

~~then beyond to Capalaba. Already stage 1 of this project, from the Eleanor Schonell Bridge at Dutton Park to the South East Busway at Buranda, has been completed at a cost of \$366 million.~~

~~We have now started on the \$465 million second stage between Buranda and Main Avenue. This stage is scheduled for completion by early 2012 and will make an enormous difference to travel times for commuters going to the city or the University of Queensland—particularly residents of the electorate of Greenslopes. At the moment, funding for the next stage of the busway, from Main Avenue to Bennetts Road, is yet to be secured. This will be an expensive part of the overall Eastern Busway project. Early estimates indicate that it could cost upwards of \$800 million as construction work will require tunnelling as well as cut and cover engineering work.~~

~~The Eastern Busway will bring long term gains to the community. I will continue to work with all levels of government to ensure the next stages are funded, built and delivered for the community. Regardless of the timing of the next stage of the busway, Coorparoo Junction will always be a focal point for residents of the Greenslopes electorate. That is why the announcement of these new markets is so exciting. Along with other residents, I look forward to visiting the markets once they open for business.~~

CHILD PROTECTION (OFFENDER REPORTING) AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (12.31 pm): I present a bill for an act to amend the Child Protection (Offender Reporting) Act 2004, the Births, Deaths and Marriages Registration Act 2003 and the Police Powers and Responsibilities Act 2000 for particular purposes. 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: Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010.

Tabled paper: Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010, explanatory notes.

Second Reading

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (12.31 pm): I move—

That the bill be now read a second time.

I introduce a bill into the House today that reaffirms this government's commitment to ensuring the highest possible levels of protection for children. The Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010 encompasses a suite of amendments to enhance the Child Protection (Offender Reporting) Act 2004 and contributes towards establishing national consistency in compliance management and monitoring of reportable offenders both in Queensland and throughout Australia. To this end, the bill amends the Child Protection (Offender Reporting) Act 2004, the Police Powers and Responsibilities Act 2000 and the Births, Deaths and Marriages Registration Act 2003.

On 19 June 2009 the Ministerial Council for Police and Emergency Management—Police met and considered a report containing recommendations that sought to align jurisdictional responses for the compliance management and monitoring of reportable offenders. Following the work of the Ministerial Council for Police and Emergency Management—Police, the Queensland Police Service also undertook a review of the Child Protection (Offender Reporting) Act 2004 and recommended further changes to enhance the existing legislation. These recommendations collectively underlie the amendments to be given effect through this bill. The amendments are balanced and justified with regard to respecting the rights of individuals but also ensuring the highest possible levels of protection for children as the most vulnerable members of our community.

The Child Protection (Offender Reporting) Act 2004 requires offenders who commit sexual or particular other serious offences against children to keep police informed of their whereabouts and other personal details for inclusion in the Queensland Child Protection Register. This register was established under the Child Protection (Offender Reporting) Act 2004, which commenced on 1 January 2005 and forms the Queensland component of the Australian National Child Offender Register, ANCOR, utilised by all Australian police jurisdictions for information sharing relevant to compliance management and monitoring of reportable offenders and investigation of any suspected noncompliance.

This bill will enhance the Child Protection (Offender Reporting) Act 2004 and contribute towards national legislative consistency by reducing the time limit that reportable offenders will have to make

initial reports as well as the time limit imposed to report the names and ages of any children living at a place where they generally reside or with whom they have regular unsupervised contact. The time limit for completing an initial report will be reduced from 28 days to seven days and the time for reporting contact with a child will be reduced from 28 days to just four days, imposing an obligation to report within 24 hours of three days contact with a child in any one-year period, whether consecutive or not. These amendments will effectively enhance the ability of police to monitor reportable offenders in the community and enable authorities to intervene in situations where children may be exposed to risk at a much earlier stage.

Reportable offenders will also be required to report telecommunication carriage services, internet service providers, email addresses and/or other electronic identifiers used or intended to be used. The obligation will contribute to monitoring and deterring reportable offenders from using such devices in offences against or involving children—for example, accessing child exploitation material and/or engaging in predatory behaviour such as grooming children via the internet. Reportable offenders will also be required to report their passport details as relevant to monitoring and provide verification of travel outside Australia which will contribute towards deterring child sex tourism and support investigation of it.

To support rigorous monitoring of reportable offenders who pose a risk to the most vulnerable members of the community, they will be required to obtain the Police Commissioner's approval before changing their name. If a reportable offender proceeds to change their name without the necessary approval under the Child Protection (Offender Reporting) Act 2004 there is provision for the registrar to correct the register under the Births, Deaths and Marriages Registration Act 2003 on application from the Police Commissioner.

This bill also allows for DNA samples to be taken from reportable offenders in certain circumstances if no record is kept. Although it is acknowledged that recidivism risk varies across sex offenders, it is considered important to obtain DNA samples from reportable offenders. The abhorrent nature of serious sexual offences warrants the taking of DNA samples from reportable offenders in the interests of facilitating investigations and providing the best protection for children.

The increase in penalties for failing to comply with reporting obligations and/or giving false or misleading information from two years to five years imprisonment and the reclassification of these offences as crimes accurately conveys the Bligh government's view about the seriousness of such offending in terms of the risk it poses to the community. Fines that may be imposed have also been increased, from 150 to 300 penalty units. It is expected that these increased penalties will contribute to compliance including by providing courts with a higher range of punishment that can be imposed, thereby helping to deter such criminal behaviour and ultimately ensure the highest possible levels of protection for children.

The new class 1 and 2 offences to be listed in schedules 1 and 2 reflect, in part, recent amendments made to the Criminal Code Act 1995 and effectively contribute to the comprehensive coverage of serious offences against children. Significantly, the addition of the new offences will have a retrospective application because the definition of a reportable offender includes a person who has been sentenced and/or released from custody for a reportable offence—that is, a class 1 or class 2 offence—after the commencement of the Child Protection (Offender Reporting) Act 2004. This will result in certain offenders whose convictions are in the past and who are not currently entered in the register becoming reportable offenders unless their reporting period is deemed to have already expired under part 4, division 5 of the Child Protection (Offender Reporting) Act 2004.

New and additional reporting obligations will not apply unless the Police Commissioner has given a person a 'notice of reporting obligations' under section 59 of the act. Subsequently, it is maintained that these amendments strike the balance between having sufficient regard to respecting the rights of individuals and protecting children. In order to contribute to national consistency, courts will be given wider discretion to make 'offender reporting orders' with respect to non-familial child kidnapping offences. This will bring Queensland into line with other jurisdictions in terms of making non-familial child kidnapping a reportable offence.

Finally, the inclusion of a declaratory provision in the bill is to put beyond any doubt that any disclosure or release of personal information from the Child Protection Register to corresponding registrars in foreign jurisdictions is and always was lawful. This is to address an anomaly which occurred with regard to information sharing with jurisdictions that introduced corresponding legislation after the commencement of the Child Protection (Offender Reporting) Act 2004 and Child Protection (Offender Reporting) Regulation 2004 on 1 January 2005.

I am confident members of the House will agree that this legislation will contribute towards national legislative consistency and enhance the Child Protection (Offender Reporting) Act 2004 to ensure the highest possible levels of protection for children in Queensland and throughout Australia. I commend the bill to the House.