

Research on Information Disclosure of Sex Offenders Against Minors in China

Weiqli Wang

Economic Law School, East China University of Political Science and Law, Songjiang District, Shanghai, 201620, China

Abstract. The high incidence of sexual abuse of minors in China and the extent of the problem requires an urgent response from the legal system. Based on the analysis of the theoretical basis and the realistic needs, through the review of the relevant Chinese legislation, it is pointed out that the system suffers from three major difficulties: the lack of a basis in the higher law and its contradiction with the higher law, the possible conflict with the protection of the offender's right to privacy and the imperfect supporting mechanism. The system should be improved from three perspectives.

Keywords: Sexual Abuse of Minors; Disclosure of Information; Sexual Offence Risk Assessment; Prohibition of Practice.

1. Introduction

Sexual offenses are a relatively common and traditional type of crime, but if we sub-categorize sexual offenses by their targets, sexual assault against minors is undoubtedly a very special category. The current situation of sexual abuse of minors in China has long been very serious. Data shows that between 2014 and 2019, courts nationwide concluded 16,319 cases of sexual assault against minors, with a recidivism rate of over 27%. In addition, this category of crime is characterized by a high rate of crimes committed by acquaintances, high concealment, and addiction. In contrast to the urgent need, China's legal system for disclosing information on the sexual assault of minors is not as satisfactory as it should be, with a small number of relevant laws and regulations, low levels, and many loopholes. Therefore, it is essential to establish and improve the legal system for the disclosure of information on persons who have committed sexual offenses against minors to prevent recidivism and protect minors.

2. Overview of the Legal System for Disclosure of Information on Sexual Assault of Juvenile Offenders in China

2.1 Theoretical Basis for the Construction of China's Legal System for Disclosure of Information on Sexual Abuse of Juvenile Offenders

2.1.1. The Principle of Maximizing the Interests of Children

The principle of maximizing the interests of the child is a basic legal principle stipulated in the United Nations Convention on the Rights of the Child, which is currently accepted by the legislation of various countries. The connotation is that when the state is faced with matters concerning the rights and interests of the child, it should put the protection of the interests of the child at the center of the issue from the consideration of the exact and substantial interests of the child and long-term protection, to make measures and arrangements under this principle. Of course, because children are not a fully capable group, they cannot accurately determine whether their rights are being protected, nor can they actively seek their own "best interests".

Therefore, in this principle, children are in a non-subjective and non-independent subordinate position, dependent on the adult society's awareness of protecting children's rights and interests and subject to the degree of development of the adult society's awareness of such protection. Accordingly, some scholars point out that "the principle of maximizing children's interests is considered to be a kind of limitation on the self-imposed power of adults".[1] Therefore, when the rights and interests

of children conflict with the rights and interests of adults, the rights and interests of adults should give way to the best interests of children, instead of taking the rights of adults as the primary protection, which makes the principle of maximizing the interests of children become a piece of paper. On this basis, it is legal to restrain the rights of those who sexually abuse minors.

2.1.2. Social Defense Theory

The social defense school believes that the real purpose of punishment is to prevent society from being victimized by criminal acts, not to use punishment to punish those who commit crimes to restore social justice. The school of social defense regards society as a subject that enjoys the right to maintain its living conditions as ordinary natural persons do, and the right to live in society can be harmed by criminal acts committed by individuals in society, so the state, as the real administrator of a certain size of society, is naturally "equipped" with the power to use penal means to protect social order and The state, as the real administrator of a certain size of society, is naturally "equipped" with the power to protect the social order by means of penalties and to prevent crimes against social stability. [2] This school of thought believes that, although general prevention is one of the more important and routinely used means of prevention, the actual effectiveness of the social forces tilted towards the individual prevention of criminals is more significant than the former, and that criminal policy should be more concerned with special prevention for those who have committed crimes than with general prevention for those who have not committed crimes when used to protect society. [3] Special prevention has two sides: on the one hand, it punishes individual offenders as a means of punishment, and on the other hand, it prevents individual recidivism as a special means of protecting the safety of society. From the perspective of special prevention, the goal is to protect members of society from the uncertainty of fear of recidivism and to impose the appropriate degree of control and the necessary degree of restriction of rights on persons at high risk of recidivism.

The perpetrators of sexual assault of minors are among them, and to prevent minors from being re-victimized or put in fear of re-victimization, special means of social defense should be applied. If the perpetrators of sexual assault of minors have very low self-control, and formal control and correction methods such as justice do not play a large role, it is undoubtedly a necessary choice to make the personal information of the perpetrators of sexual assault of minor's public from the external environment, so that the residents of the region are aware of their existence for prevention and supervision.

2.1.3 New Penology Risk Control Theory

The new penal theory is based on the assessment, identification, and calibration of offenders' dangerous, with risk control as the core, to prevent and control crime by selectively depriving offenders of their criminal capacity. The new penal science has abandoned the controversy between the theory of educational punishment and the theory of retributive punishment and emphasized that penalties should pay attention to the control and management of crime risks, and this concept has had a profound impact on the development and shaping of crime prevention and control and penal measures in countries around the world.[4] Its essence lies in the following: on the one hand, the new penal science puts forward a new perspective of risk assessment and risk control. The doctrine emphasizes the establishment of an actuarial justice mechanism based on statistical science and actuarial assessment to assess the degree of risk of recidivism of offenders and then implement targeted and graded control to maximize the preventive and control benefits of judicial resources; on the other hand, the new penal science establishes a new type of penal purpose of deprivation of criminal capacity. [5] Based on screening for risk, the doctrine advocates segregated special prevention for offenders with a high risk of recidivism.

The new penal doctrine provides theoretical support for the construction of a mechanism for the disclosure of information about persons who have committed sexual assault against minors. The mechanism provides for the registration, notification, inquiry, announcement, and a series of supporting measures for sex offenders, and its idea of prevention and control is in line with the concept of the new penal science: sex offenders are screened for the risk of recidivism through a risk

assessment tool, and different levels of information management and control measures are applied according to their different levels of risk of recidivism: for sex offenders with a low-risk level, no registration or only registration of information; for sex offenders with a high risk of recidivism, their information is passively or even actively disclosed to specific subjects, and at the same time, professional prohibition measures are taken to exclude sex offenders with a high risk of recidivism from contact with minors as much as possible. The essence of the sex offender information disclosure mechanism is to issue warnings to specific subjects for sex offenders with a high risk of recidivism, and selectively deprive them of the ability to commit crimes through isolation and harm exclusion, to finally achieve the purpose of preventing and controlling sex crimes.

2.2 The Realistic Demand for the Construction of the Legal System of Disclosure of Information on the Sexual Abuse of Juvenile Offenders in China

2.2.1 The Serious Situation of a High Incidence of Sexual Assault Cases Against Minors

On June 1, 2020, China's Supreme People's Procuratorate released the White Paper on Prosecution of Minors (2014-2019),^[6] which shows the current grim situation of multiple and high incidences of cases involving sexual assault of minors in China. On the one hand, sexual assault crimes account for a large proportion of crimes against minors. In 2019, the number of prosecutors prosecuting sexual assault crimes against minors accounted for 30.72% of the total number of crimes against minors. On the other hand, such cases show a year-on-year rise in the high incidence. In 2019, the procuratorial organs prosecuted 12,912 adults for crimes of rape of minors, up 39.33% year-on-year, 5,124 prosecuted for crimes of child molestation, up 56.12% year-on-year, and 1,302 prosecuted for crimes of forced indecent assault and insult of minors, up 45.31% year-on-year. It is worth noting that this is only the data of prosecutions brought by the procuratorial authorities, due to the high rate of hidden cases of sexual assault cases, many sex offenders were not discovered in time, and even if they were discovered, due to evidentiary problems, many sexual assaults were not recognized as crimes. Therefore, the real incidence of sexual assault cases against minors is much more than that, and there is an urgent and practical need for effective prevention and control of such cases.

2.2.2 The Special Needs of Sexual Assault Against Minors Prevention

Sexual assault against minors has the characteristics of a high proportion of acquaintances, high concealment, high psychological addiction, and high recidivism rate, and its objects are minors who are naturally in a vulnerable position in society, which has special characteristics. For this type of crime, the traditional post-incident punishment and correctional measures are difficult to effectively protect the rights and interests of minors. Therefore, it is necessary to do a good job of prior prevention and reasonably restrict the access of high-risk sex offenders to minors from the source, to prevent recidivism to the maximum extent.

2.3 Legislative Practice of the Legal System for Disclosure of Information on Sexual Assault Juvenile Offenders in China

Starting from the "Megan's Law" in the United States, the United Kingdom, South Korea, and Australia have formulated relevant regulations on the disclosure of information on sexual assault minors, and gradually established their legal system for the disclosure of information on sexual assault minors. China, on the other hand, started late, and there are only three relevant legislative practices, which will be analyzed in detail below.

2.3.1 The Law of China on the Protection of Minors

The Law on the Protection of Minors, which was revised for the second time in 2021 and promulgated and implemented, provides that the subjects of units in close contact with minors can obtain records of sexual assault and other offenses by way of application, paying attention to the high rate of repeat sexual assault crimes against minors, reducing the opportunities for persons with records of sexual assault crimes to contact minors, and to a certain extent reducing minors' exposure to sexual assault. The possibility of sexual assault on minors has been reduced to a certain extent.

2.3.2. Cixi City, Zhejiang Province, Implementation Measures for the Disclosure of Information on Persons Committing Sexual Assault Against Minors

In May 2016, the Cixi City Procuratorate of Zhejiang Province issued the Implementation Measures for the Disclosure of Information on Persons Committing Crimes of Sexual Assault against Minors. The Measures are the first attempt at the information disclosure system for persons who commit crimes of sexual assault against minors in China's judicial practice, providing a positive reference for the exploration of the system for the prevention of crimes of sexual assault against minors and triggering strong reactions in all circles. However, the Measures still have problems that cannot be ignored, such as the lack of clarity in the criteria for determining the target of information disclosure, the generalized criteria for identifying the risk of recidivism, and the application and effect of the information disclosure system still need to be examined.

2.3.3 Huai'an City, Jiangsu Province, Prohibition on Practicing and Information Disclosure System for Sexual Abuse of Minors

The People's Court of Huai'an City, Jiangsu Province, centrally sentenced four defendants suspected of sexually assaulting minors in late 2017. The verdict was also made public to society through microblogs, WeChat public numbers, and departmental websites one month after the verdict took effect. Public disclosure is the first application of relevant information disclosure. The document also provides for a "prohibition system", requiring all institutions related to minors in Huaiyin District to conduct criminal record checks on their newly recruited and existing staff.

The information disclosure regulations issued by Huaiyin District, Huai'an City, is another useful attempt after the "Cixi approach". However, as of 2020, Huaiyin District has also only disclosed information on four offenders at the time of the system's introduction in 2017, lacking subsequent applications.

3. The Dilemma of the Legal System of Disclosure of Information on Sexual Abuse of Juvenile Offenders in China

3.1 The Lack of a Basis for the Higher Law and its Contradiction with the Higher Law

The implementation of the Measures for the Disclosure of Information on Sexual Assault Offenders against Minors promulgated by Cixi City, Zhejiang Province, China, has affected the rights of offenders by disclosing their photos, height, current address, and household registration information, which constitutes a derogation of civil rights. Article 80 of China's Legislative Law provides the rules for derogation of rights, and China's Cixi City "Sexual Assault Disclosure Measures" is a normative document led by the Cixi City Procuratorate. Although stating that its superior law is the Criminal Law, the Law on the Prevention of Juvenile Delinquency, and the provisions of the Opinions on Criminal Records, Criminal Law does not exist with the same or similar formulation, while the main purpose of the Law on the Prevention of Juvenile Delinquency is to prevent minors from committing criminal acts and to improve the education and protection of minors, the Measures on Sexual Assault Disclosure is to prevent crimes against minors. The Opinions on Criminal Records is the first normative document on the criminal record system in China,[7] but it is not sufficient as a basis for the derogation of the rights of citizens and legal persons by the subordinate law. The so-called "contradiction" between law and law means that the provisions of the lower law on the same matter are contrary to the principles and provisions of the higher law. [8] Considering that this may be a positive exploration for the innovation of judicial protection for minors, assuming that the Opinions on Criminal Records can be considered as its superior law, the specific provisions of the Measures on Sexual Assault Disclosure also contradict the type and manner of its information disclosure. Article 2 of the Opinions on Criminal Records stipulates the contents that should be registered by the offender, but the Measures on Sexual Assault Disclosure expand the contents that should be registered to "photograph, height, household registration information, etc.". Such a practice of expanding the scope of authority of administrative subjects can be said to be a typical act of legal

contradiction. In addition, concerning the use of criminal information, the Opinions on Criminal Records stipulate that administrative and judicial organs take a passive approach to handle relevant cases and do not actively disclose the contents of the registration. However, the Sexual Assault Disclosure Measures make the information of criminal personnel public through WeChat, Weibo, and the portal of each unit, which is inconsistent with the provisions of the higher law.

The absence of the higher law and the possible contradiction with the higher law may lead to "no basis for the system" in the process of concrete implementation, so it is necessary to enact specific laws and regulations to make up for the lack of legal basis and the absence of the higher law to better implement the system.

3.2 The Conflict with the Protection of the Privacy of Criminal Personnel

Article 12 of the Universal Declaration of Human Rights, adopted and promulgated by the United Nations on December 10, 1948, stipulates that no one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence, nor to attacks on his honor and reputation. This reflects that the right to privacy is one of the human rights that should be protected, and this concept is widely recognized around the world. [9] Articles 1032 and 1033 of the Chinese Civil Code also stipulate that the privacy rights of citizens and the personal information of natural persons are protected by law. Some critics of the system argue that the information required to be disclosed by the system is not only criminal records, but also information of a more obvious privacy nature, such as photographs and home addresses, and that the exposure of relevant personal information may lead to the isolation and isolation of the perpetrator in social life and seriously violate the perpetrator's right to privacy.[10] However, the author believes that registering or publicly violating minor offenders' information is not inconsistent with citizens' right to privacy.

First, the offender's identity information and criminal record are not protected by the right to privacy. [11] The scope of legal privacy is not clear at present, and the right to privacy in the general view is a personal right that the individual natural person has in itself, which means that the individual natural person can freely and autonomously dispose of the content of information, personal activities, and free areas in the private sphere that are not related to the public interest. On this basis, privacy is relative in nature and the scope of private activities is relative, so the address of the offender is not private to the community where he lives or even to his neighbors. For the offender, his personal information has been through the process of criminal investigation, prosecution, public trial, etc. [12] Also privacy attributes have been reduced to none, and his situation is closely linked to public safety, so his personal information is already public information that citizens can learn about, this view is the mainstream view of the offender's identity information is not the object of privacy protection. The criminal records of offenders are not private, but public information that can be disclosed because they have violated public rights and interests and disrupted the legal order. According to Professor Chen Xingliang, there is no question of privacy in the criminal record itself, and there will naturally be other adverse consequences after the crime besides the penalty. This is objectively existing, not even included in the law, is the offender shall bear.[13]

Second, even if the perpetrator's identity information or personal information is included in the scope of privacy protection, it is difficult to counter the principle of maximizing the interests of children and the public interest of the concept of special protection of children, and the "private interest" of the perpetrator's personal information in cases of sexual abuse of minors is bound to give way to the "public interest" of protecting minors. [14] The "private interest" of the personal information of the perpetrators of sexual abuse of minors is bound to give way to the "public interest" of protecting minors. The important function of the above-mentioned principles and concepts is to serve as a judgment tool to guide the coordination of the distribution of interests or rights when different interests or rights conflict. Several countries have disclosed the personal information or trajectory of sex offenders to prevent minors from being sexually abused. This idea is undoubtedly based on the principle of maximizing the interests of children and the maximizing value of the concept of special protection for children, and its system is the figurative product of the principle and concept.

3.3 Inadequate Supporting Mechanism

The lack of a supporting assessment system not only prevents the scientific classification of the risk of sexual abuse of minors but also prevents the actuarial assessment of whether the degree of restriction on the privacy of such persons is equal to the need for public interest protection. At this point, rashly disclosing the personal information of the person concerned may cause the privacy rights holder to suffer excessive adverse losses alone, greatly enhancing the risk of infringement of his or her privacy rights. Especially in the current environment, the media has exposed a large number of cases of sexual abuse of minors, which has triggered strong public anger and great rejection of those who have committed sexual abuse of minors. In addition, modern developed network technology also provides technical support for "human flesh search" and other network violence. Such an emotional attitude and convenient technical support are bound to pose great risks to the privacy of the perpetrators. To build a reasonable hierarchical management system, we must introduce a psychological assessment mechanism to evaluate the sexual abuse of minors, and then carry out scientific classification and management, to put an end to the one-size-fits-all approach and not block the way back for those who have the possibility of returning to society. To achieve the purpose of building the system and introducing the law to maintain social stability and harmony.

4. Construction of a Legal System for the Disclosure of Information on the Sexual Abuse of Juvenile Offenders in China

4.1 Establishing a Limited Information Disclosure System based on Inquiry

The establishment of the information disclosure system should be based on the real social and economic foundation and the legal concept of the members of the society and connected with the existing laws. At present, the criminal record system has not yet been fully established in China, and the work is still in the exploration stage, such as the information registration system of criminal personnel and the information database of criminal personnel have not yet been established; in recent years, the concept of "restorative justice" has gradually gained popularity, and the concept of restoration as the core advocated by it emphasizes the importance of restoring society and social relations. At the same time, the public's perception of the law is still based on the concept of "retribution" punishment, which is an eye for an eye and is deeply influenced by the traditional idea of heavy punishment. All these conditions show that the "community announcement" method of fully disclosing the information of foreign offenders to society is not compatible with the reality in China, so a limited information disclosure system should be adopted.

This paper attempts to establish a limited information disclosure system, mainly in the form of a passive inquiry-based mode, the scope of information disclosure to specific subjects, and partial disclosure of public content. In the following, we will describe each of these three aspects.

4.1.1 Mode of Disclosure

At present, there is no strong urgency for China to adopt an active community announcement system when a sex crime information registration system has not yet been established. China should establish a limited disclosure method in which passive inquiry is the main focus and active disclosure is the exception. The disclosure of information about persons who have committed sexual assault against minors should be based on a scientific assessment and grading, as well as a registration system of information about sex offenders. That is, for all registered offenders, a way to allow specific subjects, including guardians, to apply to the relevant authorities for inquiries. On this basis, a precise mechanism for assessing the risk of recidivism of sex offenders is established, and on this basis, offenders with a higher risk of recidivism are informed about the relevant subjects through active prompting, to strengthen the management and monitoring of offender information.

4.1.2 Scope and Procedure of Disclosure

At present, countries such as the United Kingdom and Australia adopt a limited disclosure model, which provides for specific subjects to receive information and generally does not disclose offender information to individuals, which helps the public information of offenders to circulate within a controlled range and ensures the privacy of offenders to the maximum extent. Considering that the current social development of China is still at the stage of strong moral concepts and weak legal consciousness, it is difficult to ensure that the information will not be leaked if the information inquiry is opened to the general public. Therefore, it is suggested that based on the existing entry inquiry system, the right to apply for inquiry should be given to the relevant interest individuals such as the guardians of minors.

4.1.3 Content and Duration of Disclosure

A distinction should be made between the content of information to be disclosed, except for information disclosed through trial disclosure and adjudication documents, information such as height, photos, and specific addresses should be identified as private. Therefore, the discussion is divided into cases based on the consideration of the need and necessity of the offender's return to society. For general sexual assault offenders, the information obtained by the application for inquiry should only include the answer of whether a person has a criminal record of sexual assault against minors, and should not include various specific information such as height, photo, and specific address; while for those who need to take the initiative to notify the relevant departments to identify them, and those who need to notify the guardians of minors due to the violation of information registration requirements, such private information can be included. The information is strictly confidential.

The period of disclosure to the guardians of minors may be set at 10, 15, or 20 years, depending on the risk of recidivism of the offender. For those who have not committed a crime such as sexual assault after the legal period of disclosure, no search results should be displayed. However, entry inquiries for places of close contact with minors such as schools and children's activity grounds should be able to search for information on all sexual assault offenders against minors so that they will be unable to enter the industry of close contact with minors for life.

4.2 Establishing an Accurate Risk Assessment Mechanism for Sexual Crimes

Unlike the sentence of retribution decided by a committed crime, the assessment of the possibility of recidivism, although emphasizing the need for an objective basis, is still highly subjective and contingent. Therefore, using this possibility of recidivism or uncommitted crimes to decide the sentence of prevention for criminals, the treatment of criminals serving sentences, and the measures for the rehabilitation of released criminals, etc., are susceptible to unjust challenges. Therefore, a limited disclosure system for information on sexual offenders against minors should be established, and different information registration periods and information disclosure measures should be taken for sex offenders with different risks of recidivism. One of the important issues is how to solve the problem of assessing the offender's risk of recidivism, i.e., how to determine the target of application of different dispositions. And this requires the establishment of a precise, scientific and professional risk assessment mechanism for sex offender's risk of recidivism.

Risk assessment is the use of precise risk assessment tools to assess the offender's risk of committing a crime. This system is widely used in the process of risk management and control of offenders, and the risk of recidivism assessment of sex offenders can yield a series of objective and accurate indicators that contribute to the effective management of sex offenders. Therefore, the establishment of an accurate recidivism risk assessment system is important for the implementation of information disclosure of sexual offenders against minors.

Western countries have been paying more attention to the development of recidivism risk assessment tools, especially targeting sex offenders, such as the Rapid Risk Assessment for Recidivism of Sexual Offenses, the Virginia Risk Classification Scale, and the Minnesota Crime Screening Tool, etc. [15]Take one of the Virginia Risk Classification Tables as an example, which is

the main indicators identified after a long follow-up analysis of 600 sex offenders, with the following categories: first, information about the crime: the reason for arrest, the nature of the sex crime, and the place of the crime; second, information about the offender: age at the time of the crime, previous imprisonment, education level, and employment; third, information about the victim: the offender's and the victim's relationship, and the age of the victim. Each indicator is assigned a different score based on the established assessment criteria, taking into account the circumstances of the case. Depending on the assessment score, the offender is classified into three different risk levels and used as a basis for recommending a maximum value for sentencing.

Regarding the concept of recidivism risk assessment, China has introduced it into the country since the 1990s, and although there are not yet uniformly applicable regulations on the assessment criteria for recidivism risk, different crime risk assessment tools have been introduced in various places. The current assessment forms are mostly used in community corrections, such as the Hubei Province Community Correction Risk Assessment Index and the Jiangsu Province Qualitative Analysis of Risk Situation of Community Served Prisoners Form. However, the development and application of recidivism risk assessment tools in practice often lack follow-up analysis and evaluation, which makes it difficult to transform and upgrade the system and eventually lose the value of the application. The main reasons for this phenomenon include reliance on traditional supervision and rehabilitation methods, lack of systematic institutional arrangements, and lack of maintenance.[16]

Therefore, when developing a recidivism risk assessment tool for sex offenders in China, it is important to note that the information of the assessment subjects should be collected objectively and comprehensively to ensure the validity of the tool. Nowadays, modern information technology makes the trend of intelligent recidivism risk assessment more and more obvious, which also contributes to the better use of this tool. Although intelligent recidivism risk assessment does not refer to a new generation of recidivism risk assessment, it can obtain richer recidivism risk assessment indicators and more accurate weights through big data mining, thus greatly improving the accuracy and reliability of the assessment. [17] Of course, it should be realized that the development of risk assessment tools is not a one-off exercise, but requires a long-term effort. It should be constantly combined with adjustments and innovations according to the new situation, and through the evaluation and maintenance of the system, the relevant data should be adjusted on time to ensure the accuracy and applicability of the tool.

4.3 Improve the Relevant Supporting System

4.3.1 Effectively Linking the Prohibition of the Practice

The information disclosure mechanism for the sexual abuse of minors needs to be effectively linked to the prohibition of practice system to prevent close contact with minors from the occupational source by those who have committed sexual crimes. Article 37 of the Amendment to the Chinese Criminal Law adds a system of prohibition of employment, and its application is limited to those who are punished by penalties. The Bureau of Construction, the Bureau of Human Resources and Social Security, and the Bureau of Health and Family Planning are official agencies, excluding specific employers who have close contact with minors. The document makes these provisions to balance the rights of minors with the rights of sex offenders, as outside employers are more likely to abuse their right to know and disclose information about sex offenders than official agencies. However, the cost of governmental affairs for industry authorities to verify the information of a large number of sex offenders is high and the coverage is limited. To a certain extent, allowing employers to check themselves can improve the efficiency of screening and enhance the effect of preventing and controlling sex crimes.

In this regard, reference can be made to the experience of Hong Kong, China on self-screening. In 2011, Hong Kong, China began to implement the "Sexual Offense Conviction Record Verification Mechanism", which requires employers who have close contact with minors to screen and verify the sexual offense records of job applicants. Upon request, the system will disclose whether the employee "has" or "does not have" a prior sexual offense record, but will not disclose any other information.

Job seekers can also apply for self-inquiry, the police received the application to issue a random query password, the applicant in the job search of the relevant organizations to present the password, the employer with the password and the last four digits of the ID card to make inquiries, the system will only display the "yes" or "no" words. The system will only display the words "yes" or "no", which will protect the privacy of sex offenders to a certain extent while prohibiting them from working with minors.

4.3.2 Establish an Emergency Relief Mechanism for Sex Offenders' Rights

The mechanism of disclosing the information of sex offenders is aimed at protecting the best interests of minors and social defense by limiting the rights of sex offenders. However, "boundaries have boundaries, and restrictions should be restricted". [18] The restrictions on the rights of sex offenders are not unlimited, and the protection and relief measures for sex offenders should be considered comprehensively when the relevant regulations are formulated.

The dissemination of information in the Internet era is widespread and instantaneous, and the information of sex offenders as sensitive information can easily and quickly trigger the network surrounding, and its harmful consequences are serious. The traditional remedies provided by the relevant Chinese laws take a relatively long time, and when the information about sex offenders is illegally leaked or maliciously disseminated, it is difficult for the above-mentioned ways to effectively and timely protect the rights and interests of sex offenders. Therefore, it is recommended to set up an emergency relief channel for the rights of sex offenders and to set up a fast channel for appeal and reconsideration, so that when the information of sex offenders is improperly disclosed and they suffer serious consequences, they can appeal or reconsider as soon as possible to recover their losses and protect their legal rights to the greatest extent.

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