



The Hon Barry O'Farrell MP

Premier of NSW

Minister for Western Sydney

MEDIA RELEASE

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NSW SHUTS NAME CHANGE LOOPHOLE FOR CRIMINALS

Murderers, rapists and other dangerous criminals will not be able to change their name if it would allow them to avoid detection, NSW Premier Barry O'Farrell and Attorney General Greg Smith SC announced today.

Under new laws to be introduced to Parliament this week, an "alert list" of serious offenders will be sent to the Registry of Births, Deaths and Marriages (BDM). Applications from these serious offenders to the BDM without the support of supervising authorities will be rejected.

Mr O'Farrell said under existing laws there was nothing to stop a prisoner or parolee from changing their name.

"These new laws give priority to the safety of the community and the rights of victims," Mr O'Farrell said.

"It will now be much harder for serious sex offenders, inmates, parolees and forensic patients to seek a name change.

"While NSW is determined to act on behalf of victims of crime and the community, it is important there is no weak link in Australia that could be exploited by criminals.

"The Attorney General has been pressing this issue for some time at a national level - the onus is now on the other states to follow our lead."

Mr Smith said prisoners would only be able to apply for a new name if their supervising authority (Corrective Services or the Mental Health Review Tribunal) was satisfied the change was necessary or reasonable and it was unlikely to offend victims and the community.

Inmates and forensic patients will be blocked from submitting any application to the BDM if a name change is reasonably likely to:

- threaten security; or
- jeopardise a person's health or safety; or
- be used for an unlawful purpose.

Offenders under supervision in the community will be prevented from making an application if there is a reasonable likelihood they would use a new name to avoid being monitored.

The registry will refuse any application made by serious sex offenders, inmates, parolees and forensic patients that hasn't received the written approval of their supervising authority.

"As a further safeguard, Corrective Services and the Mental Health Review Tribunal will notify BDM of the identity of serious sex offenders, prisoners, parolees and forensic patients," Mr Smith said.

He said the Standing Committee on Law and Justice had agreed on a better approach to change of name processes in Australia.

"It is welcome that all the other states have now signed up to NSW's 10-point plan that features a National Proof of Identity Framework.

"I urge my colleagues in other states to introduce these same laws to close any loophole that can be exploited by criminals," Mr Smith said.

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