



**An Bille um Chiontóirí Gnéis (Leasú) (Smachtú
Comhéigneach), 2023**
**Sex Offenders (Amendment) (Coercive Control) Bill
2023**

Meabhrán Míniúcháin
Explanatory Memorandum



**AN BILLE UM CHIONTÓIRÍ GNÉIS (LEASÚ) (SMACHTÚ
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SEX OFFENDERS (AMENDMENT) (COERCIVE CONTROL)
BILL 2023**

EXPLANATORY MEMORANDUM

Introduction

The purpose of the Bill is to provide a mechanism whereby, in the interests of the common good, a requirement is imposed on a person, convicted of the offence of coercive control, to notify An Garda Síochána of that person's name and address, (including any changes to those details) in order to ensure that the information recorded by An Garda Síochána is accurate and always up to date.

The Bill provides for a court order against persons convicted of the offence of coercive control whose behaviour in the community gives An Garda Síochána reasonable cause for concern that the order is necessary to protect the public from serious harm from the offender. The Bill enables a senior member of An Garda Síochána to apply to the Courts to provide for the post release supervision of persons convicted of the offence of coercive control by the Probation and Welfare Service.

The Bill places an onus on a person convicted of the offence of coercive control to inform prospective employers of the fact of their conviction when applying for a position involving unsupervised access to children.

The Bill also provides for the Minister to prepare and publish a report on a process that provides for the right of a person, who has been the subject of the offence of coercive control, to seek and obtain information about a person who has been convicted of the offence of coercive control.

Section 1 deals with the interpretation of the Bill.

Section 2 amends section 3 of the Sex Offenders Act 2001 to include the offence of coercive control.

Section 3 amends Part 2 of the Sex Offenders Act 2001.

Section 4 amends Part 3 of the Sex Offenders Act 2001.

Section 5 amends section 26 of the Sex Offenders Act 2001.

Section 6 amends Part 5 of the Sex Offenders Act 2001.

Section 7 amends the schedule to the Sex Offenders Act 2001.

Section 8 provides for the publication by the Minister for Justice of a report on the right of a person to seek and obtain information.

Section 9 provides for the making by the Minister of Regulations.

Section 10 provides in standard form, for the short title, citation and construction of the Bill.

*Senator Fiona O'Loughlin, Senator Lisa Chambers,
Deireadh Fómhair, 2023.*

