

Safer Streets, Stronger Communities Act, 2024 -Proposed amendments to Christopher's Law (Sex Offender Registry), 2000.

Regulation Number(s):

N/A

Instrument Type:

Act

Bill or Act:

Christopher's Law (Sex Offender Registry), 2000

Summary of Proposal:

The Ministry of the Solicitor General is proposing amendments to Christopher's Law (Sex Offender Registry), 2000 to equip police services with additional information that can help them better monitor sex offenders and prevent, investigate, and solve crimes of a sexual nature.

The proposed amendments to Christopher's Law would establish new reporting requirements for registered sex offenders in Ontario. Section 3 of the act requires offenders to report information to a police service within a prescribed period (seven days) after certain events (e.g., a change of address or a change of name) occur. This list would be expanded to include the following:

- An offender being ordered to serve a conditional sentence.
- An offender receiving a driver's license or passport.
- An offender beginning to use or making a change to an email address, a username associated with a social media account, or another prescribed digital identifier used for the purpose of communicating on the internet.

Reporting requirements are also proposed in relation to travel by an offender to provide police services in Ontario with investigative information on the whereabouts of sex offenders. This would include requiring offenders to provide 14 days advance notice if they intend on traveling for seven days or more, and requiring that child sex offenders provide advance notice if they will be out of Canada for any length of time. The proposal would allow for a "reasonable excuse" to be provided for not complying with the time limits. These reporting requirements would mirror those found in section 6 of the federal Sex Offender Information Registration Act, 2004.

The proposed amendments would help make sure the information on the registry is current and useful for investigative purposes by requiring that offender information be removed from the registry 50 years after an offender's death or upon proof that an offender's conviction or finding of not criminally responsible on account of mental disorder in respect of a sex offence is overturned. These amendments would also allow the Minister of the Solicitor General to authorize a person to use information contained in the sex offender registry for research or statistical purposes.

These amendments would also allow future Lieutenant Governor in Council (LGIC) regulatory development to establish:

- Rules for offenders serving the custodial portion of a sentence intermittently in respect of an offence other than a sex offence.
- What constitutes a change in address for offender reporting and police verification purposes.
- The steps required to provide proof of a pardon or the fact that a conviction of or finding of not criminally responsible on account of a mental disorder in relation to a sex offence is overturned.
- Circumstances in which an offender would not be required to report based on physical or mental capacity.
- Circumstances and process by which an offender, instead of reporting in person at a police service, could report instead by complying with such requirements as may be prescribed.



Additional amendments would update the definition of sex offence to align with federal Criminal Code amendments which re-categorized sex offences as primary and secondary offences and update legislative wording to ensure consistency with current drafting practices.

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Analysis of Regulatory Impact:

The proposed amendments to Christopher's Law will have no direct compliance costs to any regulated stakeholders. There are administrative costs for municipal police services associated with increased offender reporting requirements (i.e., additional time spent by police services to collect offender information, and time required to learn about new requirements and establish any new policies and procedures to comply with new requirements).

Further Information:

-  Christopher's Law (Sex Offender Registry), 2000
-  Bill 223, Safer Streets, Stronger Communities Act, 2024

Proposal Number:

24-SOLGEN023

Posting Date:

November 18, 2024

Comments Due Date:

December 18, 2024

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