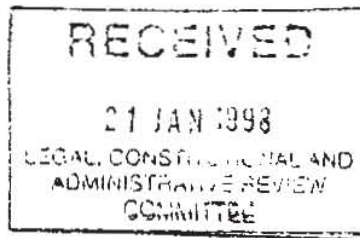


19 January 1998

Our Ref: NE4454



NATIONAL  
CRIME  
AUTHORITY

Ms J Gamin MLA  
Chairman  
Legal, Constitutional and Administrative Review Committee  
Legislative Assembly of Queensland  
Parliament House  
George Street  
BRISBANE QLD 4000

Dear Ms Gamin

I refer to your letter dated 2 December 1997 inviting comments on the Criminal Law (Sex Offenders Reporting) Bill 1997 and note below some matters you may care to consider:

1. Considering that the Bill concerns adults who have been convicted of sex offences against children or offences involving child pornography, it could be titled the Criminal Law (Child Sex Offenders Reporting) Bill 1997 to remove any confusion or ambiguity.
2. Section 8 provides for the establishment of a 'sex offenders register' which is to be held by the Police Commissioner. It is proposed that the register will contain details such as a convicted offenders' name, address, date of birth and identifying details. This gives rise to two issues:
3. Subsection 8(4) provides that the Commissioner may disclose information in the register to, among others, 'a department of government'. Does that expression clearly mean departments of the Queensland government or could it could given a wider interpretation?
4. Subsection 8(3) states that 'The commissioner must remove a sex offender's name and other details from the register...' after, for instance, 2.5 times the term of imprisonment the offender is sentenced to serve.

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5. While it is reasonable that an offender is subject to reporting requirements for a period of 2.5 times the offender's sentence, offenders should be recorded on the Sex Offenders Register for a much longer (even indefinite) period. The NCA has recently produced (July 1997) a national strategic assessment of organised paedophile activity. That assessment found that 'child sexual offenders (particularly paedophiles), can offend repeatedly against many victims over their lifetime, mostly without detection'. Significantly, *as paedophiles tend to engage in predictable sexual activity, their past history is likely to be a significant indicator of future behaviour*.<sup>1</sup> For example:
- (a) Clarence Osborne, a Queensland paedophile, claimed to have molested (and kept records of) in excess of 2,000 boys over a period of 20 years. Not one of these alleged victims reported the abuse.<sup>2</sup>
  - (b) William Allen, a teacher and a former member of the Australian Paedophile Support Group, boasted in the early 1980s that he had participated in sexual activity with approximately 2,000 boys.<sup>3</sup>
  - (c) In 1987 a study of 232 child molesters (who were not incarcerated and who were guaranteed confidentiality) revealed that on average each child molester had victimised 76 children over their lifetime - an average of 150 children for those who preferred boys, and 20 children for those who preferred girls.<sup>4</sup>
  - (d) Another study found that, on first arrest, each paedophile had committed an average of 63 undetected offences.<sup>5</sup>

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<sup>1</sup> For example, unlike most other offences in which the offender will usually 'mature' out of criminality as he/she ages, paedophilia is a chronic condition, and a paedophile is just as likely to offend in adolescence, middle-age and old-age. (Abel, G.G., Mittelman, M., Becker, J.V., Rathner, J. and Rouleau, J. L. 'Predicting child molesters' response to treatment.' *Annals of the New York Academy of Sciences*, 528, 1988, pp. 223-234.)

<sup>2</sup> P. Wilson, *The Man they Called Monster: Sexual Experiences Between Men and Boys*, Cassell Australia, Sydney, 1981.

<sup>3</sup> A claim which was considered by VICPOL to be fairly realistic. (Inspector Neil Comrie, VICPOL, Australian Crime Prevention Council, *Child Abuse and the Criminal Justice System Conference*, July 1985, p. 126.)

<sup>4</sup> G.G. Abel, J.V. Becker, M. Mittelman, M.S. Cunningham-Rathner, J.L. Rouleau, and W.D. Murphy, 'Self-Reported Sex Crimes of Non-Incarcerated Paraphiliacs', *Journal of Interpersonal Violence*, vol. 2, no. 1, 1987, pp. 3-25.

<sup>5</sup>

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- (e) In an English study of 29 convicted child sexual offenders, the offenders had a total of 271 *convictions* for the sexual abuse of children, but the number of offending *incidents* reported by them totalled 15,000. An average of one conviction was made for every 55 offences committed. The offenders admitted to a mean of 37.3 victims, one detected victim to every six undetected victims.<sup>6</sup>

I trust that the above information is useful and please feel free to contact me if I can be of further assistance.

Yours sincerely



A G Melick  
Acting Chairperson

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<sup>6</sup> J. Evertsz, 'Beyond Convictions Figures: Offending Behaviour in Child Molesters' (final draft, in press 1992).