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Photo of the Day**Feds table sex offender bill**

By SUE BAILEY

OTTAWA (CP) - Long-awaited legislation that would require sex offenders to register with police was swiftly slammed by critics for exempting some of Canada's most loathed criminals.

The bill, introduced Wednesday by the federal government, would only apply to those convicted after its passage.

Retroactive application could leave it open to a court challenge under the Charter of Rights and Freedoms, said Solicitor General Wayne Easter.

That's because imposing an extra legal requirement after an offender has been convicted and sentenced could be seen as "double jeopardy" - prosecuting someone twice for the same offence, he explained.

However, it may be possible to include in a national database about 5,000 names already listed on Ontario's sex offender registry, Easter said.

Ontario developed Canada's first system of its kind on April 23, 2001. It was not retroactive, and is not publicly accessible.

"It would be absolutely appalling to find ourselves in a situation where the individuals who are listed on the Ontario registry aren't on the national registry," said Ontario Attorney General David Young.

Critics assailed the federal bill for not listing notorious sex offenders such as Karla Homolka.

She's to be released from prison in 2005 after serving a 12-year sentence in the deaths of Ontario schoolgirls Kristen French and Leslie Mahaffy, and her own younger sister, Tammy.

And the proposed national registry, including current addresses and physical descriptions of sex offenders, would be for police eyes only.

Local forces would decide whether to make details public.

"This is a fraud on the Canadian people," charged Canadian Alliance MP Vic Toews, the party's justice critic.

The public has a right to access a national database that could inform them of potential danger in their neighbourhoods, he said.

Toews, a former lawyer, called the government's "double-jeopardy" concerns about retroactivity "nonsense."

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"Double jeopardy is two convictions for the same offence.

"There is no constitutional or other bar to bringing in a full and effective registry. . . .We'll be looking for substantial amendments to this bill."

Some inmate advocates warn that sex offender registries can backfire, driving pedophiles underground.

If passed, the legislation will compel offenders to register within 15 days of being released from jail. They would also have to re-register every year and within 15 days of changing name or address, and would have to offer up-to-date identifying marks such as tattoos.

Offenders away from home for more than 15 consecutive days would have to inform their local registration centre.

Failure to comply with the law would carry penalties of up to six months in prison or a maximum \$10,000 fine for a first offence, and up to two years or \$10,000 for subsequent failures.

The legislation will likely take several months to go through the House of Commons and must then clear the Senate to become law.

Several provinces and parent groups have pushed for a national sex-offender registry for more than a decade.

Data would be entered and accessed by accredited law enforcement agencies through the Canadian Police Information Centre (CPIC) computer system.

Police could use it to more quickly identify possible suspects known to live in the area of an attack.

It's "disconcerting" to think that the registry would not apply to anyone whose conviction predates its creation, said Mike Niebudek, vice-president of the Canadian Police Association.

The group, representing 28,000 front-line officers, will urge the government to make the registry retroactive, he said.

Ottawa would pay the \$2-million cost of setting up the registry, plus \$400,000 a year in operating costs.

Sex offenders would be required to stay registered for 10 years if convicted of summary offences or those with two- to five-year maximum jail terms; 20 years for offences with 10- to 14-year terms; and for life if convicted of a sex crime carrying a maximum life sentence or if previously convicted of a sex offence.

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