

BEING A REPORTABLE OFFENDER AS A CHILD

Juvenile offender reporting and exemption orders

This fact sheet has information on laws that affect people who may be reportable offenders because of an offence they committed as a child (under 18 years old).

Introduction

If you are convicted of certain offences (called reportable offences) as a child, you may become a reportable offender and have your details placed on the Sex Offender Register. A child reportable offender is subject to reporting obligations for a period ranging from 4 years to life depending on the offence/s committed.

From 31 December 2025, if you are found guilty of a reportable offence as a child, you no longer automatically become a reportable offender. Instead, the Children's Court of Western Australia decides whether you should be a reportable offender.

If you were already made a reportable offender as a child before 31 December 2025, there are things you can do to have your status reviewed.

If you were made a reportable offender as a child before 31 December 2025

If you were made a reportable offender because of an offence you committed as a child before 31

December 2025, you can apply to the Children's Court for a 'juvenile offender exemption order'.

What is a juvenile offender exemption order?

If you apply for an exemption order, the Children's Court will review your status as a reportable offender and decide whether you should continue being one. If the Children's Court makes an exemption order, it means you will be removed from the register and will no longer be a reportable offender.

Who can make the exemption application?

You can make the application for exemption yourself, or it can be made on your behalf by a responsible adult if you are under 18, a child protection worker or a lawyer.

What does the Children's Court consider when deciding whether to make an exemption order?

The Children's Court can only make the exemption order if it is satisfied that you are not a risk to the lives or sexual safety of another person or people generally, or if the Commissioner of Police agrees to the order. The Children's Court does not have to identify that you are a risk to a particular person or group of people.

In deciding whether to make the order, the Children's Court can also look at:

- Any evidence, documents, statements or exhibits that were given when you were in court for the reportable offence or order.
- Any pre-sentence report given to the court.
- Any victim impact statement given to the court.
- Any mediation report given to the court.
- Anything else the court thinks is relevant.

What if my exemption application is rejected?

If your application for an exemption order is rejected, you have one further opportunity to apply. However, you can only make a second application when at least half of your reporting period has passed.

For example, if your reporting period is for 8 years and after 2 years you apply for an exemption order but it is rejected, you can make a second application in 2 years' time (4 years after your reporting period started).

If your second application is rejected, you cannot make any more applications for an exemption.

If you are found guilty of a reportable offence from 31 December 2025

If you are found guilty of a reportable offence committed as a child, the Children's Court must decide if you should become a reportable offender. This is now called making a Juvenile Offender Reporting Order (JORO).

What does the Children's Court consider when deciding whether to make a JORO?

The Children's Court may make a JORO if it is satisfied that you are a risk to the lives or the sexual safety of one or more persons, or people generally. The Children's Court does not need to identify a risk to a particular person or group of people to be satisfied of this.

In deciding whether to make a JORO, the Children's Court can look at:

- Any evidence, documents, statements or exhibits that were given when you were in court for the reportable offence.
- Any evidence given by a victim or you about the making of the JORO.
- Any pre-sentence report given to the court.
- Any victim impact statement given to the court.
- Any mediation report given to the court.
- Anything else the court thinks is relevant.

If you are made a reportable offender as a child from 31 December 2025

If you are found guilty of a reportable offence and made subject to a JORO, you will get one opportunity to ask the Children's Court to 'revoke' your JORO. 'Revoke' means to officially remove or cancel something.

When can I ask the Children's Court to revoke my JORO?

You can only apply to 'revoke' your JORO when at least half of your reporting period has passed. For example, if your reporting period is 8 years, you will need to wait for 4 years before you can apply to revoke your JORO.

Who can make the application to revoke?

You can make the application yourself, or it can be made on your behalf by a responsible adult if you are under 18, a child protection worker or a lawyer.

What does the Children's Court think about when deciding whether to revoke your JORO?

The Children's Court can only revoke your JORO if they are satisfied that you are not a risk to the lives or sexual safety of another person or people generally, or if the Commissioner of Police agrees to the order. The Children's Court does not have

to identify that you are a risk to a particular person or group of people.

In deciding whether to revoke your JORO, the Children's Court can look at:

- Any evidence, documents, statements or exhibits that were given when you were in court for the reportable offence or order.
- Any pre-sentence report given to the court.
- Any victim impact statement given to the court.
- Any mediation report given to the court.
- Anything else the court thinks is relevant.

What if my revocation application is rejected?

If the application to revoke your JORO is rejected, you cannot make another application.

Where can I get help?

Legal Aid WA

For help with applying for an exemption order or to revoke your JORO, call our Infoline on 1300 650 579 or Legal Yarn on 1800 319 803.

Children's Court of Western Australia

For more information on how to apply for an exemption order or to revoke your JORO, visit the Children's Court of Western Australia website and see the Information Note on "Offender applications under the Community Protection (Offender Reporting) Act 2004" accessible at: https://www.childrenscourt.wa.gov.au/O/offender_applications_under_the_community_protection_act.aspx.

Legal Aid WA contacts: Website + Chat www.legalaid.wa.gov.au
Infoline 1300 650 579, Legal Yarn 1800 319 803.

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