

~~The CMC doesn't have the power, or the resources, to forensically examine every financial decision that corrupt former Labor Minister Gordon Nuttall made. The CMC isn't properly able to investigate the allegations made by former Labor staffers turned whistleblowers.~~

~~The extent and multitude of allegations of corruption, cronyism and unethical behaviour of this Labor Government over the past 11 years require a dedicated full-time Commission of Inquiry that can solely focus on the murky history of the past decade of Labor rule.~~

~~The majority of Queenslanders do not trust this Government and no amount of spin will get to the core of the myriad of allegations raised during more than 11 years of Labor rule.~~

~~The LNP is not alone in its calls for a Royal Commission—~~

~~Queensland Council for Civil Liberties vice-president Terry O'Gorman has said a Royal Commission or expanded CMC inquiry is warranted.~~

~~"A combination of a number of events over the last two weeks is starting to lend some credence for a call for a Royal Commission," Mr O'Gorman said—~~

~~"Soon the Premier is going to have so many bushfires in parts of her backyard they are going to add into one fire and something will need to be done."~~

~~Urban Development Institute of Australia Queensland Chief Executive Brian Stewart said the "system of using lobbyists" needed examining, rather than "any incidences of unlawful conduct".~~

~~"I know most of the people who are involved and I don't have any question mark about their integrity," Mr Stewart said.~~

~~Mr Stewart went on to say "However, what we do need to avoid is that possibility existing because it doesn't create good circumstances for governance."~~

~~It was Tony Fitzgerald himself who said on July 28, 2009, "Ethics are always tested by incumbency. Secrecy was re-established by sham claims that voluminous documents were "Cabinet in confidence". Access can now be purchased, patronage is dispensed, mates and supporters are appointed and retired politicians exploit their political connections to obtain "success fees" for deals between business and government.~~

~~Queenslanders are now haunted by the ghosts of Nuttall and 11 years of Labor cronyism and allegations of corruption and unethical behaviour. It is time this Government opened the books and opened itself up to a full and independent commission of inquiry.~~

~~I commend the Bill to the House.~~

~~Debate, on motion of Mr Fraser, adjourned.~~

## ~~PRIVATE MEMBERS' STATEMENTS~~

### ~~Cape York Peninsula~~

~~**Mr O'BRIEN** (Cook—ALP) (11.33 am): One of the great iconic treks that Queenslanders, Australians and people from all over the world undertake is a trip up the Peninsula Development Road to the northern peninsula area to stand at the northernmost point of the Australian continent. I was very disappointed to learn from my parliamentary colleague, Mr Wettenhall, the member for Barron River, that the sign that stands at the northernmost point of the Australian continent has recently been stolen. It is quite a shame. Thousands of people come every year to stand at that point and to have their photograph taken underneath the sign that used to be there. That is why I have undertaken, out of my own electoral allowance, to have the sign replaced. This week I will be in contact with Artcraft, who produces these signs, to order the sign. I will be working in cooperation with the Northern Peninsula Area Regional Council to have the sign replaced.~~

~~This year was a good year for tourists on Cape York Peninsula. Tourism operators reported strong growth in visitors to the region. That is because the road infrastructure has been improved and some of the camping and tourism destinations and hotels have also been improved. There is room for growth. We also want to see the area around the Pajinka site cleaned up and more services put in for the growing number of people who are coming to the tip to enjoy the iconic place—things like toilets and campgrounds and other facilities for the increasing number of people who are making the trek each year. I thank the member for Barron River for coming into my electorate the week before last.~~

## **CRIMINAL CODE (FILMING OR POSSESSING IMAGES OF VIOLENCE AGAINST CHILDREN) AMENDMENT BILL**

### **First Reading**

**Dr FLEGG** (Moggill—LNP) (11.35 am): I present a bill for an act to amend the Criminal Code in relation to child exploitation material to provide, in particular, for immediate confiscation of devices used for filming or possessing images of violence against children. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

*Tabled paper:* Criminal Code (Filming or Possessing Images of Violence Against Children) Amendment Bill.

*Tabled paper:* Criminal Code (Filming or Possessing Images of Violence Against Children) Amendment Bill, explanatory notes.

## Second Reading

**Dr FLEGG** (Moggill—LNP) (11.36 am): I move—

That the bill be now read a second time.

The proposed amendments seek to provide for the confiscation of electronic devices used to report or transmit images of bullying against children known as cyberbullying. Cyberbullying and the staging of violent events for the purposes of filming are increasing in prevalence amongst school-age children. An estimated one in 10 school children are victims of cyberbullying. The images are forwarded through electronic technology, mobile phones, computers and social networking sites. One factor that separates cyberbullying from other forms of bullying is that it flourishes in the generational gaps created by technology. While every parent and teacher understands playground bullying many find changing technology harder to keep pace with than their children do so cyberbullying establishes itself before parents and teachers are necessarily able to detect the problem.

Just this month we have heard reports from an inquest into the suicide of a 14-year-old Lismore boy that bullying, including cyberbullying, played a major part in his decision to end his life. Whereas bullying has also posed potential for physical injuries, cyberbullying opens a Pandora's box of potential psychological harm. Myself and the LNP are deeply concerned about this growing trend. We are also aware that to date there are few effective measures. In view of the time, I move that the balance of my speech be incorporated in *Hansard*.

Leave granted.

Powers that exist under current laws are largely unused, and there is an obvious and understandable reluctance to use them as they stand.

We want to make it clear to all concerned that bashing or assaulting a child to photograph the assault and circulate it—or put it on the internet—is serious, and the images are 'child exploitation material'.

That's why we have spelt this out in law for the first time.

Cyberbullying also crosses boundaries between school and outside-school times and school grounds. Whereas a child who was once intimidated by a schoolyard bully could close the door of his or her home and leave the bullying behind for the day, now the bullying awaits them as soon as they turn on their computer.

The Australian Clearinghouse for Youth Studies reported recently that 65 per cent of 5 to 14 year olds use the internet. Computers are now a part of schooling. A bullied child cannot escape cyberbullying.

A motivation in cyberbullying is the technology itself—the ability to transmit the images, to share the bully's triumph with the bully's friends, and the victim's humiliation is multiplied and stored and inescapable.

This Bill is based on that motivation. For as long as the bully has unrestricted use of the technology, they can continue the bullying, even when they are no longer physically with the victim.

The impact on the psychological wellbeing of the child victim is substantial. Cyberbullying has been cited in various media and coronial reports as a contributor to recent suicides of young people. Cyberbullying is also breaking down the usual predominance of bullying among boys, with girls just as likely—or even more likely—to be subject to cyberbullying.

By depriving the bully of the technology, not only is their ability to bully limited, but they lose their ability to continue the trauma experienced by their victim. Confiscating the phone or computer or camera is an effective measure in an area where few measures have been effective.

The imposition of a new penalty involving confiscation of the device is a practical response to the problem, and an appropriate one given the ages of some of the people involved. It can also be timely—a necessary element if we are to stop the damage that is being caused.

This Bill amends the Criminal Code.

In amending section 207A, the definition of child exploitation material, the words 'under 16 years' are removed, reverting the definitions for this purpose to those under the Acts Interpretation Act 1954, of 18 years. This ensures all children of school age are covered under this definition.

This clause also includes verbal or physical bullying under the definition of child exploitation material.

A new part, 228DA, is inserted—Confiscating devices used to commit offences in relation to bullying.

This amendment allows a police officer or school principal to confiscate a device that is being used or has just been used to commit an offence involving bullying under sections 228A, 228B, 228C or 228D.

These devices would include a mobile phone, a computer or any other electronic device used for the purposes of recording or transmitting of images under these sections. Examples of other devices include a camera or video recorder.

The confiscation is based on the reasonable belief of the principal or police officer.

Debate, on motion of Mr Dick, adjourned.