

**Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation
Amendment Bill 2022**

Submission No: 11
Submitted by: Bravehearts Foundation Limited
Publication:
Attachments: No attachment
Submitter Comments:



Our Mission is to provide a coordinated and holistic approach to the prevention and treatment of child sexual abuse.

Our Vision is a world where people, communities and systems all work together to protect children from sexual abuse.

1st December 2022

Committee Secretary
Community Support and Services Committee
Parliament House
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Brisbane Qld 4000
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Consultation: Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation

To Whom it May Concern,

Bravehearts is pleased to provide this feedback in relation to the consultation draft Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation.

As an agency that works with, and advocates for, survivors of child sexual harm, we welcome the Queensland Government's commitment to protecting children. With our extensive experience working with survivors of child sexual abuse and exploitation, and lobbying for reform, Bravehearts strongly advocates for legislative responses that ensure, as far as possible, the protection of children, young people and the community more broadly.

As Bravehearts is specifically concerned with the protection of children and young people from sexual abuse and exploitation, we fully support the intentions of the amendments in the current Bill that reflect changes in offending and strengthens the capacity for the supervision of those convicted of relevant offences, with the ultimate aim of protecting children from harm.

We note in the main objectives of the current Bill as outlined in the Explanatory Notes, include to:

- ensure the provisions of the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (the Act), which underpin the child protection registry scheme reflect changing offending patterns and behaviours; and
- enhance the ability for the Act and the Police Powers and Responsibilities Act 2000 (PPRA) to provide for the protection of the lives of children and their sexual safety.

Responding to offending trends

The online world is a significant resource for child sex offenders. Some offenders use the internet to facilitate non-contact offences, such as downloading child sexual exploitation material, others for grooming and offending against children, and still others use it to network with like-minded individuals.

We fully support the intent of the Bill to respond to changes in technology, to ensure the adequate monitoring of relevant reportable offenders and support the prevention of further offending and risks to children.

Increasingly rapid technological advances have created new possibilities for child sexual offenders to target children and young people, as well as share and access child sexual exploitation material (CSEM), and network.

During the height of COVID in 2020, we saw increases in technology facilitated offending. Interpol reported that during 2020:

- Member countries saw significant increases in reporting of CSEM offences
- Member countries reported an increase in online activity relating to CSEM consumption and distribution
- Significant increases in sharing of CSEM through peer-to-peer networks
- Exchange of existing CSEM and CSEM discussions have increased.
- Increases in circulation of viral CSEM via social media platforms

(Interpol (2020) Threats and Trends: Child Sexual Exploitation and Abuse COVID-19 Impact)

As COVID-19 restrictions eased, these heightened risks remained. The Australian Centre to Counter Child Exploitation has reported that in the 2021-22 financial year, "the ACCCE Child Protection Triage Unit received more than 36,000 reports of child sexual exploitation. Each report contains images and videos of children being sexually assaulted or exploited for the sexual gratification of child sex offenders. The AFP charged a total of 221 offenders with 1746 child exploitation related offences..." (<https://www.accce.gov.au/resources/research-and-statistics>).

Bravehearts acknowledges the difficulties faced by law enforcement agencies and governments in keeping up with emerging and advancing technologies, and we support this Bill's intention to target online offending through increasing obligations for reportable offenders to provide access to all digital devices in their possession to police for inspection.

Balancing Rights

We have no doubt that issues around the breach of rights for offenders under supervision will be raised with the Committee. As the issue of human rights, rightly should be considered.

However, Bravehearts believes it is imperative that our legislation addresses the, at times, conflicting rights of the safety and protection of children, young people and the community and the rights of individual offenders. In discussing the rights of offenders, it is necessary that the discussion include the rights of the victims of crime, the rights of potential victims of crime and the rights of children in the community.

The Convention of the Rights of the Child (ratified by Australia) highlights the specific protection of children's rights. Article 3 states that the courts and legislative bodies must act in the best interests of the child:

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be the primary consideration".

We thank you for the opportunity to provide this submission. While we cannot rely solely on legislative responses for the protection of children from sexual abuse and exploitation, it is one important tool. Please contact us on research@bravehearts.org.au if any further information is required.

Kind Regards,



Carol Ronken
Director of Research