



# CHILD PROTECTION OFFENDER REPORTING

This sheet is intended to provide **general legal information** about the law in Queensland. **This information is not legal advice.** If you have a particular legal problem you should contact a solicitor for legal advice. At the end is a list of agencies that might be able to assist you, including legal agencies.

## Who has to report

If you have been convicted of an offence involving any sexual activity with someone under 16, including sexting more than one time, you can be put on the Child Protection Offender Reporting Register. This means you have to report details about yourself and where you are to police. This is so police can keep track of where you are living and working. Even if you have not been found guilty of a sexual offence against a person under 16, if the court thinks you are a sexual risk to anyone under 16 it can order you to report details about yourself and your movements. You must be given a written document by a Youth Justice Officer or Police Officer which says what things you have to report to police about. If you think the court

should not have made this Order speak to your lawyer about an appeal.

If you have to report, your details will be put on the Child Protection Offender Reporting Register. Only certain people can see this register and they have to keep the information confidential. You may also be recorded on a national sex offenders register. Once someone's name is on the Queensland register it can only be removed if the police agree. There are serious employment consequences for anyone who is recorded on the register, for example they may not be allowed to be a teacher, nurse or child care worker. If you have been ordered to report because of child sex offences in another state of Australia and you come to Queensland for more than 14 days, you must tell the police in Queensland you are here.

## What do I have to report?

***You must report all the following information and report when anything in the list changes (including stopping or starting some activity, eg a child living with you) within the time allowed.***

Your name, any previous name and how long you were known by the previous name	7 days
Your date of birth	
Where you live and if you don't have an address then the area where you are usually. If you stay somewhere for at least 14 days of the year this will count as an address	7 hrs
The make and model of any car you own or drive for any 7 or more days of the year	7 days
Details of any email addresses, internet user names or any other user name or identity you use or plan to use on the internet or phones	7 days
Details of any phone or internet you use or plan to use and the type of service	7 days
Details of any current, previous or new tattoos or permanent marks on your body	7 days
Name of any club or organisation you are part of where people under 18 go	7 days
Name and address, age and date of birth, any telephone contact number, and any email address belonging to anyone under 18 you will have or have had within the previous 24 hours 'reportable contact' with. Reportable Contact is physical contact, communication in person, in writing, over the phone or by internet or befriending (this does not include all children you have contact with but does include children with whom you are familiar, including friends or children you have to look after or supervise). You also have to report the type of contact you have or will have with the child.	24 hrs
Name, address and type of business of where you work even if it's only for 7 days of the year (this includes volunteer work, self-employment or work in religious groups)	7 days
If you had to report in another state or country because you were convicted of a sexual offence that involved children under 16 you need to say when this happened	7 days
If you have been in detention since you started reporting, report when and where this was	7 days
If you plan to leave Queensland to travel within Australia for 2 days or more, then you need to say the general reasons for your travel and generally where you are going	7 days
Your passport number and the country of issue of your passport	7 days

## When do I have to report?

You will be given a **Notice of Reporting** obligation which will tell you when you need to first report.

- Generally you need to report within 7 days of being sentenced for the offence.
- If you are in detention then you will need to report within 7 days of leaving detention.
- If you have just moved to Queensland and you had to report in your previous state or

country, then you must contact a police station within 7 days of arriving in Queensland.

Once you have reported you need to report each year by the last day of that month you first reported in: for example, if you reported on 22nd April 2017, you would need to report by 30 April each year from 2018 on.

If you plan to leave Queensland for 2 days or more in a row to travel in or outside of Australia then at least 7 days before you leave you need to tell the police where you plan to go, the address you will be staying at, when you will be back and the details of any contact that you will have with children outside the random contact in everyday life. If you change your travel plans or decide not to go you also need to report that within 7 days. The Queensland police will give a copy of the report of your travel plans to the Australian Federal Police. When you return to Queensland you must report your return within 14 days.

### **How long to do I have to report for?**

The length of time you have to report for depends on the specific offences you have been found guilty of and whether you were later found guilty of further sexual offences against people under 16 years. You may need to continue reporting for up to seven and a half years.

### **Where and how do I report?**

If you are given a Notice that says you have to report at a particular police station then you need to report at that station, otherwise you can report to your local police station. You should take ID to show who you are or the police officer may take your fingerprints. At your first report or any yearly reports, you must provide a DNA sample to the police if they ask for it.

You must report **in person** for your first report, yearly reports, reports about change of address

and a report about a new tattoo, removal of a tattoo, change to a tattoo or new permanent mark on your body. The police officer may require you to be photographed.

Other reports can be made by telephone, fax, mail or email to your police station. Speak to the police about organising this. When you report in person you can ask to speak to the police where other people cannot hear and you can have someone with you to support you. As soon as possible after the police receive your report, the police officer must send you a letter with a copy of the information you reported.

### **What if I move to a different state?**

The law says you have to tell the police in Queensland if you plan to move out of Queensland. The law in your new state might also say you have to report to the police once you get there.

### **What if I don't report when I am meant to or lie when I report?**

If you don't comply with the reporting obligations, unless you can prove you have a reasonable excuse, you are committing an offence. It is also a serious offence to provide information which you know is untrue or misleading.

### **Can my phone be accessed by police?**

If the police reasonably believe that you have committed an offence then they have the power to search your electronic devices and demand your passwords.

### **Who can help?**

Youth Advocacy Centre (YAC) <a href="http://www.yac.net.au">www.yac.net.au</a> .....	<b>3356 1002</b>
South West Brisbane Community Legal Centre <a href="http://www.communitylegal.org.au">www.communitylegal.org.au</a> .....	<b>3372 7677</b>
Logan Youth & Family Legal Service <a href="http://www.yfs.org.au">www.yfs.org.au</a> .....	<b>3826 1500</b>
Legal Aid Queensland <a href="http://www.legalaid.qld.gov.au">www.legalaid.qld.gov.au</a> .....	<b>1300 651 188</b>
Aboriginal & Torres Strait Islander Legal Service <a href="http://www.atsils.org.au">www.atsils.org.au</a> .....	<b>3025 3888 or</b> <b>(free call) 1800 012 255</b> <b>(24hrs 7 days a week)</b>
Translating & Interpreting Services (24hrs) .....	<b>131 450</b>
Community Legal Centres (CLCs) see <a href="http://www.naclc.org.au">www.naclc.org.au</a> for your nearest CLC	

**This sheet was last reviewed and updated in February 2019. The Youth Advocacy Centre does not accept responsibility for any action or outcome as a result of anyone relying on the information provided.**