

Crimes Amendment (Sexual Servitude) Bill - Extract from Legislative Council Hansard of 27/11/2001

CRIMES AMENDMENT (SEXUAL SERVITUDE) BILL

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Second Reading

The Hon. MICHAEL EGAN (Treasurer, Minister for State Development, and Vice-President of the Executive Council) [3.08 p.m.]: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

I am pleased to introduce the Crimes Amendment (Sexual Servitude) Bill. The Bill contains new offences prohibiting the reprehensible practice of forcing women and children to serve as sex-slaves. The new offences are part of the scheme of national laws recommended by the Model Criminal Code Officer's Committee of the Standing Committee of Attorneys General, a national committee in which this Government plays an active part.

This Government is mindful of the need to have uniform criminal laws where possible and is today introducing legislation that adopts the relevant recommended provisions set out in Chapter 9 of *The Model Criminal Code, Offences Against Humanity; Slavery*.

In 1999 the Commonwealth enacted the model provisions contained in that Report, with some modifications, in the *Criminal Code Amendment (Slavery And Sexual Servitude) Act 1999*. That Act prohibits the practice of slavery throughout and beyond Australia. The Bill before the House today therefore does not deal with slavery as the enforcement of those laws have been assumed by the Commonwealth.

However the Report also found that there is in addition to traditional forms of complete "chattel" slavery, where the victim is traded as a form of property, servitude is also created by so-called "debt bondage". This is particularly true of the recruiting and trade of women and children in international criminal prostitution rings. The women concerned in this often tragic trade are isolated and coerced, held against their will and are frequently unaware of the kind of employment for which they have been recruited. In many cases there are contrived debts involved. Various brokers through a chain of suppliers, recruit and provide the women or children sex workers for which the end "broker" pays a sum. This sum is recouped by demanding the victims provide sexual services to repay that debt. Refusal to provide these services can lead to threats of violence or deportation following a tip-off to immigration officials.

It should be noted that sexual servitude is specifically covered in the *Criminal Code Amendment (Slavery And Sexual Servitude) Act 1999*. However, the Commonwealth provisions only prohibit sexual servitude that occurs to some *extent outside of Australia*. It was felt by the Standing Committee of Attorneys General that such conduct was more appropriately legislated against at State and Territory level. This Government is therefore introducing a Bill designed to complement the existing Commonwealth laws and ensure that in New South Wales there is no legislative gap through which sex slave traders can slip.

In light of the need for there to be comity between the schemes, the Government has drafted this Bill to follow the relevant parts of the Commonwealth Act as closely as possible. The only divergences from that legislation are where the *Crimes Act 1900* already has a form of words that covers the concept. The Act has just passed similar legislation and South Australia has recent legislation to the same effect.

I now turn to the specific provisions in the Bill. Sexual servitude is defined to be the condition of any person who provides sexual services and is not free to cease providing those services

because of the use of force or of threats. These threats can be of force, the causing of the persons deportation or any other unreasonable threat of detrimental action. It is necessary to require that these threats of other detrimental actions be unreasonable to ensure that this new legislation does not interfere with the existing laws regulating prostitution in this state. The offences do therefore not apply to the usual employment conditions for sex workers. Requirements placed on persons who employ sex workers by other areas of law which could otherwise be seen as detrimental actions.

The Bill proposes to prohibit sexual servitude in two ways.

Firstly, there will be an offence of causing sexual servitude.

This offence is committed if a person:
causes the sexual servitude of another; and
intends to cause that sexual servitude, or is reckless as to causing such sexual servitude.

Causation, intention and recklessness are well known terms in criminal law. It is appropriate to include recklessness as a possible mental element of the offence. The circumstances envisaged by the offences are so serious that the law can expect persons to consider their actions very carefully in this area.

Secondly, the Bill creates an offence of conducting a business involving sexual servitude

This offence is committed if a person:
conducts any business that involves the sexual servitude of others; and
knows about, or is reckless as to, that sexual servitude.

Activities in this area are often orchestrated by persons as part of a criminal business. It is not appropriate to permit these people to escape conviction because of a lack of direct involvement.

The offence also extends to any person that has any control or direction over the business or while not being involved in the business itself, provides finance for the business. The offence thus catches those who hide behind others and those who support the trade, and is aimed at the "Mr Bigs" of the international trafficking in sex slaves.

The penalty for both these offences is imprisonment for 15 years. If however the victim is a child or a person suffering from a serious intellectual disability the maximum penalty is 19 years imprisonment. These penalties match those of the Commonwealth offences and the model criminal code recommendations.

It should also be noted that under section 344A of the *Crimes Act* 1900 any person who attempts to commit these offences will be liable for the full maximum terms of the offences.

The Bill also provides for amendment to the *Child Protection (Offenders Registration) Act* 2000 to enable persons convicted of these offences to be registered pursuant to that Act.

The Commonwealth offence of deceptive recruiting for sexual services has not been reproduced in this Bill. This offence would have been broader in its scope than was necessary to deal with deceptive recruiting for sexual servitude. New South Wales already has offences that more than adequately cover this area.

Relevant current offences include s91A and s91B of the *Crimes Act* 1900 (procuring), s91D of the *Crimes Act* 1900 (promoting or engaging in Acts of child prostitution) and s15A of the *Summary Offences Act* 1988 (causing or inducing prostitution).

The current offences already include within their elements procuring by "any fraud" (s91B *Crimes Act* 1900) and in relation to children inducing by "any means" (s91D *Crimes Act* 1900).

The penalty for the *Model Criminal Code* offence of deceptive recruiting offence is identical to the current offence of procuring, ie 7 years imprisonment. The current NSW offences

relating to child prostitution are greater than the proposed aggravated offence (the proposed aggravated offence is 9 years, the current penalties in NSW are 10 years and 14 years).

I am sure that all Members of this House will abhor the practices at which this legislation is aimed and will support this Bill. It is hoped that those states and territories that have not yet passed similar legislation will do so shortly. It is important to have nationally consistent laws to deal with such issues.

I commend the Bill to the House.

The Hon. JAMES SAMIOS [3.08 p.m.]: The Crimes Amendment (Sexual Servitude) Bill largely follows the recommendations of the Model Criminal Code Officers Committee of the Standing Committee of Attorneys-General. The Commonwealth Parliament has already adopted the relevant recommendations relating to sexual servitude. The legislation covers conduct outside Australia.

Sadly, there is a large trade in sexual slavery, revolving around debt bondage, through organised international criminal prostitution gangs. If women, men or children refuse to become sex workers they are threatened with violence or deportation through a tip-off to immigration officials. This bill closes any legal loopholes relating to sexual servitude. It is designed to catch the criminals behind the slave trade, rather than the people who are in bondage. The bill makes it an offence to cause or conduct any business involving the sexual servitude of others. The maximum penalty is 15 years imprisonment or 19 years imprisonment for aggravated sexual servitude.

Following the recommendation of the Model Criminal Officers Committee of the Standing Committee of Attorneys-General, similar legislation has already been enacted in South Australia and the Australian Capital Territory. Sexual servitude is a serious offence involving the degradation of thousands of women and children. The mere fact that it still exists today is a reflection on what we thought were the wonderful achievements of Wilberforce, who abolished slavery some time ago. Sadly, however, it transpires that there are many forms of slavery, and sexual servitude is but another form of slavery. The world seems to have much evidence of this form of degradation. The Opposition does not oppose the bill. I repeat: The Opposition hopes that this legislation, pursuant to the recommendation of the Model Criminal Officers Committee of the Standing Committee of Attorneys-General, will go a long way to achieving the desired result.

The Hon. IAN COHEN [3.11 p.m.]: The Greens welcome the Crimes Amendment (Sexual Servitude) Bill, and consider that this is an important issue to be addressed in this Parliament. In June this year the *Sydney Morning Herald* conducted an investigation into slavery in the twenty-first century. While many of the graphic and horrific stories were about overseas jurisdictions, the story of Honey was an Australian one. Honey's story is not unusual; however, it is quite shocking. Honey came from Bangkok to Australia on a false passport. She was supplied with the passport and a student visa by an agent in Bangkok. For this she had to perform \$35,000 of sexual services under an unwritten contract. Her personal and living conditions when she arrived in Australia were appalling. Fortunately, she managed to escape her terrifying ordeal. Honey was kept in a small room in an apartment with three other girls. She had to provide sexual services for five to 10 clients per day. She was not allowed outside alone. She had to work all the time, even when she was sick. If she disobeyed any rules she could be subject to a beating and fined.

Honey paid back her \$35,000 but was told that she had to work for another six months. While some women are physically imprisoned, others are simply threatened with retaliation against their families in their homeland. For example, one woman threatened to kill herself. Her seven year-old daughter in Thailand had her finger amputated, which was sent to the woman. This kind of intimidation keeps the women living constantly in fear, unable to break-out of the situation they are in. Even if they do, it is very difficult for them to start a new life. They have no legal rights and no money, and they are in constant danger of being caught and deported for being an illegal immigrant. This bill targets individuals who cause a person to enter into or to remain in sexual servitude and who conduct a business that involves sexual servitude. It provides for an aggravated offence if the victim is under 18 years of age or has a serious intellectual disability.

The bill does not target the victim; it targets those who make enormous amounts of money and inflict serious physical and psychological harm on individuals who are often in this situation due to the tragic situation in their homeland. Women in this situation are often here because there is no work for them in their homeland. They agree to something and have no way of knowing how bad it will be until they start undertaking the activities in a foreign country. Certainly, by then it is too late. The bill sends a strong message to those who seek to exploit vulnerable people like Honey. It sends a message that this kind of exploitation is unacceptable, and that anyone who engages in this kind of conduct will be severely

punished. The Greens are pleased to support this bill.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [3.14 p.m.]: The Crimes Amendment (Sexual Servitude) Bill implements the Standing Committee of Attorneys-General general model criminal code dealing with sexual slavery. It will establish a new criminal offence of sexual servitude, and provides for sanctions of up to 19 years in gaol for persons found guilty of being involved in activities related to the offence. Under section 80B, sexual servitude is defined as the condition of a person who provides sexual services and who, because of the use of force or threats, is not free to cease providing sexual services or is not free to leave the premises where a woman or a child has been forced to work in the sex industry.

This is part of our State's obligations under article 34 of the United Nations Convention on the Rights of the Child. We as a Legislature are obliged to take appropriate action in preventing the inducement or coercion of a child to engage in any unlawful sexual activity and sexual exploitation. The Minister in his second reading speech in the other place said that the Commonwealth offence of deceptive recruitment for sexual services has not been reproduced in this bill as that offence is already adequately covered in State legislation. In a briefing paper titled "Organised Crime People Smuggling/Trafficking to Australia", the Australian Institute of Criminology said that the above provision in the Commonwealth Act:

... unfortunately limits the deception to the nature of the work. As such, cases where a person knows he or she has been engaged to provide sexual services but has been deceived regarding conditions of work (such as remuneration or other working conditions) falls outside the provision. Anecdotal reports suggest that the majority of foreign nationals (mostly women) entering Australia to work "illegally" in the sex industry (that is, who have entered illegally or are working in contravention of visa requirements) fall into the latter category. Unless such situations amount to slavery, these cases will fall outside the scope of the recent amendments.

This bill will apply not only to women and children who are residents of New South Wales and victims of this horrible trade but also to nationals of other countries who have been brought to Australia under false pretences and then thrown into sex slavery. This insidious development in the sex industry has occurred not only in Australia but also in other OECD countries. And, dare I say, due to geographic proximities and looser border controls compared with Australia, the problem is probably greater for European crime agencies. Women from the former Soviet Bloc, Africa and Asia have been brought into Western European countries, either legally or illegally, by well organised crime gangs and then forced to work as prostitutes.

The criminals use threats of deporting these women, cutting off money being sent back to their families, or inflicting direct physical violence on them or their loved ones back home to keep them in line and in servitude. Sexual exploitation is truly a barbarous crime, and implementation of a criminal code to prohibit its growth should be applauded. But it is only one part of the solution. The women and young people who end up as mere chattels for such criminal organisations are escaping from poverty or fleeing for humanitarian reasons. Ideally, the international community must address this poverty as well if civil society wants to put an end to this trade. I remember seeing a film on SBS that had been made by a man who went to Thailand and used prostitution services there. He then wanted to make a film about the problems of prostitutes in Thailand.

The film was fairly searing from a personal point of view. As I recall, the man was quite fond of the prostitute. Her family was in debt largely due to her father's mismanagement of the family's finances. Therefore, she agreed to work as a prostitute in order to get the money that would repay the family debt. The interest rate was so prohibitive that she was making slow progress on repayment. In the meantime she contracted AIDS and had a daughter, who was back in her village. She dreamt of going back to her village. Her self-esteem fell to the point that she felt she did not belong in her own village, and she had never felt that she belonged in the city. So she almost did not have a life.

Eventually he had a continuing and caring relationship with her. He offered to pay off her debt and set her up on a farm, but she could not bear to accept that offer, such was the psychological damage done to her by prostitution. She was working in Bangkok. One can imagine her predicament if she had been working in Australia, where she would have been even more disassociated from her family. This bill is very worthwhile because it will stop the trade in sexual services. Generally the Australian Democrats argue in support of lighter sentences but when criminality is very severe we must see to it that the real criminals are punished, not the victims. People who bring women and children into Australia for exploitation or who otherwise put people into sexual servitude should be treated with the full force of the law.

Reverend the Hon. FRED NILE [3.20 p.m.]: The Christian Democratic Party is pleased to support the Crimes Amendment (Sexual Servitude) Bill. The bill will create new offences to outlaw sexual servitude, based on offences against humanity, particularly slavery and sexual servitude, contained in

recommendations in chapter 9 of the November 1998 report of the Model Criminal Code Officers Committee of the Standing Committee of Attorneys-General. Earlier this year the Government announced a plan to introduce complementary legislation in New South Wales in line with the other States. South Australia has enacted the Criminal Law Consolidation (Sexual Servitude) Amendment Bill 2000. The bill before this House will amend the Crimes Act to prohibit sexual servitude and sexual slavery, by making it an offence to conduct a business that involves sexual servitude, or to cause another, either intentionally or recklessly, to enter into or remain in sexual servitude. The offences will attract a primary penalty of 15 years imprisonment, with 19 years imprisonment for offences committed in circumstances of aggravation, namely, where the victim is under 18 years of age or has a serious intellectual disability.

"Sexual servitude" will be defined in accordance with conditions of compulsion. Sexual services will be defined in terms similar to those already found in New South Wales law. Section 91C of the Crimes Act 1900 defines the term as actions that can reasonably be considered to be aimed at the sexual arousal or sexual gratification of others. As other honourable members have noted during this debate, it is a tragedy of modern society that in the year 2001 this House has to deal with legislation prohibiting sexual servitude—a modern form of slavery sometimes referred to as white slavery. We are all aware of the work of William Wilberforce, a member of the British Parliament, who struggled to have legislation passed to abolish slavery throughout the British Empire. Thankfully, just before he died, he succeeded. We thank God for his persistence in completing his very important role.

One of the problems that gives rise to the bill has already been referred to by other honourable members who preceded me in this debate. There are reports of Asian women being brought illegally into Australia to act as prostitutes, some in New South Wales and indeed in Sydney. In this city the problem is most evident in Pitt Street. There have been reports of prostitution in city buildings, particularly in a Pitt Street building, where the prostitutes, who are illegal migrants, are virtually in slavery. They are not allowed to leave the building. They operate as prostitutes in some part of that city building and actually live on top of the building in what probably had been a caretaker's flat. They wash their clothes and hang them out to dry there, and so on, but they never leave the building. They never actually go down to the ground level and walk out into the street, so they are in fact slaves. I object to the use of the term "sex workers", although its use has become popular. We should continue to use the words "prostitute" and "prostitution" to work against the prostitution industry. Prostitution, even without slavery or servitude, exploits the women, especially young women, and the men who engage in that trade. They are bought, used and often abused. Is it not 30 minutes of slavery when a man with the money can buy, use and abuse a woman as he so pleases.

I regard both illegal sexual servitude, as described in the bill, and activities that are carried on in brothels as forms of slavery. Brothels are operating to an amazing extent in New South Wales. There has been something of an explosion of brothels in New South Wales since the Labor Government repealed relevant laws. Sadly that repealing legislation was supported by the Coalition and by the majority of the crossbenchers. Many problems, particularly legalisation of living off the earnings of prostitutes, have arisen following its enactment. New South Wales is one of the few places in the world where a person can openly live off the earnings of a prostitute and operate legally as a pimp. In almost every other country and in all the other Australian States there are laws against those practices. The original repeal bill was far too excessive. It seemed to me that someone had gone through every piece of legislation and repealed every law that dealt with prostitution and brothels, thereby indirectly aiding and abetting the expansion of those activities in New South Wales.

I believe that the term "sex worker" should be restricted to persons who provide counselling for people who have sexual problems. A sex worker should be a sex counsellor or even a professional who specialises in dealing with people who have sexual problems. I believe it is wrong for society and for honourable members of this House to use the term "sex worker" instead of "prostitute". Retention of the terms "prostitute" and "brothel" is not meant in any way to be an attack on the women who are being exploited in that activity. Rather, that differentiation in terms makes quite clear the matter that is being discussed and keeps the focus, I hope, on the objective of eliminating prostitution from our society. People say that task is impossible, but I believe that any caring government would always have a policy of elimination of prostitution.

The bill seeks to prohibit sexual servitude, or white slavery, but that activity continues to thrive and expand on a platform of legal prostitution. Legal prostitution and legal brothels aid and abet sexual servitude or forced prostitution, particularly prostitution of women from Asia and from eastern European countries. Women from Russia and other eastern European countries are led to believe, naively and gullibly, that they are travelling to particular positions of employment. When they finally arrive in other countries they are coerced into prostitution, an activity they certainly would never have chosen in the first place. In fear for

their lives, they have to remain engaged in that activity.

I still remember a deeply distressed prostitute who telephoned me one day and asked me to assist her to get out of a Hurstville brothel she worked in. People sometimes say that if women want to work in a brothel, that is their choice, but many women are working in brothels in New South Wales under threat of physical attack. This prostitute asked me to assist her to get out of that brothel because she was very concerned about her 16-year-old daughter, who was also being forced to work as a prostitute in the same brothel in Hurstville. The mother and her daughter were both in fear for their lives but were being exploited by criminals in our society. We do not have to travel overseas to find examples of abuse of women and girls. This type of abuse is occurring right under our noses in our own city. That is a disgrace.

This Parliament should give serious consideration to reversing the whole regime of prostitution laws in this State with the object of eliminating prostitution as an organised activity. It may not be possible to eliminate individual activity but it should be possible to eliminate prostitution as an industry. Prostitution is blossoming in this State beyond anyone's expectations. For the reasons I have outlined, the Christian Democratic Party supports the bill.

The Hon. Dr PETER WONG [3.30 p.m.]: The Unity party supports and congratulates the Government on introducing the Crimes Amendment (Sexual Servitude) Bill, which amends the Crimes Act to establish offences relating to sexual servitude or sexual slavery. Specifically, offences will be created for causing a person to enter into or remain in sexual servitude and conducting a business that involves sexual servitude. I understand that the proposed legislation is part of a national scheme based upon recommended provisions of chapter 9 of the Model Criminal Code, entitled "Offences against Humanity: Slavery". This code stems from the Officers Committee of the Standing Committee of Attorneys-General.

The forms of sexual and physical exploitation involved in these types of sexual servitude are utterly pathetic, and the parasitic manner in which the victims are exploited is simply immoral. The practitioners of sexual servitude take advantage of isolated and vulnerable women and children and sometimes even boys from overseas. On a promise of a better life in Australia, these victims accept a monetary debt to their masters who bring them to Australia. Often to the victims' surprise the debt must then be repaid by working in the sex industry. The victims must accept their fate in Australia or risk being reported to immigration authorities and being deported to their home country. The scheme is as breathtakingly simple as it is cruel and exploitative.

In supporting the bill I make no moral judgments about the victims or about the sex industry in general. Rather, the bill sends a strong message to those wishing to profit from vulnerable women and children. There is a crime against humanity, and I support the tough penalty proposed in the bill of 15 years or 19 years when the offence relates to a minor or a person with an intellectual disability. I should like to set the record straight in relation to the image of some of the victims. Whilst the majority of the victims are from Asia, particularly South-East Asia, I remind the House that there is no predisposed propensity for any ethnic group to become involved in the sex industry. Australia has more of these victims from Asia, probably because we are geographically closer to Asia. In Europe, the victims are more likely to be women from Russia and constituent republics of Russia and eastern Europe.

We all know that sexual servitude is the world's oldest profession and that it is poverty and social disadvantage—not any cultural predisposition—that force women, men and children to become sex workers. These victims suffer enough already; we do not need to unnecessarily apply to them or their communities any further unjustified, negative labels.

The Hon. JANELLE SAFFIN [3.33 p.m.]: I support the Crimes Amendment (Sexual Servitude) Bill, which creates two critical, new offences, namely causing a person to enter into or remain in sexual servitude and conducting a business that involves sexual servitude. The purpose of the creation of those offences is to facilitate the apprehension of the Mr Bigs of international trafficking in sex slaves. The provisions of the Commonwealth Criminal Code Amendment (Slavery and Sexual Servitude) Act 1999 only prohibit sexual servitude that occurs outside Australia. The passage of this bill at State level under the Model Criminal Code will assist in apprehending the so-called Mr Bigs within State jurisdictions. It is important that that be done, because international trafficking in sex slaves occurs across all jurisdictions and is one of the most reprehensible and odious businesses.

The second offence relates to conducting a business that involves sexual servitude. Many of the Mr Bigs are those who can escape the provisions of the Commonwealth Criminal Code Amendment (Slavery and Sexual Servitude) Act. By having the second offence of conducting a business that involves sexual

servitude, we can at least put the Mr Bigs on notice that it is a crime in this jurisdiction.

The International Criminal Court, which is not yet fully established but which hopefully will be established once it has enough signatories and ratifications, also provides for an offence of sexual servitude in its article 7, which refers to crimes against humanity. It seems that the article is particularly aimed at providing protection for women and children, and I support any such measure. Sexual servitude primarily involves women and children, but it also involves young boys. It is important that we note that and that it is a matter of public record. Sexual servitude is one of the most horrific experiences for young people and women. I have seen, worked with, counselled and supported women and children who have been involved in sexual servitude. It may be incredibly difficult for us to imagine how people could get caught up in international sexual slavery, but it happens quite easily. It happens simply because some people are malicious; some want to exploit others for profit. For instance, we hear about kidnappings but do not make any connection between them and slavery. Regrettably, slavery is practised in many countries. It is difficult for people in this country to imagine that slavery does occur, but it does. In fact, it is more common than people realise. Some people are kidnapped and enslaved; others are hoodwinked and coerced into slavery. Poverty causes people to submit to slavery in many cases. The bill is an important amendment to the Crimes Act, and I wholeheartedly support it.

The Hon. JOHN HATZISTERGOS [3.38 p.m.], in reply: I thank all members for their contributions to the debate. This important bill will ensure that we tighten the law with regard to what is, in essence, a trade in human misery. Members may recall that in June this year the *Sydney Morning Herald* ran a series of articles entitled "Slavery in the 21st Century", in which reporter Mark Forbes examined the case of a Thai woman with a \$35,000 contract binding her into prostitution to pay the debt. These debts were often fabricated by the traders and purveyors of the illegal sex trade where women and/or children are in a foreign country working illegally with no rights and often no means of communication with persons other than their clients. I advise that the Attorney General has received correspondence from Gillian Calvert, the Children's Commissioner, concerning a proposal to amend the Child Protection (Prohibited Employment) Act 1998. This amendment will provide certainty and consistency, and I will address it further in Committee.

Motion agreed to.

Bill read a second time.

**In Committee
Clauses 1 to 4 agreed to.**

New Clause 5, new schedule 3 and long title

The Hon. JOHN HATZISTERGOS [3.40 p.m.]: I move amendments Nos 1, 2 and 3 in globo:

No. 1 Page 2. Insert after line 11:

**5 Amendment of Child Protection (Prohibited Employment) Act 1998
No 147**

The Child Protection (Prohibited Employment) Act 1998 is amended as set out in Schedule 3.

No. 2 Page 6. Insert after line 9:

**Schedule 3 Amendment of Child Protection (Prohibited Employment)
Act 1998**

(Section 5)

Section 5 Prohibited persons

Insert after paragraph (b) of the definition of *serious sex offence* in section 5 (3):

(b1) an offence under section 80D or 80E of the *Crimes Act 1900*, where the person against whom the offence is committed is a child, or

No. 3 Page 1, long title. Omit "to extend that Act". Insert instead "and the *Child Protection (Prohibited Employment) Act 1998* to extend those Acts".

The Attorney General brought forward amendments at the suggestion of the New South Wales Children's Commissioner, Gillian Calvert, concerning a proposal to amend the Child Protection (Prohibited Employment) Act 1998 to ensure consistency in terms of prohibited persons for the purpose of employment in proximity to young people. There is presently a gap with regard to the unlikely event that someone is found guilty of a sexual slavery offence and is not convicted and is given a section 10 bond under the Crimes (Sentencing Procedure) Act 1999—that is the old section 556A of the Crimes Act. In such a case the person is not a prohibited person under that Act. As that is an unlikely event the need for an amendment was overlooked. However, it should be done for completeness, and I commend the amendments to the Committee.

Amendments agreed to.

Schedules 1 and 2 agreed to.

Title agreed to.

Bill reported from Committee with amendments together with an amendment to the long title and passed through remaining stages.

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