

**AN EXPLORATORY STUDY ON SEXUAL OFFENDER REGISTRATION
SYSTEM IN MALAYSIA**

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ABSTRACT

This project paper discusses the mechanism of the sexual offender registration system and the possible implementation of such a database in Malaysia. It compares the mechanism implemented in different jurisdictions, specifically the United States and the United Kingdom.

An analysis of the sexual offender registration system in United Kingdom and the state of California is carried out and comparison of the two systems is made. Reference is made to the statutes from the United Kingdom and the State of California namely the Sex Offender Act 1997, the Megan's Law Act 1996, and the Adam Walsh Act 2006.

Due to the differences in implementation in both the United Kingdom and the United States, the result of the implementation also differs. In the United States where the information is easily accessible to the public, this has affected the rate of registration by the offenders. This differs than the implementation in the United Kingdom where the limited access creates more confidence in the convicted offenders to report and update their information for the database.

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CHAPTER ONE

INTRODUCTION

1.0 Introduction:

Sex offender registration is a system which allows the authorities to keep track of the movement of sex offenders, their residence and activities, upon their release from prison.¹ One of the few countries that is currently using this system is the United Kingdom. However, it is not made public for security and privacy reasons.² In the United States, the information of the sexual offenders is made public via a website or by other means. The public will be able to use the information to keep themselves updated whether there are any registered offenders within their area of residence and ensure that they are not exposing their children and families to the possibility of being anywhere near a sex offender.³

This research will focus on the need for a system of registration of sexual offenders in Malaysia in comparison with the United Kingdom, and the state of California, USA. This research will be divided into four chapters whereby the first chapter will be an introduction to the research. The second chapter is a review of literatures relating to the topic of the research. The third chapter will focus on domestic and foreign legislation, and a comparison between the laws. The final chapter will elaborate upon the findings of the research. This chapter will then conclude the research and suggest a possible solution as to the creation of a sexual offender registration database in Malaysia.

¹ "Sex Offender Registration and Notification Act Law & Legal Definition." USLEGAL. <http://definitions.uslegal.com/s/sex-offender-registration-and-notification-act/> (accessed May 2, 2012).

² In the United Kingdom, the law only allows selected persons i.e. victims and government authorities. See Criminal Justice and Court Services Act 2000, ch.43 s.69

³ Michael B. Mukasey. "The National Guidelines for Sex Offender Registration and Notification." *Federal Register*. 73. no. 128 (2008): 38044-38070. http://www.ojp.usdoj.gov/smart/pdfs/fr_2008_07_02.pdf (accessed May 2, 2012).