

Publication of personal data as an additional form of punishment: the case of registration laws for sex offenders in contemporary western societies

Konstantinos I. Panagos

Postgraduate student in sociology of law, National and Kapodistrian University of Athens

In 2003 a girl aged seven years old was sexually abused and afterwards killed by a man, who lived next to her house in the United States of America. Plausibly, this fact shocked the public opinion. A few days later, the parents of the victim asked for more severe measures against sex offenders, in order to other children be protected. Their main argument was that the man who committed rape and homicide against their daughter was a well-known pedophile to local police authorities, since he had been sentenced in the past for child sexual abuse twice. If they knew his sexual preferences and, consequently, his dangerousness for their child, they would never permit him to be alone with the latter. The shock caused by the aforementioned crime to the American society led to the establishment of an organization in New York, called “Parents for Megan’s Law”, and its activity resulted in the introduction of the “registration laws” into the legal orders of the States. More specifically, according to Megan’s Law (the latter took the name of the victim), the personal data of people who have been convicted for sexual abuse are published (e.g. on the internet, on the local newspapers etc) when they are released from prison. It is thought in that way parents are able to protect their children from pedophiles. Moreover, it is frequently considered that each of us has the right of “informed living”. The same law was introduced in Great Britain later, as well as in Greece. As far as the Greek law is concerned in particular, public prosecutor has since 2007 the possibility to publish the data of the people who have been accused as sex offenders against children, that is even before their trial. The aforementioned regulations raise a lot of legal and ethical questions: What happens in case that an accused person for such horrible crimes is in fact innocent? Furthermore, a lot of questions are important even in cases that the person found guilty gets imprisonment: the consequences of their offence last for life, since their social environment faces them as dangerous people. In other words, it is thought that they do not have any possibility to reintegrate society. It seems that publication of personal data constitutes in a new form of punishment for sex offenders in contemporary western societies.

Konstantinos Panagos studied law at Aristotle University of Thessaloniki, Greece. He continued his studies as a postgraduate student at London School of Economics and Political Science (MSc in Criminal Justice Policy). He is currently a postgraduate student in sociology of law at National and Kapodistrian University of Athens and an intern at Prosecutors' Office.