

**CHILD PROTECTION (OFFENDER REPORTING AND OFFENDER PROHIBITION ORDER) AND OTHER LEGISLATION AMENDMENT
BILL 2022**

SANDY BOLTON MP, MEMBER FOR NOOSA

Thank you, Mr Speaker.

We must do everything in our power to protect the lives of children and their safety. Enhancing the legislation which underpins the child protection registry scheme is critical in this protection.

The original main purpose of the *Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation Amendment Bill 2022* was to ensure the provisions of the *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004* are updated to reflect changing offending patterns and behaviours.

Even though it is vital to see the continued efforts to protect children from the risk of sexual harm, that the day before amendments are inserted not related to the intent of the Bill, however are major in that as has been reported, they go against the Human Rights Act in relation to children, and bypasses any scrutiny by Queenslanders is unacceptable, and I will go into this further on.

As this is now in essence 2 ‘Bills’ I will touch on them separately.

First to child protection. The Act provides a system whereby those people who offend sexually against children — called “reportable offenders” — are required to keep police informed of their whereabouts and their personal details, and report their contact with children.

Through regular reviews of the Act, the Queensland Police Service has identified changes in how offending is occurring as a consequence of the COVID-19 pandemic, and opportunities to enhance the protection of children through the child protection registry scheme.

The Bill proposes amendments to require reportable offenders to comply with new reporting obligations under the Act – this means they will be required to provide to police their residence and each change in residence where they stay for a maximum of 3 days, making it an offence to fail to comply with reporting obligations.

Amendment to the Police Powers and Responsibilities Act 2000 will give police the power to enter the residence of a reportable offender in order to conduct a device inspection, expand the offences that may trigger digital device inspections and make it an offence to fail to produce digital devices for a digital device inspection.

Many submitters to this Bill, such as the Queensland Indigenous Family Violence Legal Service, operate in the difficult space of child protection. They highlighted the highest rates of reported

sexual violence against women and girls in Queensland are recorded in rural, regional and remote areas.

They needed to know how the Bill will address the issue where a reportable offender notifies the chief executive of corrective services that they will be residing in one of these communities. The QPS responded that the Act allows QPS to give information about a reportable offender to an “entity”, which could include a government entity or a non-government entity that provides care for children.

The Queensland Law Society proposed that the bill should be amended to create a new definition of “serious reportable offender” and that different provisions should apply to these and standard reportable offenders. QPS responded that a single scheme needs to be maintained for consistency with the National Scheme, and the Act provides opportunities to increase reporting and monitoring where an offender’s risk profile changes.

The requests for a public sex offenders register for Queensland continues to be raised in our communities with only 10 percent of responders against in the annual Noosa MP survey.

During the public hearing Bruce Morcombe called for the establishment of ‘a national, publicly accessible sex offender register’.

The Australian Government a few years ago led a national working group on child sex offenders.

In the end various member states agreed that the effectiveness of any National Public Register would need to be evidence-based before proceeding, and no proposal to establish a register has progressed since 2020.

This is an issue of importance to Queenslanders and there should be efforts to gather and present the evidence, both pro and con, for communities to have their say via a parliamentary inquiry which I have requested and do so again.

To the 'second' Bill which is a series of amendments covering, on my count, ten different areas, including allowing watch houses to be used as detention centres for youth offenders.

Understandably, government responded to calls for tougher measures to keep Queenslanders safe by reintroducing breach of bail. However, when this was done, there surely was an analysis done of how many extra offenders would be arrested, and provision made to ensure there was appropriate levels of detention facilities. Apparently not.

Instead, we have a reactive rather than proactive response, bypassing the appropriate scrutiny of a committee inquiry and public consultation.

This is not acceptable and puts MPs in an untenable position whereby supporting the original Bill, and efforts to keep these offenders off the streets and out of people's homes, we are not supporting human rights, nor the imperative role of this house which is to analyse, assess and inquire into any legislation brought forward. Again, this is not acceptable.

The Katter Party have put forward a policy on relocation sentencing, that could be initiated relatively quickly, which would see the freeing up space in detention centres without contravening Human Rights.

There would then have been no need for these amendments, nor putting further mistrust about our systems of scrutiny through inquiry which in this case there was none.

In conclusion I thank the Committee that undertook the inquiry into the original Bill, their Secretariat all who participated in the inquiry, and support the original Bill.

However again I cannot support such ongoing blatant abuse of our systems as Queenslanders deserve better, nor standing orders that facilitate that abuse by guillotining the motion put forward that would at least given a way forward retaining system integrity by sending the second 'Bill' through the appropriate process.

Nor a process that did not allow an extension of time when the amendments were introduced to allow all MP's to speak.