22</sup>

*The Australian National Child Offender Register keeps details of all registered child sexual offenders.*

*Offenders on the register must tell police about their aliases, address and employment details, car registration details and affiliations with clubs with child membership or child participation.*

*Corrective Services helps keep the register up to date by telling the police when an offender:*

- *is discharged/released from custody*
- *re-enters custody*
- *is transferred interstate*
- *is granted permission to travel*
- *ceases supervision.*

The Queensland government also includes the following information regarding the release of sex offender details:<sup>23</sup>

### ***When information can be released***

*By law, the chief executive of Corrective Services can disclose confidential information if it is in the public interest.*

*They will reveal this information only when individual community members need to know about an offender's placement or employment, including residents, local schools, and childcare centres in the same area where the offender is living.*

*Before someone receives confidential information about an offender, they must sign a confidentiality agreement. If they don't sign the form, they will receive only general information, (i.e. that a convicted sex offender is living in the local neighbourhood).*

### ***America's 'Megan's Law'***

*The United States has a law, known as Megan's Law, which requires police to release information about registered sex offenders to the public, including their name, picture, current address, imprisonment date and crime.*

*This law does not apply in Australia.*

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<sup>22</sup> Queensland. '[Managing sex offenders in the community](#)', *Crime prevention and statistics*, 14 November 2016.

<sup>23</sup> Queensland. '[Managing sex offenders in the community](#)', *Crime prevention and statistics*, 14 November 2016.

According to a report published in August 2014, Member for Parliament Mr. Shane Knuth introduced legislation that would establish a register for convicted sex offenders, however the bill was voted down at the second reading.<sup>24</sup> The bill was titled 'Child Protection (Offender Reporting – Publication of Information) Amendment Bill 2013'.<sup>25</sup>

The bill was referred to the Legal Affairs and Community Safety Committee for detailed consideration, which tabled its [report on the bill](#) to Parliament on 12 March 2014.<sup>26</sup> The Committee noted that the bill sought to 'enable the Police Commissioner to publish personal information about reportable offenders.'<sup>27</sup> In the report, the Committee provided the following comment:<sup>28</sup>

*The Committee accepts the premise for the Bill and agrees that there are a number of concerns in the community about the monitoring and supervision of offenders after being released from detention.*

*The Committee also accepts from submissions received on the Bill, there are a number of issues with this policy proposal which must be considered in greater detail prior to passing it into law.*

*Due to the narrow scope of the Bill, as drafted, the Committee does not consider that the Bill will necessarily improve the child protection offender reporting regime in isolation. It is considered that prior to the Parliament considering this Bill with its discrete policy objectives, there needs to be a review of the entire child protection offender reporting regime to determine what, if any, other aspects of the Child Protection (Offender Reporting) Act 2004 need improvement.*

*It is for this reason that the Committee does not recommend the Bill be passed and that consideration of any amendments to the Child Protection (Offender Reporting) Act 2004 and associated legislation be deferred until such time that the QPS has reviewed the operation of the Child Protection (Offender Reporting) Act 2004 in its entirety. Once such a review has been undertaken, amendments may be brought forward ensuring a more holistic approach to legislative development occurs which will result in stronger, improved laws being made for all Queenslanders.*

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<sup>24</sup> L Rebetz and K Agius, '[Sex offenders register rejected by Queensland Parliament](#)', *ABC News*, 7 August 2014; See also S Knuth, '[Second Reading: Child Protection \(Offender Reporting – Publication of Information\) Amendment Bill](#)', Queensland, *Debates*, 6 August 2014, p 2497.

<sup>25</sup> S Knuth, '[Second Reading: Child Protection \(Offender Reporting – Publication of Information\) Amendment Bill](#)', Queensland, *Debates*, 6 August 2014, p 2497.

<sup>26</sup> Queensland Parliament. '[Child Protection \(Offender Reporting – Publication of Information\) Amendment Bill 2013](#)', *Inquiries*, n.d., accessed 12 September 2024.

<sup>27</sup> Queensland Parliament. Legal Affairs and Community Safety Committee, '[Child Protection \(Offender Reporting – Publication of Information\) Amendment Bill 2013](#)', no 57, March 2014, pp 3-4.

<sup>28</sup> Queensland Parliament. Legal Affairs and Community Safety Committee, '[Child Protection \(Offender Reporting – Publication of Information\) Amendment Bill 2013](#)', no 57, March 2014, p 12.

In a media statement published in September 2017, Minister for Police, Fire and Emergency and Minister for Corrective Services, the Honourable Mark Ryan, made the following statement on the management of sex offenders in Queensland:<sup>29</sup>

*Queensland's existing Dangerous Prisoner Sex Offender legislation (DPSOA), is regarded as the strongest and most effective regime of its type in the country.*

*The Palaszczuk Government believes it is the most appropriate post-conviction mechanism for dealing with and monitoring sex offenders.*

*A public register of sex offenders could lead to serious legal implications, including the possible identification of child victims.*

*The Australian National Child Offender Register keeps details of all registered child sexual offenders in every state.*

*The Queensland Police Service manages the information for this state and offenders on the register must tell police about their aliases, address and employment details, car registration details and affiliations with clubs with child membership or child participation.*

*In 2014, during the previous LNP government, the LNP voted down a Private Member's Bill in Queensland Parliament that proposed creating a register for sexual offenders to allow information to be published.*

*In the same year, a proposal for a publicly accessible national sex offender register was rejected after a comprehensive examination by a high level ministerial council.*

*The Law, Crime and Community Safety Committee, comprised of Attorneys-General and Police Ministers from across Australia, rejected the idea after consulting with Australian law enforcement agencies and assessing empirical evidence on the efficacy of public notification schemes.*

*Any renewed call for a public sex offender register would again require detailed and comprehensive examination by the LCCSC.*

*Under Queensland's tough Dangerous Prisoner Sex Offender legislation:*

- *the chief executive of Corrective Services can disclose confidential information if it is in the public interest and when individual community members need to know about an offender's placement or employment, including residents, local schools, and childcare centres in the same area where the offender is living.*
- *offenders sentenced to community-based orders, including probation or intensive correction orders, are supervised by probation and parole officers throughout the order.*
- *offenders released on parole are also strictly supervised by probation and parole officers.*
- *dangerous prisoners cannot change their name without permission from the chief executive of Corrective Services.*

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<sup>29</sup> M Ryan (Minister for Police, Fire and Emergency Services and Minister for Corrective Services), [Statement on the management of sex offenders](#) [media statement], Queensland, 7 September 2017.

In September 2024, the Queensland Liberal National Party (LNP) proposed to implement a public child sex-offender register.<sup>30</sup> It was reported that the register will be based on the models launched in Western Australia and South Australia.<sup>31</sup>

## Western Australia

In Western Australia, the [Community Protection \(Offender Reporting\) Act 2004 \(WA\)](#) (CPOR Act) was introduced on 1 February 2005 and established the mandatory registration scheme for reportable offenders.<sup>32</sup> The scheme is also referred to as the Disclosure Scheme (the Scheme).<sup>33</sup>

Researchers from the AIC describe the Western Australian SOR model as a 'restricted access public sex offender registry.'<sup>34</sup>

As legislated in the CPOR Act, a person who is sentenced for committing sexual offences against children in Western Australia is a reportable offender. Reportable offenders are required by law to:<sup>35</sup>

*register with and report their personal details to the Commissioner of Police. It is an offence for a reportable offender to fail to comply with these reporting obligations and this offence is punishable by imprisonment.*

The length of time a reportable offender is required to report is as follows:<sup>36</sup>

*adult offenders are required to report for eight years, 15 years or life, depending on the offences for which they have been sentenced. Young offenders report for four years or seven and a half years. There is no scope for the period of registration to be extended unless the person re offends.*

It is important to note the following conditions of the Scheme:

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<sup>30</sup> A Levy, '[Queensland LNP proposes sex-offender register, but could it do more harm than good?](#)', ABC News, 8 September 2024.

<sup>31</sup> A Levy, '[Queensland LNP proposes sex-offender register, but could it do more harm than good?](#)', ABC News, 8 September 2024.

<sup>32</sup> Western Australia. Western Australia Police Force, '[Frequently Asked Questions](#)', *Community Protection Western Australia*, n.d., accessed 11 September 2024.

<sup>33</sup> Western Australia. [Western Australia Police Force, Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018.

<sup>34</sup> Napier et al., '[What impact do public sex offender registries have on community safety?](#)', *Trends & issues in crime and criminal justice*, no 550, Australian Institute of Criminology, 22 May 2018, p 4.

<sup>35</sup> Western Australia. Western Australia Police Force, '[Frequently Asked Questions](#)', *Community Protection Western Australia*, n.d., accessed 11 September 2024.

<sup>36</sup> Western Australia. Western Australia Police Force, '[Frequently Asked Questions](#)', *Community Protection Western Australia*, n.d., accessed 11 September 2024.

- the Commissioner of Police has the discretion to decide whether or not to publish information on an offender<sup>37</sup>
- details related to any offenders who are under the age of 18 years cannot be made publicly, such as being published to the Community Protection Website.<sup>38</sup>

As part of the Scheme, [Community Protection website](#) enables parents and guardians to access information on known sex offenders, including photographs.<sup>39</sup>

In July 2013 it was reported that the register website had reached almost 100,000 hits and led to the surrender of 10 offenders since its launch in October 2012.<sup>40</sup>

The Community Protection website organises the information into a three-tiered category system:<sup>41</sup>

- **Tier 1: missing sex offenders non-compliant reportable offenders** - provides photographs and personal details of reportable offenders who have either failed to comply with their reporting obligations, provided false or misleading information to police and whose location or whereabouts is not known to police
- **Tier 2: local search for serious or high risk offenders** - provides photographs of dangerous and high risk offenders in your suburb or surrounding suburbs
- **Tier 3: community protection disclosure scheme** - allows a parent or guardian of a child to inquire about a specific person who has regular contact with their child.

The public has unlimited access to the information published in tier 1. It is an offence to 'either distribute information about, or to harass, any offender who appears on the Missing Reportable Offenders Register.'<sup>42</sup>

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<sup>37</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 15.

<sup>38</sup> Western Australia. Western Australia Police Force, [Access registered sex offender information](#), *Law enforcement*, 14 May 2019; Western Australia. [Western Australia Police Force, Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 15.

<sup>39</sup> Western Australia. Western Australia Police Force, [Access registered sex offender information](#), *Law enforcement*, 14 May 2019.

<sup>40</sup> [Harvey says 10 sex offenders hand themselves in](#), *ABC News*, 3 July 2013.

<sup>41</sup> Western Australia. Western Australia Police Force, [Access registered sex offender information](#), *Law enforcement*, 14 May 2019; Western Australia. Western Australia Police Force, [About Community Protection](#), *Community Protection Western Australia*, n.d., accessed 9 September 2024.

<sup>42</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 13.

To access information under tiers 2 and 3, individuals are required to submit an online application that includes their personal information, including a current Western Australia drivers licence number and email address.<sup>43</sup>

The Community Protection website explains that a successful applicant who performs a local search will be granted access to photographs of serious and high risk offenders residing in their locality:<sup>44</sup>

*Performing a local search will provide the applicant with access to photographs of serious and high risk offenders residing in their locality. Only the photographs of offenders residing in an applicant's suburb and the adjoining suburbs will be displayed. **The offenders whose photographs will be displayed include either:***

- *High risk serious sexual offenders subject to supervision orders under the [High Risk Serious Offenders Act 2020](#);*
- *Serious repeat reportable offenders;*
- *Persons who have been convicted of an offence punishable by imprisonment for 5 years or more, and concern is held that this person poses a risk to the lives or sexual safety of one or more persons or persons generally.*

A High Risk Serious Offender (HRSO) is:<sup>45</sup>

*a person who has been convicted of committing serious sexual offences, not necessarily involving a child, and has been declared as a high risk serious offender under the [High Risk Serious Offenders Act 2020](#). While the HRSO is under sentence of imprisonment for serious sexual offences, the Supreme Court can order their continued detention after having served their conviction period because of an unacceptable risk of re-offending or consent to their release into the community subject to a HRSO supervision order. The Department of Justice and WA Police stringently monitor a HRSO's compliance with the conditions of their supervision order when released into the community.*

A Serious Repeat Reportable Offender is:<sup>46</sup>

*a person who, after becoming a reportable offender, commits and is found guilty of a further prescribed offence, and has a conviction for a serious offence involving a child or an incapable person. A prescribed offence is defined as a Class 1 offence, a Class 2 offence*

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<sup>43</sup> Western Australia. Western Australia Police Force, '[Access registered sex offender information](#)', *Law enforcement*, 14 May 2019; Western Australia. Western Australia Police Force, '[Local Search Application](#)', *Community Protection Western Australia*, n.d., accessed 9 September 2024; Western Australia. [Western Australia Police Force, Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 14.

<sup>44</sup> Western Australia. Western Australia Police Force, '[Local Search](#)', *Community Protection Western Australia*, n.d., accessed 11 September 2024.

<sup>45</sup> Western Australia. Western Australia Police Force, '[Frequently Asked Questions](#)', *Community Protection Western Australia*, n.d., accessed 11 September 2024.

<sup>46</sup> Western Australia. Western Australia Police Force, '[Frequently Asked Questions](#)', *Community Protection Western Australia*, n.d., accessed 11 September 2024.

under the [Community Protection \(Offender Reporting\) Act 2004](#) or a sexual offence as defined in the [Evidence Act 1906 section 36A](#). A serious offence is defined as a Class 1 offence under the [Community Protection \(Offender Reporting\) Act 2004](#) or an offence committed against a child under the [Criminal Code](#) section 323 or 324.

## South Australia

According to the South Australia Police, information regarding [wanted child sex offenders is posted to their website](#) in accordance with the [Child Sex Offenders Registration Act 2006 \(SA\)](#).<sup>47</sup>

The list includes child sex offenders who:<sup>48</sup>

- *have failed to report to the police as required or*
- *provided false or misleading information to the police and*
- *whose whereabouts are unknown.*

*The information includes photographs of the offenders, their full name and date of birth. The purpose is to:*

- *find those offenders listed*
- *keep the community informed.*

As at 10 September 2024, there were no wanted child sex offenders listed on the website.<sup>49</sup>

On 27 August 2024, it was reported that new laws will be introduced to South Australia's parliament to allow parents to 'access information about serious child sex offenders living in their area.'<sup>50</sup>

According to the report, the new process will be modelled on the Western Australia system, which would involve an online application system to permit access to 3 different tiers of information.<sup>51</sup>

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<sup>47</sup> South Australia Police, '[Wanted child sex offenders](#)', *Your safety*, n.d., accessed 10 September 2024.

<sup>48</sup> South Australia Police, '[Wanted child sex offenders](#)', *Your safety*, n.d., accessed 10 September 2024.

<sup>49</sup> South Australia Police, '[Wanted child sex offenders](#)', *Your safety*, n.d., accessed 10 September 2024.

<sup>50</sup> '[South Australia is moving to create a public child sex offender register. How would it work?](#)', *ABC News*, 27 August 2024.

<sup>51</sup> '[South Australia is moving to create a public child sex offender register. How would it work?](#)', *ABC News*, 27 August 2024.

## Northern Territory

According to a report published in 2019, the Northern Territory attempted to introduce a bill, also known as Daniel's Law, that would establish a public SOR:<sup>52</sup>

*In the Northern Territory, a bill was proposed in 2015 to introduce a public sex offender registry available online to any member of the public, local or interstate. The site would have published the names, whereabouts, physical descriptions and photographs of convicted serious sex offenders, but the legislation was deferred after concerns raised by stakeholder groups.*

A media release published in November 2015 by the Office of the Chief Minister of the Northern Territory states that a decision was made to delay the introduction of Daniel's Law.<sup>53</sup>

*The introduction of Daniel's Law, which would establish a website featuring serious convicted child sex offenders, will be delayed to allow more consultation on some aspects of the proposed legislation.*

*Daniel's Law is named after Daniel Morcombe, who was abducted and murdered by a convicted child sex offender.*

*Northern Territory Attorney General John Elferink said today that as a result of briefings and concerns raised by stakeholder groups, he believed there were some aspects of the Bill which could be refined.*

## National

On 9 January 2019, Home Affairs Minister the Honourable Peter Dutton proposed the creation of a National Public Register of Child Sex Offenders.<sup>54</sup>

\$7.8 million was allocated in the national 2019-20 budget to establish a National Public Register of Child Sex Offenders.<sup>55</sup>

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<sup>52</sup> E Sakzewski, '[Peter Dutton wants a national child sex offenders registry. But do they actually work?](#)', *ABC News*, 9 January 2019.

<sup>53</sup> Northern Territory. Office of the Chief Minister, '[Decision to delay Daniel's Law](#)' [media release], 27 November 2015.

<sup>54</sup> Queensland. '[Managing sex offenders in the community](#)', *Crime prevention and statistics*, 14 November 2016.

<sup>55</sup> Australia. '[Budget 2019-20: Budget measures budget paper no 2](#)', Commonwealth of Australia, 2019, p 113; L Bartels et al., '[What does the public think about sex offender registers? Findings from a national Australian study](#)', *Psychiatry, Psychology and Law*, vol 28, no 4, 2021, p 563.

In an inquiry report on child exploitation submitted to the Parliament of Australia in November 2023, the committee sought the following updates on the budget measure from the Attorney-Generals' Department:<sup>56</sup>

- *in June 2019, the Former Ministerial Council for Police and Emergency Management and the Council of Attorneys-General agreed 'to convene the National Working Group on Child Sex Offenders...to assess whether a national public register is in the best interests of community safety'.*
- *in August 2020, the working group finalised its report.*
- *in February 2021, the Ministerial Council for Police and Emergency Management was disbanded by National Cabinet.*<sup>[168]</sup>

The Law Council of Australia made a submission on the proposed National Public Register of Child Sex Offenders on 11 January 2019.<sup>57</sup>

The Law Council emphasises the limited time frame provided to them to produce a response to the proposed Register and that a detailed proposal should be submitted before any consultation begins.<sup>58</sup>

For example, the Law Council's position on the broad disclosure of offender information is that a cautious approach is required:<sup>59</sup>

*The Law Council would need to know how and by whom information on the Register may be publicly disclosed. In particular, the Law Council would be concerned by any policy proposals which would effectively mean that the decision to disclose information contained on the register would be left to the discretion of a prescribed police officer or officers, without judicial supervision.*

*The Law Council would also be concerned if, under a new national approach, information on registered sex offenders could be disclosed to a potentially very broad category of people. This would, in the Law Council's view, give rise to unintended consequences across Australia.*

*In the Law Council's view, the provision of information on registered offenders without court supervision should be restricted to law enforcement agencies only.*

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<sup>56</sup> Parliament of Australia. Committee on Law Enforcement, '[Chapter 6 – Offending, prevention and education](#)', *Inquiry into law enforcement capabilities in relation to child exploitation*, November 2023.

<sup>57</sup> Law Council of Australia, [National Public Register of Child Sex Offenders](#), submission to the Department of Home Affairs, 11 January 2019.

<sup>58</sup> Law Council of Australia, [National Public Register of Child Sex Offenders](#), submission to the Department of Home Affairs, 11 January 2019, pp 3-4.

<sup>59</sup> Law Council of Australia, [National Public Register of Child Sex Offenders](#), submission to the Department of Home Affairs, 11 January 2019, pp 3-4; see also Law Council of Australia, [Cautious approach for sex offender register required, says Law Council](#) [media release], 9 January 2019.

*We believe an approach which allows information to be disclosed quite broadly, in accordance only with police protocols and without court supervision, has many potential dangers.*

Another example of a response to the proposed national register was posted by a representative of the Australian Lawyers Alliance on 18 April 2019.<sup>60</sup>

The response includes the following information and review of literature on the effectiveness of a public child sex offender register:<sup>61</sup>

*This initiative might be popular but international research shows that it is likely to lead to vigilantism, have no impact on rates of offending and in fact could increase the risk of reoffending by those on the register. Most importantly, it offers no real assistance or support to people who are the victims of sex crimes.*

*While it is still unknown which offenders will be subject to this national regime and whether the territories and states will co-operate with its establishment, we do know that making a sex offenders register public is a giant leap from the current position in Australia. Currently in most jurisdictions, sex offender registers are highly restricted in terms of public access. Even in Western Australia, where there is some public access, the sort of information that is available is restricted in terms of types of offences and their location.*

*In contrast to Australia, the United States has had public registers in most states for over two decades. The results tell us that there is no benefit to the community in such 'naming and shaming'. In fact, communities where registered sex offenders live can suffer as a result of the public having that information.*

*A 2011 paper by JJ Prescott of the University of Michigan and Jonah Rockoff of Columbia University, published in the Journal of Law and Economics, analysed previous research that 'shows there is evidence that these laws create financial and psychological costs for the neighbours of registered sex offenders'. This includes 'declines in property value for households living close to registered offenders' and previous research shows there is little evidence 'that notification alleviates the concerns of the community members who have been made aware of an offender's presence'.*

*There is also the alarming increase in vigilantism and harassment that goes with public registers. They are a recipe for vigilantism, violence and potential loss of life as individuals try to unlawfully take justice into their own hands, as has been seen in the US.*

*A recent paper from Connecticut and New York-based researchers Michelle Cubellis, Douglas Evans and Adam Fera points to acts of vigilantism against registered offenders and the fact that 10 per cent of the vigilante events they examined involved the wrong individual. In other words, because of inaccurate information or misidentification of individuals, innocent citizens have been physically and verbally attacked by vigilantes. This research concludes that 'the stigmatisation that convicted sex offenders experience is so pervasive that it extends even to individuals suspected of having committed a sexual offence'. Is this the sort of situation we want to import to Australia?*

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<sup>60</sup> G Barns, '[A public register of child sex offenders will do more harm than good](#)', Australian Lawyer's Alliance, 18 April 2019.

<sup>61</sup> G Barns, '[A public register of child sex offenders will do more harm than good](#)', Australian Lawyer's Alliance, 18 April 2019.

*But, perhaps most importantly, public sex offender registers do not reduce offending and, in fact, might lead to offenders reoffending. In May 2018, the Australian Institute of Criminology (AIC) published a paper which analysed and drew conclusions from the vast body of US public register impact research. The US research shows ‘that convicted sex offenders are more likely to reoffend when their personal and offending information is made public due to the psychological and financial costs on offenders’.*

*The AIC also wrote that ‘research has found that being placed on a public sex offender registry can result in exclusion from neighbourhood or residence, job loss, anxiety and other psychological problems, all of which are counter-productive in terms of reducing reoffending’. It seems proponents of a public register like Dutton have not bothered to read their own agency’s work.*

*We also need to remember that the vast majority of child sexual abuse perpetrators are known to the victim. As the AIC notes, Australian Bureau of Statistics work from 2016 shows that ‘83 per cent of child victims of sexual assault aged 0–14 years are assaulted by someone they know’.*

## International registers

Please note that this section only provides a brief outline of SORs implemented globally.

Please let us know if you require any further information regarding SORs outside of Australia.

The following section includes a brief overview of SORs in international jurisdictions outside of Australia.

The QPL has included this section due to references and comparisons made between Australia and other international systems, which are included in the research and reports featured in this brief and in the forthcoming part 2 of this brief.

## United Kingdom

In the United Kingdom, a child sex offender disclosure scheme (also known as ‘Sarah’s Law’) is enforced in England and Wales.<sup>62</sup> The scheme allows parents, carers or guardians to formally ask police about whether someone who has contact with a child or children:<sup>63</sup>

- *has a record for child sexual (paedophile) offences*
- *poses a risk to the child or children for some other reason.*

<sup>62</sup> UK Metropolitan Police, [‘Sarah’s Law \(Child Sex Offender Disclosure Scheme\)’](#), *Request information*, n.d., accessed 10 September 2024; see also British Transport Police, [‘Registered child sex offender data: Sarah’s Law’](#), *Request information*, n.d., accessed 10 September 2024.

<sup>63</sup> UK Metropolitan Police, [‘Sarah’s Law \(Child Sex Offender Disclosure Scheme\)’](#), *Request information*, n.d., accessed 10 September 2024; see also British Transport Police, [‘Registered child sex offender data: Sarah’s Law’](#), *Request information*, n.d., accessed 10 September 2024.

To apply for information, individuals must make a request about a specific individual and can apply for information on behalf of one child or more at a time.<sup>64</sup>

Applications can be made online, via phone or in-person at a police station.<sup>65</sup>

According to the UK Metropolitan Police, applicants must provide the following personal details when making a request for information:<sup>66</sup>

- *your details and contact details*
- *the person you're asking for information about*
- *the child or children you're worried about*
- *why you're worried about the situation.*

## United States

In the United States (US), there exists several laws that address the disclosure of child sex offender information, 'including Megan's Law, which effectively requires all states to mandate community notification.'<sup>67</sup>

The law has been interpreted and implemented differently across all state jurisdictions in the US.<sup>68</sup>

For example, according to the [California Department of Justice's Megan's Law website](#), California's Megan's Law was enacted in 1996 and mandates:<sup>69</sup>

*the California Department of Justice (CA DOJ) to notify the public about specified registered sex offenders. Megan's Law also authorizes designated law enforcement entities to notify the public when necessary to ensure the public safety based upon information available to the entity concerning that person's current risk of sexual or violent re-offense (Pen. Code, § 290.45).*

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<sup>64</sup> UK Metropolitan Police, '[Sarah's Law \(Child Sex Offender Disclosure Scheme\)](#)', *Request information*, n.d., accessed 10 September 2024.

<sup>65</sup> UK Metropolitan Police, '[Sarah's Law \(Child Sex Offender Disclosure Scheme\)](#)', *Request information*, n.d., accessed 10 September 2024.

<sup>66</sup> UK Metropolitan Police, '[Sarah's Law \(Child Sex Offender Disclosure Scheme\)](#)', *Request information*, n.d., accessed 10 September 2024.

<sup>67</sup> E Sakzewski, '[Peter Dutton wants a national child sex offenders registry. But do they actually work?](#)', *ABC News*, 9 January 2019.

<sup>68</sup> US. State of California Department of Justice, '[Summary of Megan's Law](#)', *California Megan's Law Website*, n.d., accessed 10 September 2024.

<sup>69</sup> US. State of California Department of Justice, '[Summary of Megan's Law](#)', *California Megan's Law Website*, n.d., accessed 10 September 2024.

Users are required to read and agree to a disclaimer (such as in regard to errors, mistaken identities, legal and illegal uses) prior to entering the website.<sup>70</sup> Upon entering, users can search for sex offenders based in California by address, name, city, county and zip code.<sup>71</sup>

## South Korea

According to an article published in 2023, South Korea has a public sex offender database that can be accessed online.<sup>72</sup> The database has been managed by the Justice Ministry and the Ministry of Gender Equality and Family since 2010, and:<sup>73</sup>

*lists personal and criminal information of convicted sex offenders for up to 10 years, available to all South Korean citizens with proper ID. Users can identify the actual home addresses of registered offenders on an interactive map.*

According to an information brochure published by the Republic of Korea Ministry of Justice, the Ministry of Gender Equality and Family enforces a personal information disclosure and notification system.<sup>74</sup>

This involves the management of the [sex offender information disclosure website](#), where anyone can access the following disclosed information of sex offenders:<sup>75</sup>

- *name*
- *age*
- *address and actual place of residence*
- *physical build description (height and weight)*
- *photograph*
- *summary of the offense*

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<sup>70</sup> US. State of California Department of Justice, [California Megan's Law website](#), n.d., accessed 11 September 2024.

<sup>71</sup> US. State of California Department of Justice, [California Megan's Law website](#), n.d., accessed 11 September 2024.

<sup>72</sup> M K Hoon, '[Over 200 registered sex offenders share homes, government data shows](#)', *Korea Herald*, 13 October 2023.

<sup>73</sup> M K Hoon, '[Over 200 registered sex offenders share homes, government data shows](#)', *Korea Herald*, 13 October 2023.

<sup>74</sup> Republic of Korea. Ministry of Justice, [Sex Offender Registration System](#) [brochure], Crime Prevention Policy Bureau Electronic Supervision Division, n.d., accessed 11 September 2024.

<sup>75</sup> Republic of Korea. Ministry of Justice, [Sex Offender Registration System](#) [brochure], Crime Prevention Policy Bureau Electronic Supervision Division, n.d., accessed 11 September 2024.

- *information on the personal history of sex crimes subject to the registration*
- *EM (electronic monitoring) device attachment status.*

In addition, a notification system provides the personal information of sex offenders to local residents through mail.<sup>76</sup> The notification includes ‘disclosed information, detailed residence address [and] record of address changes.’<sup>77</sup> A mobile notification system was also implemented in November 2020. Other recipients of the notification include:<sup>78</sup>

- *households with legal guardians or parents of children*
- *day care centres, schools, private teaching institutes, youth training facilities, etc.*
- *displayed on the bulletin board of community service centres for 30 days.*

## Police review of the Western Australia public register

In 2018, the Western Australia Police Force published a [review of the operation and effectiveness of the Public Notification Scheme \(the Scheme\)](#) established under the CPOR Act.<sup>79</sup>

As stated in a letter to the Minister, the purpose of the report is to conduct a review of the 2012 Amendment Act, which:<sup>80</sup>

*inserted Part 5A into the CPOR Act [and] which allowed for the establishment of a scheme whereby the Commissioner of Police has the discretion to make information on certain categories of offenders publicly available via a website.*

The review identified two primary findings:<sup>81</sup>

- *the Scheme established by Part 5A of the CPOR Act and operating through the Community Protection Website has met its overall identified purpose. It is well accepted as a tool for providing information to the community. The legislation*

<sup>76</sup> Republic of Korea. Ministry of Justice, [Sex Offender Registration System](#) [brochure], Crime Prevention Policy Bureau Electronic Supervision Division, n.d., accessed 11 September 2024.

<sup>77</sup> Republic of Korea. Ministry of Justice, [Sex Offender Registration System](#) [brochure], Crime Prevention Policy Bureau Electronic Supervision Division, n.d., accessed 11 September 2024.

<sup>78</sup> Republic of Korea. Ministry of Justice, [Sex Offender Registration System](#) [brochure], Crime Prevention Policy Bureau Electronic Supervision Division, n.d., accessed 11 September 2024.

<sup>79</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018.

<sup>80</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 3.

<sup>81</sup> Western Australia. [Western Australia Police Force, Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 5.

*underpinning the Scheme provides a sound basis for information to be made publicly available*

- *the unique nature of the Scheme including the potential for vigilantism against, or harassment of, offenders identified through it, justified the cautious approach which has been taken in the legislation and its implementation. Five years on from its initial implementation it is open to government to consider whether to remove or relax some of the restrictions that were initially, rightly, put in place on the operation of the Scheme.*

The review proposes 10 recommendations to improve the accessibility and effectiveness of the Scheme and Community Protection Website, such as:<sup>82</sup>

- including more contextual information on the website, and
- simplifying the Locality Search Register.

To assess the operation and effectiveness of the Scheme, the review focuses on ‘the *awareness, accessibility and usefulness* of the information made available on the Community Protection Website.’<sup>83</sup>

As outlined in the methodology, the review is based on the following sources of data:<sup>84</sup>

- state-wide survey data from 2,800 Western Australian participants
- in-depth semi-structured interviews with 20 Western Australian participants
- statistical data measuring access of the Community Protection Website
- submissions received from stakeholders and the general public.

## Operation

The review notes that since the commencement of the Scheme, ‘a total of 16 disclosures have been made upon a completed application being submitted through the Community Protection Website.’<sup>85</sup>

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<sup>82</sup> Western Australia. [Western Australia Police Force, \*Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004\*](#), 2018, pp 7-8.

<sup>83</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 11.

<sup>84</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 11.

<sup>85</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 14.

## Effectiveness

The review found that the general community believes in ‘the need and right to have access to information’ on sex offenders:<sup>86</sup>

*over 85% of Western Australian adults who were surveyed in the National Survey of Community Satisfaction with Policing (the NSCSP Survey) agreed that information about convicted high risk sex offenders should be available. Less than 5% of NSCSP Survey participants disagreed that such a scheme was warranted. Additionally, in interviews conducted by Edith Cowan University (ECU Interviews) participants ‘described a need and a right to have access to forms of information that would better enable them to protect their children and other family members’. The community appears to feel empowered by the knowledge that information is available, and they believe that such a Scheme helps to protect children and vulnerable people.*

The review also identified a high level of awareness of the scheme among the community:<sup>87</sup>

*The NSCSP Survey reported that based its results it could be extrapolated that 33% of WA’s adult population is aware of the existence of the Scheme operating through the Community Protection Website. The ECU interviews also found that there were reasonably high levels of awareness of the Scheme.*

The Reference Group also notes that contrary views were considered during the review process:<sup>88</sup>

*Two key themes raised in academic research are that evidence suggests public registers or notification schemes are not effective in reducing sexual offending against children and, relatedly, that most offending occurs by persons known to a victim<sup>23</sup>. The Reference Group notes that the Scheme was developed in response to community desire for information to be made publicly available on known sex offenders and that the purpose of the Scheme which was introduced was to make information available to the community as a tool to assist in the protection of children and vulnerable people. A direct causal link between registers or notification schemes and the incidence of sexually based offending against children is neither supported by current research and literature nor by the architects of the legislation.*

With regard to the level of access of the Community Protection website, and related charges made by the police, the review notes the following:<sup>89</sup>

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<sup>86</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 16 [emphasis added by the QPL].

<sup>87</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 16.

<sup>88</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 16.

<sup>89</sup> Western Australia. Western Australia Police Force, [Review of the operation and effectiveness of the public notification scheme established by Part 5A Community Protection \(Offender Reporting\) Act 2004](#), 2018, p 18.

since the commencement of the Scheme in October 2012 the Community Protection Website has been accessed over 390,000 times. Over this time a total of three people have been charged and convicted under the offence provisions in Part 5A of the CPOR Act.

## Australian Institute of Criminology

The following section includes information from two reports published by the Australian Institute of Criminology (AIC) on sex offender registries.

### Impact of public sex offender registries on community safety

In May 2018, researchers at the AIC published a paper titled '[What Impact do Public Sex Offender Registries Have On Community Safety?](#)'.<sup>90</sup>

The paper includes information on the following topics:<sup>91</sup>

- background of sexual offences in Australia
- international public registration systems
- a review of empirical studies on the:
  - effectiveness of non-public registration
  - effectiveness of public registration
- the impact of registers on public perceptions of safety
- issues associated with public sex offender registries, such as for
  - adolescents
  - housing
  - vigilantism
- public awareness and use of registries.

The report provides a review of empirical studies conducted on the effectiveness of public sex offender registries in the US, which is as follows:<sup>92</sup>

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<sup>90</sup> S Napier et al., '[What impact do public sex offender registries have on community safety?](#)', *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018.

<sup>91</sup> S Napier et al., '[What impact do public sex offender registries have on community safety?](#)', *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018.

<sup>92</sup> S Napier et al., '[What impact do public sex offender registries have on community safety?](#)', *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018, p 6.

*In the United States, where SORN has been operating under Megan's Law for 20 years, a number of studies have investigated the impact of the legislation on rates of sexual offending. Generally speaking, these studies have focused on two specific outcomes:*

- *specific deterrence (effect on recidivism among convicted sex offenders); and*
- *general deterrence (effect on general rates of sexual offending in the community).*

*In 2002, Pawson conducted a systematic review of studies measuring the effectiveness of Megan's Law. Pawson found that, prior to 2002, only one reliable outcome study existed that tested the effects of Megan's Law (Schram & Milloy 1995). This compared recidivism rates between two matched groups of sex offenders convicted pre-Megan's Law and post-Megan's Law, finding no significant difference in sex offence recidivism in the 4.5 year follow-up period (22% pre-Megan's Law vs 19% post-Megan's Law; Schram & Milloy 1995).*

*Seven years after Pawson's study, Drake and Aos (2009) conducted a systematic review of all published studies measuring the effect of Megan's Law on sexual offending and recidivism. They used a meta-analytic approach to measure effect sizes and compare the outcomes across studies. They included studies that used a non-treatment or treatment-as-usual comparison group that was well matched to the treatment group. The authors identified nine studies that were of sufficient methodological rigour for inclusion. Seven studies did not show any effect on sexual recidivism among convicted sex offenders as a result of SORN (i.e. no specific deterrent effect). The two remaining studies indicated a reduction in sex offences occurring in the general community among non-convicted sex offenders (i.e. a small general deterrent effect). While drawing these tentative conclusions, the authors suggested regarding the findings with caution due to the small number of studies (Drake & Aos 2009).*

*Since Drake and Aos' systematic review, several studies have subsequently concluded that SORN did not reduce sex offence recidivism (Letourneau et al. 2009; Letourneau et al. 2010; Prescott & Rockoff 2011; Tewksbury, Jennings & Zgoba 2012; Zgoba, Veysey & Dalessandro 2010) or prevent sexual offending in the general community (Ragusa-Salerno & Zgoba 2012). Further, one study found no difference in sex offence recidivism between offenders who registered and those who did not (Levenson et al. 2010).*

*Conversely, Letourneau et al. (2010) analysed crime trends and the timing of legislation in South Carolina, finding SORN reduced first time sexual offences (general deterrence) by 11 percent from 1995 to 2005. Similarly, a well-cited study by Prescott and Rockoff (2011) found that community notification of sex offenders (as distinct from registration) was associated with a reduction in the frequency of sexual offences (general deterrence), but not a reduction in sex offence recidivism among registered sex offenders (specific deterrence). In fact, they found that an increase in the number of sex offenders subjected to community notification was associated with an increase in sex offence recidivism (Prescott & Rockoff 2011). These findings were replicated in Agan and Prescott's (2014) study of geographic variation, in which community notification was associated with an increased risk of victimisation in some neighbourhoods with a higher concentration of registered sex offenders.*

As demonstrated by the quoted text above, the review found that there were mixed results regarding the effectiveness of SORN systems in the US.<sup>93</sup>

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<sup>93</sup> S Napier et al., ['What impact do public sex offender registries have on community safety?'](#), *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018.

The researchers offer that the following variables may explain why the results of empirical studies of SORN systems are mixed:<sup>94</sup>

- closer monitoring of offenders via the use of registers may result in the detection of a higher number of offences than their non-monitored counterparts<sup>95</sup>
- ‘convicted sex offenders are more likely to reoffend when their personal and offending information is made public’<sup>96</sup>
- the majority of child sexual offences are committed by individuals known to the victim, which may indicate that any previous sexual offending history is already known to family members, thus rendering community notification less effective<sup>97</sup>
- SORN policies are based on the assumption that sex offenders are likely to reoffend once released into the community.<sup>98</sup>

### Notification of sex offenders in local communities

In June 2007, the AIC published a one-page report titled [‘Is Notification of Sex Offenders in Local Communities Effective?’](#)<sup>99</sup>

The report provides a review of research on the effectiveness of Megan’s Law (US) and associated registers implemented in each US state jurisdiction, as follows:<sup>100</sup>

*Megan’s Law has been systematically reviewed by Pawson (2006) and the UK’s National Society for the Prevention of Cruelty to Children (Fitch 2006). It was found that the evidence base for the law was weak and that it was developed largely as a response to community agitation (Pawson 2006). There were also variations in implementation from policy makers*

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<sup>94</sup> S Napier et al., [‘What impact do public sex offender registries have on community safety?’](#), *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018.

<sup>95</sup> S Napier et al., [‘What impact do public sex offender registries have on community safety?’](#), *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018.

<sup>96</sup> S Napier et al., [‘What impact do public sex offender registries have on community safety?’](#), *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018, p 7.

<sup>97</sup> S Napier et al., [‘What impact do public sex offender registries have on community safety?’](#), *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018.

<sup>98</sup> S Napier et al., [‘What impact do public sex offender registries have on community safety?’](#), *Trends & issues in crime and criminal justice*, no. 550, Australian Institute of Criminology, 22 May 2018.

<sup>99</sup> Australian Institute of Criminology, [‘Is notification of sex offenders in local communities effective?’](#), *AICrime reduction matters*, no 58, 5 June 2007.

<sup>100</sup> Australian Institute of Criminology, [‘Is notification of sex offenders in local communities effective?’](#), *AICrime reduction matters*, no 58, 5 June 2007, p 1.

through to the community, leading to a lack of uniformity in decision making between similar cases (Pawson 2006). There was little evidence of impact on sex offending, in particular, of offender recidivism rates being affected by community notification, or of reduced assaults by strangers on children (Fitch 2006). Both studies, however, stressed that program inconsistency made proving the overall efficacy of the measure problematic. The following issues with the law were identified:

- *vigilantism is not monitored, with acts being under-reported and under-recorded*
- *offender compliance varies, and offenders can still 'go underground'*
- *the focus on a small number of known offenders may distract attention from the more common intra-familial abuse and lead victims of intra-familial violence not to report abuse due to ramifications for the victim and the offender*
- *there is conflicting evidence on whether community members, informed of an offender's presence, increase measures to protect their families*
- *it can create a false sense of both fear and security among parents, and exaggerates true levels of offender recidivism*
- *practitioners often point to increased use of risk assessment, better information sharing, and additional funding for treatment and surveillance as evidence of success, but these can be achieved separately to the community notification function*
- *the financial cost of implementation is high (Fitch 2006).*

The following improvements were suggested:

- *standardising decision making on risk assessment at every level (Pawson 2006)*
- *increasing public awareness of existing systems of sex offender registration*
- *public education that focuses less on the narrow group of high risk offenders*
- *treatment for those outside the criminal justice system*
- *treatment for children who display sexually harmful behaviour (Fitch 2006).*

## **Parliamentary inquiries**

### **Parliament of Victoria inquiry into child sex offender information**

In 2020, the Legal and Social Issues Standing Committee of the Parliament of Victoria began an inquiry into the management of child sex offender information.<sup>101</sup>

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<sup>101</sup> Parliament of Victoria. Legal and Social Issues Standing Committee, [Inquiry begins on management of child sex offender information](#) [media release], *Legislative Council*, Victoria, 20 August 2020.

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A list of the [83 total submissions made to the inquiry](#) can be accessed online at the Parliament of Victoria website.<sup>102</sup>

The committee tabled the final report titled '[Inquiry into management of child sex information](#)' in Parliament on 7 September 2021.<sup>103</sup>

The Committee explains that the Victorian SOR does permit for offender information to be disclosed to the members of the public 'in certain, specific circumstances.'<sup>104</sup> In the inquiry, the Assistant Commissioner Chris Gilbert is quoted as follows:<sup>105</sup>

*If required, also in limited circumstances and if there was some other significant risk to community safety for whatever purpose that Victoria Police assessed, the Act also would allow us to make a disclosure based on that. So those circumstances would really be treated case by case: 'What is the significant safety risk to the community which would cause Victoria Police to make a disclosure?', which is a tool that goes beyond just those that are missing or whose whereabouts are unknown. Overall, the way that we store, manage and disclose information ensures that appropriate restrictions required for the management of registrants are required at all times, also allowing for information sharing and disclosure when those identified risks arise.*

Section 3 of the report refers to 'public access to offender information and alternative offender interventions,' a summary of which is provided below:<sup>106</sup>

*Public sex offender registers and public disclosure schemes for child sex offender information are already in operation in jurisdictions including Western Australia, the United Kingdom and the United States.*

*To date evaluations of existing public registers and disclosure schemes have focused on assessing community uptake and instances of vigilantism against registered sex offenders. There has been little analysis of how these schemes impact community safety, recidivism or the rehabilitation of child sex offenders.*

*Key issues*

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<sup>102</sup> Parliament of Victoria, Legislative Council Legal and Social Issues Committee, '[Inquiry into management of child sex offender information](#)', *Submissions*, n.d., accessed 11 September 2024.

<sup>103</sup> Parliament of Victoria, Legislative Council Legal and Social Issues Committee, '[Inquiry into management of child sex offender information](#)', *Reports*, n.d., accessed 11 September 2024.

<sup>104</sup> Parliament of Victoria, Legal and Social Issues Committee, '[Inquiry into management of child sex offender information](#)', *Legislative Council*, pp no 269, August 2021, p 51.

<sup>105</sup> Parliament of Victoria, Legal and Social Issues Committee, '[Inquiry into management of child sex offender information](#)', *Legislative Council*, pp no 269, August 2021, p 51.

<sup>106</sup> Parliament of Victoria, Legal and Social Issues Committee, '[Inquiry into management of child sex offender information](#)', *Legislative Council*, pp no 269, August 2021, pp 39-40.

- *views on the introduction of a public sex offenders register or a limited public disclosure scheme are varied amongst victim survivors of sexual abuse, advocacy groups and the wider community*
- *possible adverse impacts of the introduction of a public sex offender register are serious. Consequences may include:*
  - *impeding offender rehabilitation and reintegration, possibly increasing recidivism*
  - *encouraging vigilantism by exposing the identity of offenders*
  - *promoting inaccurate community perception of the risk posed by child sex offenders*
  - *identification and re-traumatisation of victims and their families*
  - *encouraging offenders to evade the attention of law enforcement by concealing their identity or location.*
- *Operation and impacts of limited public disclosure schemes can differ from public registers:*
  - *incidences of vigilante behaviour are less of a concern where stricter rules governing access to, and use of offender information are in place*
  - *a comparatively small cohort of offenders are subject to public notification provisions*
  - *a perception of improved compliance with reporting obligations under public notification frameworks.*
- *Programs aimed at rehabilitating convicted child sex offenders and reintegrating them into the community can reduce recidivism.*

#### *Findings and recommendation*

***Finding 6:*** *Any expansion to provisions for the disclosure of information under the Sex Offenders Registration Act 2004 (Vic) should be informed by a robust, peer reviewed, empirical evidence base.*

***Finding 7:*** *Programs aimed at rehabilitating convicted child sex offenders and reintegrating them into the community can reduce recidivism. As such they are an important complement to the Sex Offenders Registration Act 2004 and other legislation and policies aimed at safeguarding the community's sexual safety.*

***Recommendation 3:*** *That the Victorian Government refers to the Victorian Law Reform Commission (or other appropriate body) an inquiry into the circumstances in which a limited public disclosure scheme for registered sex offender information could be trialled. This inquiry should:*

- *include consideration of the legal framework, including but not limited to:*
  - *appropriate privacy protections*
  - *appropriate limits on the amount and type of information disclosed – appropriate limits on the access and use of information disclosed*

- *interaction with existing information access regimes.*
- *have regard to:*
  - *limited disclosure schemes operating in the United Kingdom and Western Australia*
  - *relevant federal laws and regulations.*
- *consider how a trial could best be structured to assess its capability to prevent and reduce child sexual offending.*

*Any recommendations for the conduct of a trial must include a framework to collect evidence from its operation and evaluate the effectiveness of the trial against its stated purposes.*

The government responded to the inquiry on 7 March 2022.<sup>107</sup>

The government's response to the recommendation to explore a trial of a limited public disclosure scheme for registered sex offender information is as follows:<sup>108</sup>

*The Act already includes measures for the public disclosure of information relating to a registrable offender in limited circumstances.*

*The Victorian public disclosure scheme was introduced in 2017, five years after Western Australia and nine years after the United Kingdom introduced their limited child sex offender disclosure schemes.*

*The government continuously monitors the operation and effectiveness of the Act and reforms are regularly presented to Parliament.*

## **Parliament of Australia inquiry into child exploitation**

In June 2021, the Parliament of Australia Joint Committee on Law Enforcement began an inquiry into child exploitation.<sup>109</sup>

The inquiry report was published in November 2023 and is [available on the Parliament of Australia website](#).

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<sup>107</sup> Parliament of Victoria, Legislative Council Legal and Social Issues Committee, '[Inquiry into management of child sex offender information](#)', *Reports*, n.d., accessed 11 September 2024.

<sup>108</sup> Parliament of Victoria, [Government response to inquiry into management of child sex offender information](#), 7 March 2022, p 4.

<sup>109</sup> Parliament of Australia. '[Law enforcement capabilities in relation to child exploitation](#)', *Joint Committee on Law Enforcement*, n.d., accessed 12 September 2024.

In Chapter 6 sections 6.136 to 6.149 includes information regarding the [implementation of a child sex offender register](#).<sup>110</sup> The section includes information on topics such as:

- public registers in Australia and globally
- updates on the proposed implementation of a national public register
- key submissions that express support for a national public register
- key benefits and risks of a national public register, as advised by the Attorney-General's Department.

The report includes a section on coalition dissenting comments, which identifies 'two areas in which Coalition members support further action than proposed by the majority report,' which are:<sup>111</sup>

- trial of age assurance technologies
- public child sex offender register.

Sections 1.8 to 1.15 address coalition dissenting comments regarding the implementation of a public child sex offender register:<sup>112</sup>

**1.8** *Research published by the Australian Institute of Criminology highlights the real risk that recidivist offending presents to children. A 2021 study using data from New South Wales authorities found that seven per cent of child sex offenders committed a further sexual offence within 10 years of their first police proceeding for a child sexual offence.[3]*

**1.9** *Another study examined a sample of alleged offenders who had a recorded history of alleged child sexual offences, drawing on police recorded offence data from New South Wales, Queensland, Victoria and Western Australia. The report states:*

*Results from this study suggest recidivist child sexual assault offenders comprise a small group of motivated, persistent offenders who are willing to adapt their offending to target new and different victims in different contexts.[4]*

**1.10** *The final sample examined by the study 'included 1,321 alleged offenders who were responsible for 1,780 incidents of child sexual assault in the reference period [January 2015 to December 2019] involving 1,772 victims aged 15 years or younger'. [5] These figures reflect the concerning large volume of re-offending in Australia. This concern is reinforced by other key data from the study:*

- *'Irrespective of the relationship with the victim, the vast majority of incidents involving recidivist offenders occurred in or around a place of residence.*

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<sup>110</sup> Parliament of Australia. Joint Committee on Law Enforcement, '[Chapter 6 – Offending, prevention and education](#)', *Inquiry into Law Enforcement Capabilities in Relation to Child Exploitation*, November 2023.

<sup>111</sup> Parliament of Australia. Joint Committee of Law Enforcement, '[Coalition dissenting comments](#)', *Law enforcement capabilities in relation to child exploitation*, November 2023.

<sup>112</sup> Parliament of Australia. Joint Committee on Law Enforcement, '[Coalition dissenting comments](#)', *Inquiry into Law Enforcement Capabilities in Relation to Child Exploitation*, November 2023.

*Residential locations accounted for between 66 and 82 percent of all repeat child sexual assault incidents'.[6]*

- *The mean age of victims of recidivist child sexual assault ranged from 10.6 to 11.4 years across the four jurisdictions.[7]*
- *Within the sample, 'almost all of the alleged offenders—between 96 and 100 percent—perpetrated offences against new victims, meaning the victims in the reference period were not the same as the victims in the 10-year prior history period [January 2005 to December 2014]'.[8]*

**1.11** *The report also found that most child sexual assault incidents involving an alleged recidivist offender 'involved someone known to the offender, most often an acquaintance or relative'. The research 'suggests that—even after contact with the criminal justice system—these alleged offenders had access to children known to them'. Moreover, the report states:*

*We know that offenders and victims who knew each other were most often acquaintances, implying that there was a limited relationship between them or that the victim (or the parents or guardians of the child victim) were quite possibly unaware of the alleged offender's prior history.[9]*

**1.12** *Coalition members are of the view that a national public register of child sex offenders would improve public awareness of those offenders and help to reduce the risk of recidivism.*

**1.13** *A national public register received support from some inquiry participants.[10] Ms Madeleine West, an advocate against child exploitation, submitted that '[d]one right, there is no argument against it that holds water, not in light of the incredible good it will do'. In recommending a model of register that functions similarly to the Family Violence Multi-Agency Risk Assessment and Management Framework in Victoria, Ms West submitted that 'had such a registry existed 30 years ago, the perpetrator would not have been allowed the access he had, and I would not be a victim today'.[11]*

**1.14** *Coalition members are conscious that different models of public register have been implemented in other jurisdictions. In the interests of children's safety, Coalition members support the implementation of a national public child sex offender register in Australia.*

## **Recommendation 2**

**1.15** *Coalition members of the committee recommend that the Australian Government work with states and territories to implement a national public register of child sex offenders.*

## **Parliament of Western Australia inquiry into children and young people on the Sex Offenders Register**

In 2018, a petition was tabled to the Western Australia Parliament that called for:<sup>113</sup>

*changes to the Community Protection (Offender Reporting) Act 2004 (CPOR Act) so that young people are not inappropriately placed on the sex offenders register.*

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<sup>113</sup> Western Australia. Standing Committee on Environment and Public Affairs, '[Punitive not protective: when the mandatory registration of young people is not based on risk](#)', *Legislative Council*, no 52, May 2020, p 1.

The petition led to the establishment of an Inquiry Into Children And Young People On The Sex Offenders Register and a subsequent report published in May 2020.<sup>114</sup>

The report includes the following information regarding access to information on the CPOR Register (Sections 2.22-2.25):<sup>115</sup>

*Information on the CPOR Register is not publicly available and the Commissioner of Police restricts access to certain authorised persons and circumstances. Limited information may be provided following an application by a member of the public for information on dangerous and high-risk offenders residing in their local area.*

*WA Police may share information with other agencies and jurisdictions subject to nationally agreed security and access controls.*

*Penalties for unauthorised disclosure of personal information on the CPOR Register ranges from a fine of \$18 000 to imprisonment for three years.*

*Despite restricted access to the CPOR Register, a person's registered status may become known to members of the public through sentencing proceedings or by people known to the offender or victim. The Committee heard evidence that it is not uncommon for a school community to become aware of the reportable status of a young person.*

The Executive Summary of the report provides the following key points (sections 34-39) in relation to risk assessment, recidivism and the efficacy of registration:<sup>116</sup>

*The underlying assumption of Western Australia's mandatory registration scheme, that all individuals who sexually offend are both predatory and recidivist, is not supported by the evidence. While some subcategories of offenders will pose a greater risk of reoffending, many young people who have been registered as a reportable offender are not considered to pose an ongoing risk.*

*The Children's Court identifies risk factors for reoffending by building a comprehensive picture of a child and their circumstances, with sentencing designed to address a child's offending behaviour and promote their rehabilitation. Stakeholders who provided evidence to the inquiry, including WA Police, consider the Children's Court best placed to make informed decisions regarding the registration of children as reportable offenders.*

*There is little evidence that registration as a reportable offender reduces the likelihood of reoffending or deters first-time offending by young people.*

*Recidivism of sexual offending is often estimated on the basis of reconviction data. While there are various challenges in accurately determining the rate of reoffending, estimates of*

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<sup>114</sup> Western Australia. Standing Committee on Environment and Public Affairs, ['Punitive not protective: when the mandatory registration of young people is not based on risk'](#), *Legislative Council*, no 52, May 2020.

<sup>115</sup> Western Australia. Standing Committee on Environment and Public Affairs, ['Punitive not protective: when the mandatory registration of young people is not based on risk'](#), *Legislative Council*, no 52, May 2020, p 8.

<sup>116</sup> Western Australia. Standing Committee on Environment and Public Affairs, ['Punitive not protective: when the mandatory registration of young people is not based on risk'](#), *Legislative Council*, no 52, May 2020, p v.

*juvenile recidivism from Australian and international research range from approximately three to 13 per cent.*

*Sixty eight per cent of young people currently on the CPOR Register who offended as a child are not considered to pose a risk of reoffending by WA Police and have had their reporting obligations suspended. These figures demonstrate that although the practical operation of Western Australia's registration scheme is responsive to an individual's risk of reoffending, the basis for their initial registration as a reportable offender is not.*

*There is no doubt that some young people commit very serious offences involving coercive, abusive or violent sexual behaviour. All stakeholders agree that some children, regardless of their age, will pose a threat to public safety and should be subject to registration and close monitoring by police.*

The report found that there is 'limited research into the efficacy of registration schemes in reducing sexual reoffending and existing studies have produced inconclusive results' (sections 8.56-8.61):<sup>117</sup>

*Some studies have been conducted in the United States (where sex offender registries are accessible by the public) however there remains 'little evidence that the US ... policies have reduced reoffending among registered sex offenders'.*

*An accurate assessment of the effectiveness of Australian (non-public) registration schemes in reducing reoffending cannot be made due a lack of research in this area.*

*WA Police concede that it is not possible to 'definitively conclude' that registration reduces the likelihood of reoffending because pre- and post-legislation statistics are not available to enable a comparison of reoffending rates. Nevertheless, WA Police believe that anecdotal evidence indicates that their monitoring of reportable offenders reduces reoffending rates:*

*Generally, police will liaise with [Child Protection and Family Support] when we become aware of a reportable offender (adult or child) having unsupervised contact with children. [Child Protection and Family Support] may provide protective behaviours training or, if very concerned about the risk, seek to remove the children from the house or prevent the reportable offender from residing at the address.*

*In relation to young reportable offenders, it is believed that the pro-active role taken by police and [Child Protection and Family Support] has prevented further reoffending. To date, two Child Protection Orders have been sought in consultation with concerned parents of young offenders to protect both their own children and others.*

*The Committee considers that the active management of offenders by WA Police and the Department of Communities (Child Protection and Family Support), particularly in circumstances where there may be unsupervised contact with children, is incumbent upon those agencies regardless of whether the offender is registered.*

*While there is insufficient empirical evidence to substantiate the anecdotal evidence provided by WA Police, there is limited research to suggest that registration may reduce sexual offending against victims known to the offender.*

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<sup>117</sup> Western Australia. Standing Committee on Environment and Public Affairs, '[Punitive not protective: when the mandatory registration of young people is not based on risk](#)', *Legislative Council*, no 52, May 2020, pp 104-5.

## Part 2

### Disclaimer

Please note that the results of studies into sex offender registries requires careful consideration within each respective judicial and political context.

A sample overview of the relevant legal and political contextual information regarding public sex offender registers in Australian and global jurisdictions has been provided in a separate, related brief titled 'Public sex offender register – part 1'.

### Scope

The research included in this brief is not exhaustive and should only be regarded as a sample of the literature available.

This brief includes information regarding academic literature on public Sex Offender Registers (SORs, also known as Sex Offender Register and Notification systems, or SORNs) and their effectiveness.

The research provided in this brief refers to:

- child, adult, and other sex offenders
- research published over the last two decades (2004 to 2024 inclusive)
- public and non-public SORs, where specified
- sex offender registers and sex offender notification systems (e.g., community notification), where specified
- empirical research and literature reviews
- effectiveness of SORs, including factors such as:
  - availability and accessibility of sex offender information
  - perceived levels of community safety
  - reduction of sex offences and recidivism
  - assisting law enforcement.

In addition, this brief includes a sample of media articles that references academics, criminologists and legal experts quoted on the topic of public sex offender registers.

### Sources of information

The Queensland Parliamentary Library (QPL) searched the following sources of information:

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- [Queensland Parliamentary Library Online \(Liberty\)](#)
- [EBSCOhost](#)
- [Google Scholar](#)
- general internet searches.

## Note on information

Please note that the results of studies into SORs requires careful consideration within each respective judicial and political context.

In addition, the result of each study differs in relation to multiple variables, for example:

- there are difficulties in measuring how effective a public SOR is
  - for example, Whitting et al argue:<sup>118</sup>

*the possibility remains that community notification is effective in some circumstances but ineffective in others, and broad judgments about its overall effectiveness fail to capture the complexities of the interrelationships between the many factors at play.*

- what constitutes as 'effective' is relative to the perspectives of different stakeholder groups (e.g., police officers, register users and registered offenders)
- there are conflicting perspectives regarding whether empirical evidence indicates that SORs are effective:
  - for example, Vess argues there is 'relatively little empirical research that investigates the impact and effectiveness of maintaining sex offender registries':<sup>119</sup>

*La Fond (2005) suggests that crucial questions remain to be answered: Do these laws work? Are they doing more harm than good? Should they be changed, or even eliminated? (p. 86). Given that these laws are expensive to implement, place increasing demands on limited resources, have largely unknown effects on offenders, the community, or the agencies responsible for their administration, and are largely untested in their effectiveness for investigating offenses or reducing recidivism, additional research is clearly needed.*

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<sup>118</sup> S C Taylor, '[Community perceptions of a public sex offender registry introduced in Western Australia](#)', *Police Practice and Research*, vol 18, no 3, 2017, pp 254-5.

<sup>119</sup> J Vess et al., '[International sex offender registration laws: Research and evaluation issues based on a review of current scientific literature](#)', *Police, Practice and Research*, vol 14, no 3, 2013, p 328.

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- on the other hand, Masters and Kebble write that the results are mixed:<sup>120</sup>

*The issue of effectiveness has been the focus of previous research, with the results offering mixed assessments of whether or not a register is an effective means of managing sex offenders in the community. This is consistent with Mercado, Alvarez, and Levenson (2008), who found that being on a publicly available sex offender registry makes it more difficult for offenders to reintegrate into the community. Additionally, a recent review of the literature on sex offender registries suggests that there are gaps in the knowledge regarding whether or not registries reduce reoffending (Vess et al., 2014).*

## Academic literature

The following section lists academic research articles on the effectiveness of SORs.

Tables 1 to 3 are organised as follows:

- **Table 1** lists research that evaluates the effectiveness of the SOR system introduced in Western Australia
- **Table 2** lists all other research that primarily relates to the Australian context
- **Table 3** focuses on research that primarily relates to the international context outside Australia.

The research articles are listed in reverse chronological order (newest first).

The QPL has added bold text to emphasise information that relates to the effectiveness of SORs.

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<sup>120</sup> K B Masters and M R Kebble, '[Police officers' perceptions of a sex offender registration scheme: Identifying and responding to risk](#)', *Psychiatry, Psychology and Law*, vol 26, no 3, 2019, p 408.

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## Reviews of the Western Australia sex offender register

This section includes research pertaining to the implementation and operation of the SOR in Western Australia.

**Table 3 list of research that evaluates the effectiveness of the SOR in Western Australia**

Reference and description	Description	Results
L Whitting et al., <a href="#">‘An evaluation of the impact of Australia’s first community notification scheme’</a> , <i>Psychiatry, Psychology and Law</i> , vol 24, no 3, 2017, pp 339-355.	<p>This study examines:</p> <ul style="list-style-type: none"> <li>• how police officers view the impact of the SORN scheme in Western Australia, and</li> <li>• whether their primary concerns were realised after its implementation.</li> </ul> <p>The results are in-part based on 18 interviews with police officers who were responsible for managing the scheme.</p>	<p>The study found that, contrary to the officers’ concerns, there were few incidents of vigilantism related to the scheme:<sup>121</sup></p> <p><i>From the perspective of the police officers interviewed, a major source of offenders’ anxiety surrounding the introduction of the scheme was a fear of vigilantism, a concern shared by the police. Some offenders reportedly drastically changed their appearance around the time the scheme came into effect, presumably out of fear they would be targeted by vigilantes. However, <b>contrary to both police and offender expectations, no one was charged with vigilantism within the first 10 months of the scheme’s operation</b> (at the time that the final interviews were conducted).</i></p> <p>In addition, officers state that some offenders surrendered themselves to police after the scheme was implemented:<sup>122</sup></p> <p><i>A key concern reported by Whitting et al. (2016) was that the introduction of the scheme would lead to offenders going underground. This concern does not appear to have come to fruition. On the contrary, <b>there was a perception</b></i></p>

<sup>121</sup> L Whitting et al., [‘An evaluation of the impact of Australia’s first community notification scheme’](#), *Psychiatry, Psychology and Law*, vol 24, no 3, p 348.

<sup>122</sup> L Whitting et al., [‘An evaluation of the impact of Australia’s first community notification scheme’](#), *Psychiatry, Psychology and Law*, vol 24, no 3, pp 349-50.

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Reference and description	Description	Results
		<p><i>among those interviewed that the introduction of the scheme had improved compliance, at least among some offenders. A few offenders who had failed to report and whose whereabouts were unknown reportedly 'surrendered' themselves to police upon being published on the missing offenders register. It emerged that many officers have capitalised on offenders' apparent fear of notification by using the threat of notification as a means of ensuring compliance. Anecdotal evidence was cited suggesting that the mere threat of publishing offenders' details on the register encourages them to report to the police...</i></p> <p>It was, however, noted that this approach was not effective in securing compliance among all offenders, such as:<sup>123</sup></p> <ul style="list-style-type: none"> <li>• Indigenous offenders living in remote areas without internet access</li> <li>• individuals with intellectual disabilities or substance abuse problems, and</li> <li>• those evading the police because they have outstanding warrants for their arrest.</li> </ul>
<p>S C Taylor, <a href="#">'Community perceptions of a public sex offender registry introduced in</a></p>	<p>This study is based on the results of a survey of 162 adults (19 – 72 years) living in Western Australia</p>	<p>The QPL identified the following key findings of the study that were related to the efficacy of SOR systems:</p>

<sup>123</sup> L Whitting et al., ['An evaluation of the impact of Australia's first community notification scheme'](#), *Psychiatry, Psychology and Law*, vol 24, no 3.

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Reference and description	Description	Results
<p><a href="#">Western Australia</a>, <i>Police Practice and Research</i>, vol 18, no 3, 2017, pp 275-290.</p>	<p>who had previously accessed the online SOR system, also known as the Community Protection Website (CPW). The survey was conducted in 2013 and used to assess their opinions of the tool and its purpose in community safety.</p> <p>In addition to the results provided in this table, the paper also includes an extensive literature review of public SORN systems, including information regarding the efficacy of registration and notification in reducing offending and recidivism.<sup>124</sup></p> <p>The researchers note that the findings of the study are limited by the small sample size and thus</p>	<ul style="list-style-type: none"> <li>• in response to the question of whether the CPW provides enough information about the offender, most respondents were undecided (51.2%)<sup>126</sup></li> <li>• in response to the question of whether users felt the CPW protected children from convicted sex offenders, 32.1% agreed and 44.5% disagreed<sup>127</sup></li> <li>• in response to the question ‘what do you dislike about the website’, 31% of responses were negative and concerned the following 4 main themes:<sup>128</sup> <ul style="list-style-type: none"> <li>○ <i>wanting more specific information on individual offenders</i></li> <li>○ <i>a demand that all offenders be placed on the website</i></li> <li>○ <i>specific information on individual offenders targeting girls, boys or both and</i></li> <li>○ <i>a general demand for ‘more information’.</i></li> </ul> </li> </ul>

<sup>124</sup> S C Taylor, [‘Community perceptions of a public sex offender registry introduced in Western Australia’](#), *Police Practice and Research*, vol 18, no 3, 2017, pp 278-9.

<sup>126</sup> S C Taylor, [‘Community perceptions of a public sex offender registry introduced in Western Australia’](#), *Police Practice and Research*, vol 18, no 3, 2017, p 282.

<sup>127</sup> S C Taylor, [‘Community perceptions of a public sex offender registry introduced in Western Australia’](#), *Police Practice and Research*, vol 18, no 3, 2017, p 284.

<sup>128</sup> S C Taylor, [‘Community perceptions of a public sex offender registry introduced in Western Australia’](#), *Police Practice and Research*, vol 18, no 3, 2017, p 282.

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Reference and description	Description	Results
	'cannot be generalised to the broader community'. <sup>125</sup>	<ul style="list-style-type: none"> <li>in response to the access and usability of the CPW, respondents said that 'the CPW was easy to find (63.6%), easy to use (70.4%) and easy to understand (75.9%)'<sup>129</sup></li> </ul>
<p>L Whitting et al., <a href="#">‘The impact of community notification on the management of sex offenders in the community: An Australian perspective’</a>, <i>Journal of Criminology</i>, vol 47, no 2, 2014, pp 240-258.</p>	<p>This paper is a response to the implementation of SOR related legislation in Western Australia in 2012.</p> <p>The paper provides an overview of community notification schemes and a review of the related literature regarding its efficacy.</p>	<p>The researchers provide discussion relating to the efficacy of SORs and its introduction in the Western Australian context, as follows:<sup>130</sup></p> <p><i>It may be tempting to conclude on the basis of this review that community notification is ineffective, and that the introduction of the scheme in WA is ill-informed. However, it seems premature to conclude that community notification is ineffective as the findings of many of the studies reviewed here are somewhat equivocal. <b>The possibility remains that community notification is effective in some circumstances but ineffective in others, and broad judgments about its overall effectiveness fail to capture the complexities of the interrelationships between the many factors at play.</b> Pawson’s (2006) argument that for policy evaluations to be meaningful they must move beyond the question of whether interventions work and instead address how and why they work is relevant here. He suggests that a more useful question to ask is: “What works for whom in what circumstances?” (Pawson, 2006: 25).</i></p>

<sup>125</sup> S C Taylor, [‘Community perceptions of a public sex offender registry introduced in Western Australia’](#), *Police Practice and Research*, vol 18, no 3, 2017, p 287.

<sup>129</sup> S C Taylor, [‘Community perceptions of a public sex offender registry introduced in Western Australia’](#), *Police Practice and Research*, vol 18, no 3, 2017, p 283.

<sup>130</sup> S C Taylor, [‘Community perceptions of a public sex offender registry introduced in Western Australia’](#), *Police Practice and Research*, vol 18, no 3, 2017, pp 254-5.

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Reference and description	Description	Results
		<p><i>Few researchers have hypothesized as to the conditions under which community notification is of optimal effectiveness. Letourneau and colleagues (2010b) speculated that the wide net cast by these policies could be masking differential effects for different groups of offenders. Certainly, the last decade has seen a dramatic increase in the number of offenders who are subject to notification in the US. This is largely due to the fact that the criteria stipulating who qualifies for notification have become more inclusive over time. One might expect that these measures would have a differential impact on subgroups of offenders, such as intrafamilial versus extrafamilial sex offenders, or those classified as low versus high risk.</i></p> <p><b><i>It is noteworthy that the only two published studies that have found that community notification reduces recidivism (Barnoski, 2005; Duwe &amp; Donnay, 2008) both employed samples exclusively comprised of offenders assigned the highest risk classification and who were subjected to the most extensive notification. It follows that community notification may be most effective when only high-risk offenders are selected, as was the original intent of the legislation. The tiered notification scheme introduced in WA combines elements of a US-style proactive notification system with a UK-style reactive system and takes offenders' risk level into consideration. This will allow outcomes to be compared for different subgroups of offenders, thereby facilitating determinations regarding the efficacy of notification for different subgroups of sex offenders...</i></b></p>

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## Sex offender registers in Australia

This section includes research pertaining to SORs in Australia, including those that have been implemented and responses to proposals.

**Table 4 List of Australia-based academic research on sex offender registers**

Reference	Description	Results
<p>L Bartels et al., <a href="#">‘What does the public think about sex offender registers? Findings from a national Australian study’</a>, <i>Psychiatry, Psychology and Law</i>, vol 28, no 4, 2021, pp 560-575.</p>	<p>This paper analyses data from a national survey on 989 jurors’ and non-jurors’ perceptions of sex offender registers in Australia.</p> <p>Jurors were recruited from offence trials involving adult defendants in each Australian state and territory except for Western Australia.</p> <p>In addition, the paper provides a literature review of studies on sex offender registers and their efficacy in reducing rates of offending and recidivism.</p>	<p>Based on the findings of the survey, the researchers conclude that there is little support among respondents for public SORs:<sup>131</sup></p> <p><i><b>Our findings also indicate that there is little support for the register to be made publicly available, with only one-third of participants in favour. Taken together with the evidence on the lack of effectiveness of public sex offender registers, this reinforces criticisms of the proposal to introduce a national public register in Australia (see e.g. Conifer, 2019; D. Harris, 2019; Law Council of Australia, 2019; Sakzewski, 2019). The concept of ‘crime control theatre’ refers to policies that appear to address crime, but which may be ineffective and potentially have unintended negative consequences (de Vault et al., 2016). The Australian Government’s proposal to introduce a public sex offender register should be recognised as a form of such theatre and is unlikely to be popular with an Australian audience.</b></i></p>

<sup>131</sup> L Bartels et al., [‘What does the public think about sex offender registers? Findings from a national Australian study’](#), *Psychiatry, Psychology and Law*, vol 28, no 4, 2021, p 572.

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Reference	Description	Results
<p>K B Masters and M R Kebbell, <a href="#">‘Police officers’ perceptions of a sex offender registration scheme: Identifying and responding to risk’</a>, <i>Psychiatry, Psychology and Law</i>, vol 26, no 3, 2019, pp 396-413.</p>	<p>This study is based on the results of interviews with 17 police personnel working in a variety of roles related to a sex offender register in their respective Australian jurisdiction (not specified).</p> <p>The sex offender register relates to offenders ‘who have committed serious sexual offences against children’.<sup>132</sup></p> <p>The aim of the study is to provide insight on police views of the register and how it can be improved.</p>	<p>Respondents did not believe the register should be made public, but were concerned about accessibility of information between officers and parents:<sup>133</sup></p> <p><i>A number of participants expressed concern over privacy and confidentiality laws, and how they relate to the register. <b>While no participants believed that the register should be made public, a number did suggest that making the register more open to those within the police would be helpful.</b> There were some who felt that the confidentiality and privacy of the register was too restrictive, as it means that certain information cannot be shared with other police officers or with the parents of vulnerable children due to the nature of these laws.</i></p> <p>The researchers provide the following discussion regarding public accessibility and the effectiveness of SORs:<sup>134</sup></p> <p><i>The <b>information held by the register itself is useful in assisting police in investigating new offences</b>, in addition to providing a specific <b>deterrent for future sex offending to known and unknown offenders.</b> However, <b>officers</b></i></p>

<sup>132</sup> K B Masters and M R Kebbell, [‘Police officers’ perceptions of a sex offender registration scheme: Identifying and responding to risk’](#), *Psychiatry, Psychology and Law*, vol 26, no 3, 2019, p 400.

<sup>133</sup> K B Masters and M R Kebbell, [‘Police officers’ perceptions of a sex offender registration scheme: Identifying and responding to risk’](#), *Psychiatry, Psychology and Law*, vol 26, no 3, 2019, p 406.

<sup>134</sup> K B Masters and M R Kebbell, [‘Police officers’ perceptions of a sex offender registration scheme: Identifying and responding to risk’](#), *Psychiatry, Psychology and Law*, vol 26, no 3, 2019, p 408.

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Reference	Description	Results
		<p><b>recognise that the register may in fact offer little in terms of protection for children and the community.</b> The issue of effectiveness has been the focus of previous research, with the results offering mixed assessments of whether or not a register is an effective means of managing sex offenders in the community. This is consistent with Mercado, Alvarez, and Levenson (2008), who found that being on a publicly available sex offender registry makes it more difficult for offenders to reintegrate into the community. Additionally, a recent review of the literature on sex offender registries suggests that there are gaps in the knowledge regarding whether or not registries reduce reoffending (Vess et al., 2014).</p>
<p>J Vess et al., '<a href="#">International sex offender registration laws: Research and evaluation issues based on a review of current scientific literature</a>', <i>Police, Practice and Research</i>, vol 14, no 3, 2013, pp 322-335.</p>	<p>This paper conducts a literature analysis of international research related to the effectiveness of sex offender registration laws in countries such as the United Kingdom, United States and Australia.</p>	<p>The paper notes that there is 'relatively little empirical research that investigates the impact and effectiveness of maintaining sex offender registries':<sup>135</sup></p> <p><i>La Fond (2005) suggests that crucial questions remain to be answered: Do these laws work? Are they doing more harm than good? Should they be changed, or even eliminated? (p. 86). Given that these laws are expensive to implement, place increasing demands on limited resources, have largely unknown effects on offenders, the community, or the agencies responsible for their administration, and are largely untested in their effectiveness for investigating offenses or reducing recidivism, additional research is clearly needed. The primary criticism is that the laws are</i></p>

<sup>135</sup> J Vess et al., '[International sex offender registration laws: Research and evaluation issues based on a review of current scientific literature](#)', *Police, Practice and Research*, vol 14, no 3, 2013, p 328.

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Reference	Description	Results
		<p><i>far more inclusive than is necessary or useful for protecting the public. The laws typically require too many sex offenders who are not a substantial risk for sexual reoffending to register, thereby distracting attention and resources from those relatively few offenders who pose such a high risk that registration and monitoring is advisable.</i></p> <p>The paper notes that SOR laws may be ineffective due to the focus towards offenders that are strangers to the victim:<sup>136</sup></p> <p><b><i>One reason sex offender registries and community notification laws may be ineffective at reducing sexual offending or reoffending is that they focus on averting the relatively infrequent event of children being attacked by strangers (Meloy, Saleh, &amp; Wolff, 2007), whereas empirical research has consistently shown that the majority of sexual offenses are perpetrated by family members and/or acquaintances. Despite the public concern over stranger-danger lurking around playgrounds and schools, the majority of offenses take place in the victim’s home or the home of a friend, neighbor, or relative (Greenfeld, 1997). Citing US national statistics, Snyder (2000) reported that 93% of child sex abuse victims knew their abuser (34.3% were family members and 58.7% were acquaintances). Of course, it may be the case that registration when accompanied by active monitoring can</i></b></p>

<sup>136</sup> J Vess et al., [‘International sex offender registration laws: Research and evaluation issues based on a review of current scientific literature’](#), *Police, Practice and Research*, vol 14, no 3, 2013, p 328.

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Reference	Description	Results
		<p><i>protect against offenders becoming acquainted with potential victims and then reoffending.</i></p>
<p>M Powell et al., <a href="#">‘Australian police officers’ perceptions of sex offender registries’</a>, <i>Policing and Society</i>, vol 24, no 1, 2013, pp 1-14.</p>	<p>This paper analyses police officers’ perceptions of sex offender registration schemes in Australia. The analysis considers the issues of effectiveness from the officers’ perspective, as well as challenges of the scheme and how to improve the system.</p> <p>The findings of the study are based on interviews with 24 police personnel across Australia whose responsibilities were associated with the operation of SORs.</p>	<p>The police officers overwhelmingly did not support the implementation of a public registry:<sup>137</sup></p> <p><i>Overwhelmingly, the officers we interviewed did not support public registry they described the system as a political strategy to address public fear. Concerns about public registries were multi-faceted. First, being publically ostracised and denied social support was perceived to increase pressure and risk of re-offending. Second, public registers place an additional burden on police resources as police are more likely to be called to deal with an incident of aggression initiated by a member of the public towards a registered offender. Third, public registers were perceived to reduce offenders’ compliance with updating personal details and family members’ reporting of new offences due to fear of social stigma. Finally, public registers were perceived to divert public perception away from the ‘real’ issue (i.e. that most sexual offences are committed by someone who is well known to the victim and that parental protection and supervision plays a primary role in the prevention of child sexual abuse).</i></p> <p>The QPL extracted the following findings from the study that were related to the effectiveness of SORs:</p> <ul style="list-style-type: none"> <li>• <i>all police members expressed the view that although it is unrealistic to expect a registry to</i></li> </ul>

<sup>137</sup> M Powell et al., [‘Australian police officers’ perceptions of sex offender registries’](#), *Policing and Society*, vol 24, no 1, 2014, p 6.

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Reference	Description	Results
		<p><i>eliminate all offending from convicted offenders, <b>having a register was better (in terms of contributing to public safety) than having no registry at all</b></i><sup>138</sup></p> <ul style="list-style-type: none"> <li>• <i>officers perceived that the benefit of the system differed depending on the offender's history</i><sup>139</sup></li> <li>• <i>although the officers perceived that a compliance model was better than no intervention, all felt that the proactive model offered greater effectiveness in preventing and identifying new crimes. <b>It was perceived that the relationship developed with the registered offender enhances the likelihood that the offender will take an active role in preventing his/her own likelihood of re-offending</b></i><sup>140</sup></li> </ul>
<p>J Vess et al., <a href="#">‘A comparative analysis of Australian sex offender legislation for sex</a></p>	<p>This paper provides an overview of Australian sex offender legislation across jurisdictions and addresses the intended</p>	<p>The paper provides the following information regarding the relative efficacy of public SORs as opposed to non-public SORs:<sup>141</sup></p> <p><i>Finally, there is the issue of who has access to this information. It is unclear whether allowing only limited</i></p>

<sup>138</sup> M Powell et al., [‘Australian police officers’ perceptions of sex offender registries’](#), *Policing and Society*, vol 24, no 1, 2014, p 4.

<sup>139</sup> M Powell et al., [‘Australian police officers’ perceptions of sex offender registries’](#), *Policing and Society*, vol 24, no 1, 2014, p 5.

<sup>140</sup> M Powell et al., [‘Australian police officers’ perceptions of sex offender registries’](#), *Policing and Society*, vol 24, no 1, 2014, p 5.

<sup>141</sup> J Vess et al., [‘A comparative analysis of Australian sex offender legislation for sex offender registries’](#), *Journal of Criminology*, vol 44, no 3, 23 December 2011, pp 421-2.

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Reference	Description	Results
<p><a href="#">offender registries'</a>, <i>Journal of Criminology</i>, vol 44, no 3, 23 December 2011, pp 404-424.</p>	<p>purposes of the policies in a global comparative context.</p>	<p><i>access to registry information avoids many of the negative consequences that have been associated with public access to this information in the US, or whether this restricted access is less effective in achieving the public safety outcomes that sex offender registries and US community notification provisions are intended to provide. While it appears reasonable to assume that many of the negative outcomes reported for offenders and their families that result from public awareness of their offending are avoided by laws that restrict access to this information, the effects of registration on sex offenders in Australia are essentially unknown at this time. However, <b>the limited empirical evidence from the US indicates that community notifications are not particularly effective in reducing sexual reoffending.</b></i></p>

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## International sex offender registers

This section includes research pertaining to SORs that have been implemented in jurisdictions outside of Australia, and those that compare international approaches to SORs.

**Table 5 List of internationally-based academic research on sex offender registers and notification systems**

Country	Reference	Description	Results
United Kingdom	K M Zgoba and D Cowan, ' <a href="#">Sexual offense legislation across the pond: A review of community sentiment toward the United Kingdom's implementation of Sarah's Law</a> ', <i>Sexual Abuse</i> , vol 32, no 4, May 2019, pp 476-496.	The paper is based on the findings of a survey conducted in 2015 of 140 UK residents on their views of Sarah's Law.	<p>The results of the study showed that respondents supported the release of offender names, but were less inclined to support the release of other offender information:<sup>142</sup></p> <p><i>The only practices that were supported by a majority of respondents were the release of the offender's name and a photo of the offender. Notification practices involving the release of the offender's criminal history and home address received around 30% to 40% of support from respondents. Overall, with reference to notification laws, respondents were open to the idea of providing some sense of privacy to convicted sex offenders.</i></p> <p>The following results relate to participants' perceptions of Sarah's Law (i.e., The Disclosure Scheme):<sup>143</sup></p> <p><i>From this sample, 76.4% of respondents noted that they were familiar with the Sarah Payne case. Of note, 12.1% of</i></p>

<sup>142</sup> K M Zgoba and D Cowan, '[Sexual offense legislation across the pond: A review of community sentiment toward the United Kingdom's implementation of Sarah's Law](#)', *Sexual Abuse*, vol 32, no 4, May 2019, pp 487-8.

<sup>143</sup> K M Zgoba and D Cowan, '[Sexual offense legislation across the pond: A review of community sentiment toward the United Kingdom's implementation of Sarah's Law](#)', *Sexual Abuse*, vol 32, no 4, May 2019, pp 485-6.

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Country	Reference	Description	Results
			<p><i>respondents felt that no notification should be made to the public, whereas only 3.6% of respondents believed that no sex offenders should be subject to disclosure or registration laws in general. On the other side of the spectrum, 46.4% of respondents felt that all sex offenders—those displaying minimal violence, violent, and low- and high-risk offenders—should be subject to the current sex offense law. In terms of the fairness of current disclosure law, 71.9% of respondents indicated that the law was fair or mostly fair, with only 16.4% of participants noting that they do not agree with the current law.</i></p> <p>The results show that there was only a small number of respondents who felt that the disclosure laws were effective:<sup>144</sup></p> <p><b><i>Of particular interest, only 7.8% of respondents felt that the current disclosure law is effective in reducing the number of sex offenses, yet 62.7% of respondents felt that shame from the law would reduce the likelihood of re-offending. In addition, 43.6% of respondents felt that the current disclosure scheme would help reduce sexual abuse against children. In contrast with the disclosure scheme, 81.4% of respondents felt that mandatory sex offender treatment prior to release from incarceration would be helpful in reducing child sexual abuse. These results highlight a perception within this sample that sex offender disclosure laws may be more beneficial for the reduction of child-related offenses. Those surveyed were also asked if they support sex offender policies, even if there is no evidence to demonstrate that these policies</i></b></p>

<sup>144</sup> K M Zgoba and D Cowan, '[Sexual offense legislation across the pond: A review of community sentiment toward the United Kingdom's implementation of Sarah's Law](#)', *Sexual Abuse*, vol 32, no 4, May 2019, p 488.

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Country	Reference	Description	Results
			<i>reduced sexual abuse. For this inquiry, 38.6% of respondents agreed that they would support the policy absent evidence, with 21.5% not supportive.</i>
Canada	P Lussier and J Mathesius, <a href="#">‘Not in my backyard: Public Sex Offender Registries and Public Notification Laws’</a> , <i>Canadian Journal of Criminology &amp; Criminal Justice</i> , vol 61, no 1, 2019, pp 105-116.	<p>The paper is a review of academic literature regarding American SORN laws and Canadian criminal justice policy.</p> <p>The researchers analyse whether a SORN system, similar to those that exist in US jurisdictions, can be applied to the context of Canadian criminal justice.</p>	<p>In a review of literature, the researchers state that ‘empirical research has shown inconsistent findings as to the impact of SORN laws on sex crime rates’.<sup>145</sup></p> <p>However, they note that variations in findings across studies may be ‘attributable to methodological differences and limitations’.<sup>146</sup></p> <p>Based on their findings, the researchers recommend that SORN policies ‘should not be adopted as Canadian criminal justice policy’:<sup>147</sup></p> <p><i>The empirical evidence on the effectiveness of SORN policy remains inconclusive because of the combination of methodological variation and limitations across studies. However, the lack of empirical support for the assumptions guiding SORN policy, in addition to the implementation issues for SORN policy and their unexpected costs for stakeholders, suggests that <b>the efficacy of these policies are questionable</b></i></p>

<sup>145</sup> P Lussier and J Mathesius, [‘Not in my backyard: Public Sex Offender Registries and Public Notification Laws’](#), *Canadian Journal of Criminology & Criminal Justice*, vol 61, no 1, p 108.

<sup>146</sup> P Lussier and J Mathesius, [‘Not in my backyard: Public Sex Offender Registries and Public Notification Laws’](#), *Canadian Journal of Criminology & Criminal Justice*, vol 61, no 1, p 109.

<sup>147</sup> P Lussier and J Mathesius, [‘Not in my backyard: Public Sex Offender Registries and Public Notification Laws’](#), *Canadian Journal of Criminology & Criminal Justice*, vol 61, no 1, pp 111-2.

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Country	Reference	Description	Results
			<b>at best and should not be adopted as Canadian criminal justice policy.</b> In the U.S., these policies were largely reactionary in nature, and little serious analysis was given to their formulation and long-term consequences, as indicated, in part, by the speed with which they were formulated (e.g., Petrunik 2002). Unfortunately, American SORN policies are not likely to end any time soon.
United States	A J Harris and R Cudmore, ' <a href="#">Community experience with public sex offender registries in the United States: A national survey</a> ', <i>Criminal Justice Policy Review</i> , vol 29, no 3, 2018, pp 258-279.	<p>The paper is based on the findings of a national U.S. survey that consulted 1,000 adults on their use of public, online SORs.</p> <p>The study focuses on the reasons for the public's use and non-use of SORs and how the information is used for community protection.</p> <p>The researchers note that the findings of the study cannot be generalised to the broader U.S. population due to the small</p>	<p>The QPL extracted the following key findings of the survey results, as related to the efficacy and usefulness of SORs:</p> <ul style="list-style-type: none"> <li>• of the total sample, 450 respondents (45%) indicated some experience accessing their state's SOR, and 550 (55%) indicated that they had never accessed the registry<sup>149</sup></li> <li>• among all registry users, <b>approximately one in 10 (10.3%) indicated that SOR information made them feel much safer</b>, with the proportion falling into this category was fairly consistent across usage categories<sup>150</sup></li> <li>• particularly notable is the finding that <b>those with highest levels of SOR usage were proportionally more than three times as likely to report feeling less</b></li> </ul>

<sup>149</sup> A J Harris and R Cudmore, '[Community experience with public sex offender registries in the United States: A national survey](#)', *Criminal Justice Policy Review*, vol 29, no 3, 2018, p 266.

<sup>150</sup> A J Harris and R Cudmore, '[Community experience with public sex offender registries in the United States: A national survey](#)', *Criminal Justice Policy Review*, vol 29, no 3, 2018, p 273.

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Country	Reference	Description	Results
		sample sizes of user types (e.g., frequent SOR users constituted 74 survey participants). <sup>148</sup>	<p><i>safe as a result of accessing SOR information than those with lowest levels of usage (28.4% vs. 9.4%)<sup>151</sup></i></p> <ul style="list-style-type: none"> <li><i>presented with a listing of potential protective actions based on SOR information, 60.4% of respondents with any registry experience, and 82.4% of those who had used the SOR more than five times, indicated that they had taken at least one type of protective action based on registry information.<sup>152</sup></i></li> </ul> <p>The 'protective actions' referenced included: sharing information with others, improving home security, changing routines or moving out of the neighbourhood.<sup>153</sup></p>
United Kingdom	K F McCartan et al., <a href="#">'Police officer attitudes to the practicalities of the sex offenders'</a>	This paper is based on the findings of survey and interview data from 227 police officers who were involved in the	<p>When asked if the CSDOS reduced the likelihood of recidivism and reducing overall levels of sexual harm in society, a majority agreed:</p> <p><i>For example, of the respondents (N = 129) to the survey question about <b>the impact that the CSODS has on reducing</b></i></p>

<sup>148</sup> A J Harris and R Cudmore, [Community experience with public sex offender registries in the United States: A national survey](#), *Criminal Justice Policy Review*, vol 29, no 3, 2018, p 277.

<sup>151</sup> A J Harris and R Cudmore, [Community experience with public sex offender registries in the United States: A national survey](#), *Criminal Justice Policy Review*, vol 29, no 3, 2018, p 273.

<sup>152</sup> A J Harris and R Cudmore, [Community experience with public sex offender registries in the United States: A national survey](#), *Criminal Justice Policy Review*, vol 29, no 3, 2018, p 274.

<sup>153</sup> A J Harris and R Cudmore, [Community experience with public sex offender registries in the United States: A national survey](#), *Criminal Justice Policy Review*, vol 29, no 3, 2018, p 274.

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Country	Reference	Description	Results
	<a href="#">register, ViSOR and Child Sexual Abuse Disclosure Scheme in England and Wales</a> , <i>Journal of Sexual Aggression</i> , vol 24, no 1, 2018, pp 37-50.	<p>management of sexual offenders in England and Wales.</p> <p>The study provides insight into 'police understandings of and attitudes to the sex offenders' register, Violent and Sex Offenders' Register (ViSOR) and Child Sexual Offender Disclosure Scheme (CSDOS).'<sup>154</sup></p> <p>The researchers note that there are several limitations to the findings of the study, including a small sample size and limited participant scope (police officers only).</p>	<p><b><i>the likelihood of individual perpetrators of sexual harm re-offending, 79.1% responded that it had a major or modest impact, compared to just 1.3% who said it had no impact.</i></b></p> <p>...</p> <p><b><i>Similarly, of the respondents (N = 129) to the survey question about the impact CSODS has on reducing the overall levels of sexual harm in society, 79.1% responded that it had a major or modest impact, compared to just 0.4% who said it had no impact.</i></b></p> <p>The interview findings include information regarding police perceptions' of public access to the CSDOS, for example:<sup>155</sup></p> <p><b><i>The findings from the online survey were expanded upon in the interview data, with participants suggesting that the impact of CSODS in reducing re-offending or overall levels of sexual harm was linked to its ability to empower the public to better safeguard children rather than because the scheme directly assisted them in their offender management role.</i></b></p>

<sup>154</sup> K F McCartan et al., ['Police officer attitudes to the practicalities of the sex offenders' register, ViSOR and Child Sexual Abuse Disclosure Scheme in England and Wales'](#), *Journal of Sexual Aggression*, vol 24, no 1, 2018, p 37.

<sup>155</sup> K F McCartan et al., ['Police officer attitudes to the practicalities of the sex offenders' register, ViSOR and Child Sexual Abuse Disclosure Scheme in England and Wales'](#), *Journal of Sexual Aggression*, vol 24, no 1, 2018, p 44.

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Country	Reference	Description	Results
			<p>However, the officers felt that the scheme did not prevent sexual offending against children who have close ties with the offender:<sup>156</sup></p> <p><i>In terms of the main limitation, it was identified that it won't necessarily help to prevent sexual offending against children as the most common perpetrators of such offences are those with close ties to children who will often not be suspected or have been reported. The scheme is, therefore, more about allaying stranger or at least acquaintance danger rather than preventing sexual harm to children.</i></p> <p>The results also showed that there was concern of vigilantism and increased community fear:</p> <p><i>Furthermore, of the respondents (N = 143) to the survey question about concerns that the CSODS may lead to citizens targeting or harassing perpetrators of sexual harm, 72.7% had major or moderate concerns, while 0% responded that they had no concern. By rank, 67% of Police Constables (N = 30), 69% of Sergeants (N = 29), 67% of Inspectors (N = 15) and 71% of Detectives (N = 35) had major or moderate concern about members of the public targeting or harassing perpetrators of sexual harm because of information released as part of the CSODS.</i></p> <p><i>Finally, of the respondents (N = 144) to the survey question about concerns that the disclosure of information regarding</i></p>

<sup>156</sup> K F McCartan et al., '[Police officer attitudes to the practicalities of the sex offenders' register, ViSOR and Child Sexual Abuse Disclosure Scheme in England and Wales](#)', *Journal of Sexual Aggression*, vol 24, no 1, 2018, pp 44-5.

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Country	Reference	Description	Results
			<p>perpetrators of sexual harm against children may contribute to unnecessary fear within the community, 60.4% had major or moderate concern, while 2.6% had no concern. By rank, 53% of Police Constables (N = 30), 66% of Sergeants (N = 29), 67% of Inspectors (N = 15) and 51% of Detectives (N = 35) had major or moderate concerns that disclosure through the CSODS may contribute to unnecessary fear within the affected communities.</p>
United States	<p>A J Harris et al., '<a href="#">Law enforcement perspectives on sex offender registration and notification: Effectiveness, challenges and policy priorities</a>', <i>Criminal Justice Policy Review</i>, vol 29, no 4, 7 June 2016, pp 391-420.</p>	<p>This study explores enforcement views' of the function, efficacy, challenges and areas of improvement for SORN policies.</p> <p>The study involved 105 law enforcement professionals including leaders, uniformed staff and civilian staff.</p> <p>The findings are based on interviews and survey data conducted with police and sheriff agencies and law enforcement professionals based in 5 U.S. states of</p>	<p>The results of the study provide the following discussion regarding SORN's effectiveness as a public information tool:<sup>157</sup></p> <p><b><i>Our interview data suggest that law enforcement professionals generally endorse the public dimensions of registries and that they strongly support citizens' right to know about sex offenders living in their communities. Interviewees also noted the practical and efficiency benefits of having public Internet registries, citing the systems' role in reducing the volume of inquiries that local law enforcement agencies would otherwise need to field from the public about sex offenders living in their communities.</i></b></p> <p><i>At the same time, however, both interviewees and survey respondents were circumspect in their assessments of SORN's effectiveness as a public information tool, commonly expressing reservations surrounding the ability of citizens to appropriately understand and contextualize sex offender registry information. In our survey results, concerns regarding public misunderstanding or misinterpretation of registry data</i></p>

<sup>157</sup> A J Harris et al., '[Law enforcement perspectives on sex offender registration and notification: Effectiveness, challenges and policy priorities](#)', *Criminal Justice Policy Review*, vol 29, no 4, 7 June 2016, p 413.

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Country	Reference	Description	Results
		<p>California, Colorado, Florida, Massachusetts and Rhode Island and 2 tribal jurisdictions in the Pacific Northwest and Rocky Mountain region.</p> <p>The researchers note that there are limitations to the study due to the small sample size, low response rate and restricted scope of law enforcement professionals.</p>	<p><i>emerged as the second highest ranked overall barrier to SORN effectiveness, with 25% of survey respondents listing this as a major concern and 42% listing it as a moderate concern. Moreover, 62% of respondents expressed concern regarding the potential for registries to create a false sense of security, and nearly half (46%) expressed concern over the potential for sex offender registries to generate unfounded or misplaced fear within the community. Although respondents expressed relatively low levels of concern over “information overload” that might stem from having too many registrants on the public registry, many (particularly agency leaders) indicated that the public could benefit from more detailed information on the relative public safety risk presented by identified offenders.</i></p>
United Kingdom	<p>K McCartan, <a href="#">‘From a lack of engagement and mistrust to partnership? Public attitudes to the disclosure of sex offender information’</a>, <i>International Journal of Police Science &amp; Management</i>, vol 15, no 3, 2013, pp 219-236.</p>	<p>This paper examines public attitudes in Northern Ireland and Wales towards the UK’s limited disclosure sex offender scheme.</p> <p>The findings of this study are based on 6 focus groups with members of the public.</p>	<p>With regard to the limited disclosure aspect of the UK’s sex offender scheme, the results show that participants wanted greater and easier access to information:<sup>158</sup></p> <p><i>In respect to the limited disclosure scheme, <b>the participants did not feel that it went far enough, it was too restrictive, they were unhappy with the structure of it (especially the background checks and the confidentiality agreement) and that they did not trust the government (i.e., the police) to run it appropriately. Ultimately, the participants thought that communities needed to be more involved in the</b></i></p>

<sup>158</sup> K McCartan, [‘From a lack of engagement and mistrust to partnership? Public attitudes to the disclosure of sex offender information’](#), *International Journal of Police Science & Management*, vol 15, no 3, 2013, p 219.

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Country	Reference	Description	Results
			<p><i>management of sex offenders within them, but they were conflicted as to whether communities could handle this role.</i></p> <p>A significant finding of the study was also that participants ‘had a mistrust of the State,’ which was reinforced by the limited disclosure of the scheme.<sup>159</sup></p> <p><i>The participants felt that the limited disclosure of sex offender information scheme in place in parts of the UK was just a token gesture by the UK Government so that it could suggest that it was committed to combating child sexual abuse and that it was involving communities in this. The participants felt that actually the State was doing nothing more in respect to child protection than they were previously, apart from making the public feel guilty about wanting to know more about existing risks to their children.</i></p> <p>The study concludes that more work is necessary to improve the limited disclosure scheme.<sup>160</sup></p> <p><i>In regard to the limited disclosure scheme, these results reflect and build upon the English (Kemshall et al., 2010, 2012) and Scottish (Chan et al., 2010) pilots, suggesting that more work needs to be done on the administration of the disclosure process, the regulation and response to breaches of</i></p>

<sup>159</sup> K McCartan, [‘From a lack of engagement and mistrust to partnership? Public attitudes to the disclosure of sex offender information’](#), *International Journal of Police Science & Management*, vol 15, no 3, 2013, p 233.

<sup>160</sup> K McCartan, [‘From a lack of engagement and mistrust to partnership? Public attitudes to the disclosure of sex offender information’](#), *International Journal of Police Science & Management*, vol 15, no 3, 2013, p 233.

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Country	Reference	Description	Results
			<i>confidentiality, publicising the scheme to communities and helping with take up by individuals (McCartan, Kemshall &amp; Hudson, 2012).</i>
United Kingdom	H Kemshall et al., ' <a href="#">Child sex offender public disclosure scheme: The views of applicants using the English pilot disclosure scheme</a> ', <i>Journal of Sexual Aggression</i> , vol 18, no 3, 2012, pp 164-178.	This study examines the views of individuals who applied to access the limited child sex offender disclosure scheme. The findings are based on a review of application data from 159 individual applicants, including interview transcripts.	<p>The results of the study note an overall anxiety of applicants during the process of accessing the disclosure scheme.<sup>161</sup></p> <p><i>A broader generalised anxiety about sex offenders, particularly paedophiles, formed the backdrop to the applicant interviews, and when asked for their views <b>applicants expressed general concerns and anxieties about sex offenders, including the difficulty of identifying who they might be and the risks they might pose.</b> This more generalised anxiety might suggest that the project should not stand alone but should be part of wider approaches, increasing real understandings of sex offender risks within the community (see also Blandford &amp; Beech, 2011; Kemshall, 2008). This was a view taken by several stakeholders interviewed during the evaluation and informed the public education pilot scheme.</i></p> <p>The results show that applicants appreciated their involvement in the scheme to help manage their anxieties.<sup>162</sup></p>

<sup>161</sup> H Kemshall et al., '[Child sex offender public disclosure scheme: The views of applicants using the English pilot disclosure scheme](#)', *Journal of Sexual Aggression*, vol 18, no 3, 2012, p 171.

<sup>162</sup> H Kemshall et al., '[Child sex offender public disclosure scheme: The views of applicants using the English pilot disclosure scheme](#)', *Journal of Sexual Aggression*, vol 18, no 3, 2012, p 173.

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			<p>Applicants also <b>valued their sense of involvement in a helpful process, particularly to manage their feelings of anxiety and uncertainty</b>. The scheme also provided a route to challenge those anxieties into an enquiry and provided direct communication from the police about the situation or person of concern. In this sense, the scheme gave individuals voice (albeit limited), although the extent to which the public are partners in a mutual exchange of information is a moot point.</p> <p>However, the study concludes that the scheme increased applicant anxiety about future sex offender related risks:<sup>163</sup></p> <p><i>The disclosure scheme, while aimed at alleviating anxiety about child sexual offending risks, <b>actually had the paradoxical effect of increasing anxiety about future risks</b>. Where there was a disclosure, applicants were left feeling more aware of risks than previously but were not always well equipped to manage such risks. This resulted in slightly ambiguous and more anxious feelings than prior to the application.</i></p>
United States	R Tewksbury and M B Lees, ' <a href="#">Perceptions of punishment: How registered sex offenders view registries</a> ', <i>Crime &amp;</i>	This paper examines how registered sex offenders perceive the utility of SORs as a tool for public safety.	The findings of the study show that RSOs view the sex offender registry positively with regard to public safety, although further improvements can be made: <sup>164</sup>

<sup>163</sup> H Kemshall et al., '[Child sex offender public disclosure scheme: The views of applicants using the English pilot disclosure scheme](#)', *Journal of Sexual Aggression*, vol 18, no 3, 2012, p 174.

<sup>164</sup> R Tewksbury and M B Lees, '[Perceptions of punishment: How registered sex offenders view registries](#)', *Crime & Delinquency*, vol 53, no 3, 2007, p 391.

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Country	Reference	Description	Results
	<i>Delinquency</i> , vol 53, no 3, 2007, pp 380-407.	The findings are based on interview data conducted with 22 registered sex offenders (RSOs) listed on the Kentucky Sex Offender Registry at the time of collection from February to March 2005.	<p><i>Analysis of the interviews shows that RSOs do perceive the sex offender registry as a good and valuable entity, <b>believe the existence of the registry can and does make positive contributions to society, but also believe there are a number of problems and difficulties in the structure, form, and uses of the registry.</b> Although RSOs have a generally positive view about the existence and use of sex offender registries, registrants question whether or not the registry in its current form can be and is effective in enhancing community awareness of sex offenders and public safety. Also, there is widespread belief among registrants that although use of a sex offender registry for some types of offenders may be valuable and important, there needs to be more differentiation, classification, and/or distinction among which offenders are subject to registration and what information is provided on the registration about registrants.</i></p> <p>The conclusion states the following with regard to the findings that relate to perceptions of the efficacy of SORs:<sup>165</sup></p> <p><i>Some offenders believe that goals of community awareness and increased safety are unlikely to be achieved because the registry contains a large number of offenders and requires citizen inquiry to locate an offender. <b>Individuals holding this view simply doubt the effectiveness of registries because they feel it is unlikely that very many citizens actually check the registry and would be able to locate a specific individual out of thousands of listed names.</b> On the other hand, a sizable portion of offenders are under the assumption that citizens look at the registry often and are keenly aware of who</i></p>

<sup>165</sup> R Tewksbury and M B Lees, '[Perceptions of punishment: How registered sex offenders view registries](#)', *Crime & Delinquency*, vol 53, no 3, 2007, p 402.

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Country	Reference	Description	Results
			<p><i>is on the registry. This view permeates these offenders' lifestyles and interactions with others and effectively increases the extent to which collateral consequences of sex offender registration are experienced.</i></p> <p>In addition, the following information relates to perceptions of the effectiveness of SORs in reducing recidivism:<sup>166</sup></p> <p><i>Sex offenders interviewed in this study also expressed mixed views in the way that being listed as a sex offender may affect recidivism. A minority of offenders believe that registries are able to prevent reoffending. Most offenders of this view believe that RSOs are more carefully watched and monitored by society and would be the likely suspects in the event of a sexual offense in the community. However, the majority of sex offenders hold the cynical view that registries are highly inefficient and ineffective for reducing recidivism. <b>These offenders generally feel that registries do little to heighten community awareness and protect the public, which in turn provides no deterrent effect on sex offenders.</b></i></p> <p><i>Many sex offenders did, however, express that they thought registries could deter future sex crimes if changes were made in the format, structure, and process of sex offender registration. <b>Overwhelmingly, the main flaw that offenders saw in the current system was the failure to distinguish among different types of sex offenders and the one-size-fits-all mentality displayed in the current form of the registry.</b> This sentiment was typically coupled with the belief by the majority of respondents that they were not the same as the</i></p>

<sup>166</sup> R Tewksbury and M B Lees, '[Perceptions of punishment: How registered sex offenders view registries](#)', *Crime & Delinquency*, vol 53, no 3, 2007, p 402.

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			<p><i>other registrants, perceiving themselves as neither dangerous nor predatory. Here it is important to keep in mind that the Kentucky Sex Offender Registry does not distinguish among levels of sex offenders or include any information or indication of an individual offender's dangerousness or risk level. Rather, this registry simply lists all offenders convicted of any sex offense. The implication here is that including a designation of an offender's clinically designated risk level or dangerousness is important for registries to be effective.</i></p>

Source: Compiled by the Queensland Parliamentary Library, where all sources are linked and included in the table.

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## Media articles

The following section includes a sample of media articles that reference academics, criminologists and legal experts quoted on the topic of public sex offender registers.

**Please note that this list is a sample only and should not be considered as exhaustive.**

Bold text has been added by the QPL to emphasise relevant information related to academics.

Articles have been listed in reverse chronological order (newest first).

- J Kerr, [‘Legal experts, criminologists warn of dangers of child sex offender register’](#), *Courier Mail*, 9 September 2024:

*A public register of photographs, names and locations of convicted child sex offenders, proposed by the LNP, has come under sharp criticism with criminologists and legal experts claiming it could lead to vigilantism.*

...

***Criminal expert and lawyer Bill Potts said the public register had the potential to create a false sense of security and lead to vigilantism and harassment of those listed regardless of their current risk level.***

***He said ultimately a register would not address the causes of child sexual abuse and the real solution was better-targeted policing and effective use of existing laws.***

*“Registers can offer a superficial solution, giving the appearance of action without addressing the root causes of offending,” he said.*

*“I always support evidence-based laws. While I believe a register could assist police in their investigations, I am concerned that public registers can lead to vigilantism and fear, rather than addressing the core problems associated with sex offending.*

*“In an election year, both sides of politics often resort to ‘law and order’ promises that may turn out to be slogans rather than effective policies,” he said.*

***Griffith University Associate Professor of Criminology Danielle Harris agreed, claiming her research showed public registers had failed to address how offenders groomed and exploited children in their trusted circles.***

***Harris advocates for a focus on improving education and awareness about predatory behaviour, rather than relying on a public registry.***

*“We have almost 30 years of experience from the US to draw on when it comes to a public sex offender register, and it hasn’t done anything to make anybody safer from child sexual abuse,” Dr Harris said.*

*“The reality is that most of these offences occur within the home or in a child’s circle of trust.*

*“We need to focus on identifying and addressing these risks internally rather than looking outward.”*

*In contrast, child protection advocate, and director of Children Australia Hetty Johnston said she supported the plan, including an “Amber Alert” system along with a framework for checking people’s credentials.*

*“There is little value in creating an open, publicly accessible database of known offenders, including their photos and addresses – and Megan’s Law in the US has already proved that” she said.*

*“But this is very different and includes Sarah’s Law from the UK. I definitely support a system similar to the Amber Alerts for offenders who go missing or fail to report in with police because I believe that would help address risks with unreported offenders.*

*“I also support allowing people concerned about their children’s safety to check if new acquaintances have a history of child sex offending.*

*“There are many single mums who meet men and want to bring them into their homes but want to be sure about the man’s history.*

*“The ability to verify someone’s safety background is crucial for protecting children from potential harm, especially given that predators often target single mums.*

*“A public register might provide information about known offenders, but it would not account for the vast majority of predators who operate within trusted family circles and in every suburb across the nation,” she said.*

- A Levy, [‘Queensland LNP proposes sex-offender register, but could it do more harm than good?’](#), ABC News, 8 September 2024:

*The Morcombes have been campaigning for a public child sex-offender register for the past 15 years and welcomed the proposal.*

*“Our motto is to keep kids safe, and the victims have the right to be safe,” Denise Morcombe said.*

*Bruce Morcombe said it was “good policy” that he hopes will be adopted at a federal level.*

*“It is a strong deterrent. So, if you want to go down that path, don’t bother. You’re going to be branded, and your details will be accessible by the people that need to know,” Mr Morcombe said.*

*When asked about the proposed register, Premier Steven Miles said he had questioned whether the state was doing enough to keep kids safe.*

*He said he had spoken with leaders in WA and SA about how their schemes worked.*

*“If there is more that we can and should do, then I want to,” Mr Miles said.*

*Daniel’s Law would be named after Daniel Morcombe, who was abducted and murdered in 2003.*

***But Associate Professor Danielle Arlanda Harris from Griffith University said registries were not the answer and can often create a false sense of security.***

*“There is 30 years of empirical evidence from the US that shows this system doesn’t work,” Dr Harris said.*

"There are people on the register that shouldn't be, and perhaps more concerning is that there are people who should be on it, who are not."

Having spent more than 20 years conducting research across the US, UK and Australia in child sexual abuse Dr Harris said investment in understanding grooming behaviour and recognising that the majority of offences occur in the home or the child's circle of trust would be more useful.

"The idea of a public sex offender registry leans on 'stranger danger tropes' and the reality and research shows that often not the case," she said.

- M Hall, ['Sex offender registries don't prevent re-offending \(and vigilante justice is real\)'](#), Conversation, 10 January 2019:

**Besides the political appeal of being seen to crack down on crime, evidence shows public sex offender registers do more harm than good.** The Australian Institute of Criminology [recently reviewed](#) the latest evidence from Australia and overseas on the effectiveness of public and non-public sex offender registries. The report concluded:

- while public sex offender registries may have a small general deterrent effect on first time offenders, they do not reduce recidivism. Further, despite having strong public support, they appear to have little effect on levels of fear in the community.

A 2011 US paper [compared research](#) on offending rates of sex offenders who appear on public registers and those don't. It detected little difference in rates of re-offending between the two groups. These registers can have other, unintended, consequences including creating community panic and vigilante attacks.

...

Knowing where convicted sex offenders live may allow people to believe they can organise their and their children's lives to reduce the risk of harm. This may be attractive to politicians seeking to tap into people's wish to protect their children. But the Australian Institute of Criminology review concluded registries had no appreciable effect on levels of fear in the community.

Conversely, some [researchers have considered](#) whether registries actually do the opposite and magnify safety fears. In 2007, residents of an upstate New York town displayed what the researchers called "[community-wide hysteria](#)", including sleeping difficulties, after notification about sex offenders living nearby.

Others have raised concerns access to registers may lead to a false sense of security and [perpetuate myths](#) about "stranger danger" when most child sex offenders are known by, and are often related to, the victim. Some Australian [groups have expressed concerns](#) that publication in small communities may mitigate against reporting, as well as identify and stigmatise victims.

Public registers can [affect real-estate prices](#) too, and [create ghettos](#) by establishing multiple exclusion zones.

- E Sakzewski, ['Peter Dutton wants a national child sex offender registry. But do they actually work?'](#), ABC News, 9 January 2019:

**Criminologist and senior lecturer at the University of Newcastle, Dr Xanthe Mallet told ABC TV it's difficult to measure how much of a deterrent a registry would be for first-time offenders.**

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*"The problem with it is that this really focuses on stranger and acquaintance attacks, but what we know is that a significant proportion are actually people who are very well known to the child, even family members, and it will have no impact on that at all.*

*"We also know that only one in seven sex offenders repeat offend. It's actually a low repeat offence rate, even if you hear it's very high, that's in fact not the case. So what we should do is target the ones who are likely to reoffend — that's the way we're going to protect the community.*

***Dr Mallet said systems like the ones in the UK and Korea did not reduce fear in the community and could actually have a number of negative impacts.***

- *It could increase fear in the community of people who discover an offender is living close by;*
- *There could be an increased burden on police as a result of vigilantism;*
- *It could affect the neighbourhood house prices if an offender lives in the area;*
- *Not all offenders are the same, for example a juvenile prosecuted for sexting could end up on the register.*

*Here's what child protection groups said:*

*President of the Blue Knot Foundation, Cathy Kezelman, told AM that, while there's evidence to show a public register could be a potential protection against high-risk offenders, for low-risk offenders it may not be a deterrent at all.*

*Ms Kezelman said there were other potential risks to the register system, like a fear-based society in which offenders may be targeted and vigilante behaviour might be encouraged.*

*She said a lot more information was needed about how the register would work.*

*"We also need to understand that the vast majority of children are sexually abused in the home, family and neighbourhood.*

*"So Blue Knot's stance is that children need to be protected and safe at all times, but we need to understand — from overseas studies and also from WA, which has a public sex offenders register — what the stats are and what the true impacts of this are, rather than having a knee-jerk reaction."*

*Other measures which could be introduced to keep children safer include:*

- *a public awareness campaign*
- *encourage people to report abuse by teaching that it's everybody's business*
- *active interventions.*

*Hetty Johnston, the founder of child protection organisation Bravehearts, said the Morrison Government's call for a Megan's Law in Australia was nothing but a political stunt.*

*"I understand totally why the Government are doing this and I understand 100 per cent why the public might want to support it," Ms Johnston said. "I did when I first heard of Megan's Law in the USA. But when you look at the facts it is clear that this solution simply does not work to protect children.*

*"It makes the community feel better, but it does not protect our children."*

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*Ms Johnston said the Government would be better off protecting children by calling for a royal commission into the family law system and toughening up laws "that currently release dangerous sex offenders back into our communities".*

Please do not hesitate to contact us if we can be of any further assistance.

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