

CITY



LETTER OF THE LAW
GRENVILLE CROSS SC

A public sex offenders' register is vital

Children need better protection from predators before tragedy strikes

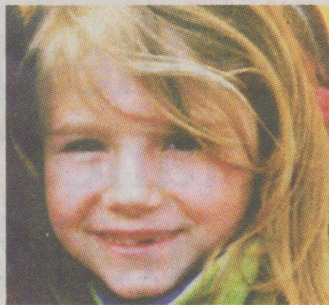
“Every child”, says Article 24 of the International Covenant on Civil and Political Rights, “has the right to be protected”.

In 2011, the Security Bureau launched its Sexual Conviction Record Check, an administrative measure enabling employers to ascertain if applicants for child-related work have convictions for sexual offences. The scheme, however, is voluntary, and checks can be conducted only with the jobseeker's consent.

The definition of “work” includes services provided to an organisation under a contract, apprenticeship or on a self-employed basis. The scheme covers teachers, social workers, paediatricians, librarians, school cleaners and school-bus drivers, but does not extend to volunteers or private tutors,

which is problematic.

Last month, a district court judge, when sentencing a volunteer tutor who molested two young girls, noted that parents could not run background checks, adding: “I hope there will be such a sexual offenders' register list for the public in the near future.”



The murder of Sarah Payne prompted outrage in Britain.

In Britain, after public outrage over the brutal murder of eight-year-old Sarah Payne, the Child Sex Offenders Disclosure Scheme was introduced, in 2011. This enables any concerned member of the public to formally ask the police to check if someone has a record for child sexual offences, although disclosure is discretionary. Third parties, such as grandparents or neighbours, may also seek information about an individual, although the police will only make a disclosure to parents or guardians or those best placed to protect a child.

In Britain, moreover, there is a strong regime for managing offenders. Although not as draconian as that in the US, where a general notification can be made to a community about

a convicted sex offender's presence, it entitles the police to notify, confidentially, head teachers, doctors, youth leaders, sports club managers and even landlords. Offenders, moreover, must inform the police if they change address, leave home for more than seven days or go abroad. High-risk offenders face additional controls, including surveillance, supervised accommodation and even electronic tagging.

Although Hong Kong's checking scheme provides minimal protection, child safety requires much more. A sex offenders' register, with public access, is vital, but it must also be allied to an effective regime to manage sex offenders generally. A full review is now imperative, before tragedy strikes.

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