

TASMANIA

**DANGEROUS CRIMINALS AND HIGH RISK
OFFENDERS AMENDMENT BILL 2025**

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DANGEROUS CRIMINALS AND HIGH RISK OFFENDERS AMENDMENT BILL 2025

*(Brought in by the Minister for Justice, the Honourable Guy
Barnett)*

A BILL FOR

**An Act to amend the *Dangerous Criminals and High Risk
Offenders Act 2021***

Be it enacted by Her Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Dangerous
Criminals and High Risk Offenders Amendment
Act 2025*.

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

3. Principal Act

In this Act, the *Dangerous Criminals and High
Risk Offenders Act 2021** is referred to as the
Principal Act.

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4. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by omitting the definition of *serious offence* and substituting the following definition:

serious offence means –

- (a) an offence against a provision listed in Schedule 1; or
- (b) an offence of attempting to commit an offence against a provision listed in Schedule 1; or
- (c) an offence, against a provision of the law of this State, another State, a Territory or the Commonwealth, that is substantially the same as an offence listed in Schedule 1.

5. Section 35 amended (HRO orders)

Section 35 of the Principal Act is amended by inserting after subsection (3) the following subsections:

- (4) If the Supreme Court makes an HRO order under subsection (1)(a), the Court may, if the Court considers that it is necessary to detain the offender for a period in order to enable arrangements to be made to give effect to conditions imposed by the HRO order –

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- (a) order that the offender be detained for a period specified in the order, of not more than 7 days, after the offender would, but for the order, cease to be in custody; and
 - (b) defer the commencement of the HRO order until the end of that period.
- (5) As soon as practicable after making an order under subsection (4)(a), the Supreme Court must issue a warrant of committal of the offender for the period specified in the order after the offender would, but for the order, cease to be in custody.
- (6) A warrant under subsection (5) is sufficient authority for the offender to be kept in custody in accordance with the terms of the warrant.

6. Section 39 amended (Operational period of HRO orders)

Section 39 of the Principal Act is amended as follows:

- (a) by inserting in subsection (3)(b) “section 35(4)(b) or” after “under”;
- (b) by inserting the following subsection after subsection (5):

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- (5A) If an HRO order is suspended for a period, the operational period is not extended.

7. Schedule 1 amended (Serious Offences)

Schedule 1 to the Principal Act is amended as follows:

- (a) by inserting after Section 124A in item 1 the following:

Section 124B	Indecent act with or directed at a child [<i>or</i> young person] by a person in a position of authority
Section 124C	Indecent assault of child [<i>or</i> young person] by a person in a position of authority
Section 125	Permitting penetrative sexual abuse of a child [<i>or</i> young person] on premises

- (b) by inserting after Section 125A in item 1 the following:

Section 125B	Indecent act with or directed at a child [<i>or</i> young person]
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- (c) by inserting after Section 125C(2) in item 1 the following:

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Section 125C(3)	Procuring a child [<i>or</i> young person] for indecent act
Section 125D(1)	Grooming with intent to procure a child [<i>or</i> young person] for sexual abuse
Section 125D(3)	Grooming with intent to expose a child [<i>or</i> young person] to indecent material

- (d) by inserting after Section 126 in item 1 the following:

Section 127	Indecent assault
Section 129	Procuring a person for penetrative sexual abuse by threats [<i>or</i> fraud], if the person against whom the offence is committed is a child or young person

- (e) by inserting after Section 130B in item 1 the following:

Section 130C	Possessing child exploitation material
Section 130D	Accessing child exploitation material
Section 133(1)	Incest, if the person against whom the offence is committed is a child or young person

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- (f) by inserting after Section 167A in item 1 the following:

Section 169	Administering a drug with intent to facilitate the commission of an offence, if the person against whom the offence is intended to be committed is a child or young person
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- (g) by inserting after Section 172 in item 1 the following:

Section 178A	Performing female genital mutilation
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- (h) by inserting after Section 185 in item 1 the following:

Section 189	Abduction of a young person under the age of 17 years
Section 191(1)	Abduction of a child
Section 191(2)	Harbouring an abducted child

- (i) by inserting after Section 191A in item 1 the following:

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Section 192	Stalking and bullying, if the person against whom the offence is committed is a child or young person
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8. Repeal

This Act is repealed on the first anniversary of the day on which it commenced.