



1. What is the National Sex Offender Registry?

The National Sex Offender Registry is an electronic database that holds information on convicted sex offenders.

- This Registry provides police with a new investigative tool to help them quickly locate known sex offenders living near the location of a sex crime.

2. Why is there a National Sex Offender Registry?

- This Registry provides Canada - wide information on convicted sex offenders.
- It is no good to have a sex offender registry in just one or two provinces because people move from province to province.
- This legislation reflects a consensus reached by provincial and territorial Ministers. As Minister Cauchon said when he introduced the legislation in Parliament: "It is part of our ongoing commitment to reform the *Criminal Code* and protect the safety and security of Canadians."
- The Canadian Police Association is firmly on record in support of a registry to assist in the investigation and apprehension of repeat sexual offenders.

3. What is the purpose of the National Sex Offender Registry?

- The new national registration system will improve public protection by helping police to identify possible suspects who live in the area where a sex offence has taken place. Police officers will be able to instantly obtain a list of sex offenders who are registered and living in the area where a sex related crime has occurred.

4. Who can have access to the Registry?

- Access, use and disclosure of Registry information is restricted to accredited police personnel. The information will be tightly controlled and used for police investigation purposes only as authorized by law.
- The information is collected to enable the police to investigate a specific crime that is suspected to be of a sexual nature.



5. How is a person placed on the National Sex Offender Registry?

When a person is convicted and sentenced on one of the designated offences listed in the *Criminal Code* amendments such as sexual assault, child pornography or sexual exploitation, the Crown applies to the court to place the offender on the Registry.

- The offender has the right to appeal the order.

6. Will people on Probation be placed on the National Sex Offender Registry?

- Registry Placement is based on being convicted of a designated sexual offence, not the sentence received from the Court.
- It does not matter the type of sentence received, Probation, Conditional Sentence or Incarceration, offenders are placed on the Registry if they receive a conviction for a sexual offence.
- Only young persons (aged 12 to 18 years) found guilty of a sexual offence in an adult court will be placed on the Registry.

7. When does an offender have to register?

- Once a court has ordered registration, a sex offender has 15 days to physically report to their nearest registration centre. The 15-day time frame applies to community-based sentences (probation and/or conditional sentence) and to those released from a correctional institution.
- A sex offender must also report in person to the nearest registration centre:
 - (a) within 15 days after they change their main residence or any secondary residence¹;
 - (b) within 15 days after they change their given name or surname; and
 - (c) at any time between 11 months and one year after they last reported to a registration centre under this Act.

8. How long does a Sex Offender stay on the National Sex Offender Registry?

- Sex offenders are required to remain registered for one of three periods. The periods are based on the maximum penalty available for the offence of which they were convicted:
 - **10 years** for summary conviction offences and offences with 2 and 5 year maximums;
 - **20 years** for offences carrying a 10 or 14 year maximum sentence, and
 - **lifetime** for offences with a maximum life sentence or when there is a prior conviction for a sex offence.

¹ “**Main Residence**” means the place in Canada where a person lives most often or, if there is no such place, the place in Canada where they may be found most often.

“**Secondary Residence**” means a place in Canada, other than a main residence, where a person regularly lives.



9. Where are the Registration Centres?

- In New Brunswick, Registration Centres will be located at nine (9) Municipal Police Force offices and the twelve (12) RCMP District offices.
- Police at these Registration Centres will be responsible for placing the information on the National Sex Offender Registry and the enforcement of the registration provisions.

10. What kind of information will be placed on the Registry?

- The Registry will contain the sex offender's addresses, telephone numbers, given name, surname, alias and identifying marks. The sex offender gives the information at the registration centre and is responsible for keeping it current.
- There are penalties for failing to comply with a registration order or for not giving truthful information.
 - In the case of a first offence, on summary conviction, the penalty is a fine of not more than \$10,000 or imprisonment for a term of not more than six months.

11. Will the National Sex Offender Registry contain information on past offenders?

- The National Sex Offender Database will include the names of offenders convicted of sex offences who are incarcerated, on parole, on conditional sentence, or on probation, the day the Act takes effect December 15, 2004.

12. Why don't sex offenders who have completed their sentence before Proclamation of the Act have to register?

This is so the legislation can be consistent with principles of justice and the *Charter of Rights and Freedoms*.

13. What is the expected impact of the National Sex Offender Registry?

- The National Sex Offender Registry and supporting database will enhance public safety. It gives Police improved investigation capabilities designed to help solve sex offences by identifying possible suspects known to reside near the site of an offence.

14. How many offenders are there in New Brunswick who will be on the Registry?

Based on historical data it is estimated that one hundred and twenty-five convicted sex offenders have the potential to be placed annually on the Registry.