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MEDIA RELEASE

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PROTECTING YOUNG PEOPLE FROM SEXUAL EXPLOITATION

New laws protecting vulnerable young people from being exploited by adults who hold positions of authority over them are set to be introduced to NSW Parliament today.

Attorney General Mark Speakman said the [Crimes Amendment \(Special Care Offences\) Bill 2020](#) would strengthen NSW's 'special care' offences which hold to account adults in positions of authority who engage in sexual activity with 16 or 17 year olds under their care.

"The Royal Commission into Institutional Responses to Child Sexual Abuse shone a much-needed light on the use and misuse of power by adults who had a responsibility to care for children and young people," Mr Speakman said.

"NSW law recognises that it is an unacceptable, criminal breach of trust for adults in positions of authority to engage in sexual activity with young people in their care, even if those young people are over the age of consent.

"We are committed to strengthening these laws to ensure that young people are protected from sexual exploitation and are treated with the respect they deserve."

NSW's existing special care offences criminalise adults engaging in sexual activity with 16 and 17 year olds under their care within certain familial relationships, and in the context of schools and other educational instruction, youth justice centres and in the provision of health care. The maximum penalty for this offence is eight years' imprisonment.

The proposed reforms will ensure that adult workers in youth residential care, refuges and homeless shelters will attract criminal penalties for sexual contact with the young people under their care as well. The Bill also clarifies that school volunteers, adoptive parents and grandparents, and their partners all fall within NSW's special care offences.

"The Royal Commission recognised the effectiveness of NSW's special care offences. In the last two years, the Government has expanded these laws to include all [teaching staff](#) and authorised carers within the scope of the offences, as well as cracking down on any [sexual touching](#) of young people in care," Mr Speakman said.

"By having these offences apply to a range of carers and adults in positions of authority, we are striking the right balance between condemning those who might abuse their power while avoiding unintended consequences for consensual relationships."

The new laws [implement](#) the recommendations of a [NSW Parliamentary inquiry](#) set up by the Attorney General to review special care offences in NSW and will build on NSW Government's comprehensive response to the recommendations of the Royal Commission.