



THE LAW SOCIETY
OF NEW SOUTH WALES

Our ref: CLC/RHrg:1945656

30 June 2020

The Hon. Mark Speakman SC MP
Attorney General
GPO Box 5341
Sydney NSW 2001

Dear Attorney,

The Child Protection (Offenders Registration) Act 2000 – referral to the NSW Law Reform Commission

As you will be aware, the Law Enforcement Conduct Commission's (LECC) Final Report into the NSW Police Force's administration of the NSW Child Protection Register (Operation Tuskett) was handed down in October 2019.

The LECC found that since 2002, the NSW Police Force had made over 700 incorrect decisions about which persons needed to be included on the Child Protection Register, or the length of their reporting periods.¹ The LECC made a number of recommendations to notify those affected, rectify past errors and lower the risk of future mistakes.

The LECC found that a contributing factor to the problem was that the *Child Protection (Offenders Registration) Act 2000* is so complex and ambiguous in important respects that it creates an inherent risk of errors in the Child Protection Register that the NSW Police Force cannot mitigate.² We note that the LECC recommended that the legislation be referred to the NSW Law Reform Commission for comprehensive review as a matter of urgency.³

The Law Society supports such a reference, and looks forward to participating in any review of the Act.

Yours sincerely,

Richard Harvey
President

¹ Law Enforcement 'The NSW Child Protection Register: Operation Tuskett Final Report - 2019', p8.

² Ibid., p117.

³ Ibid., p9.