



JUSTICE, INTEGRITY AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr MA Hunt MP—Chair
Mr MC Berkman MP
Mr RD Field MP
Ms ND Marr MP
Hon. GJ Butcher MP
Mr PS Russo MP

Staff present:

Ms F Denny—Committee Secretary
Ms H Radunz—Assistant Committee Secretary

PUBLIC BRIEFING—INQUIRY INTO THE COMMUNITY PROTECTION AND PUBLIC CHILD SEX OFFENDER REGISTER (DANIEL’S LAW) BILL 2025

TRANSCRIPT OF PROCEEDINGS

Friday, 19 September 2025

Brisbane

FRIDAY, 19 SEPTEMBER 2025

The committee met at 1.00 pm.

CHAIR: Good morning. I declare open this public hearing for the committee's inquiry into the Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025. My name is Marty Hunt, member for Nicklin and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today. With me here today are: Peter Russo MP, member for Toohey and deputy chair; Russell Field MP, member for Capalaba; the Hon. Glenn Butcher, member for Gladstone, who is substituting for Melissa McMahon MP, member for Macalister; Michael Berkman MP, member for Maiwar; and Natalie Marr MP, member for Thuringowa.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee. These proceedings are being recorded. A transcript will be published in due course. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please remember to press your microphones on before you start speaking, and off when you are finished and please turn your mobiles phones off or to silent mode.

BLANCHFIELD, Detective Acting Superintendent Stephen, Child Abuse and Sexual Crime Group, Queensland Police Service

JOSEPH, Ms Andrea, Acting Director, Strategic Policy and Legislation Branch, Queensland Police Service

MURPHY, Ms Hannah, Acting Program Manager, Child Abuse and Sexual Crime Group, Queensland Police Service

SCANLON, Deputy Commissioner Cheryl APM, Specialist Operations, Queensland Police Service

CHAIR: Welcome. I invite you to make an opening statement.

Deputy Commissioner Scanlon: I begin by respectfully acknowledging the traditional custodians of the land on which we meet today, the Turrbal and Yagara people, and I pay my respect to elders past, present and emerging. My name is Cheryl Scanlon and I am the Deputy Commissioner, Specialist Operations. I lead the portfolios responsible for expert specialist and investigative support, advice and direction in the areas of crime, counterterrorism, ethical standards, intelligence and other specialist operations. Each portfolio provides expert specialist, technical, logistical and operational support and advice to policing activities statewide to prevent, disrupt and investigate crime.

I thank you for the opportunity to appear and assist the committee on its examination of the Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025. I am joined today by the following representatives of the Queensland Police Service who may assist in responding to technical and operational questions regarding the bill. To my left is Acting Detective Superintendent Stephen Blanchfield from the Child Abuse and Sexual Crime Group. To my right is Acting Director Andrea Joseph from the Strategic Policy and Legislation Branch and Acting Manager Hannah Murphy from the Child Abuse and Sexual Crime Group. I understand that the committee has been provided with a written briefing and the Queensland Police Service's responses to public submissions on the bill.

The amendments proposed in the bill will introduce a new framework, the first of its kind in Queensland, and is part of a suite of reforms to restore safety in Queensland communities. The bill strengthens sex offender laws by establishing the first public register of its kind in Queensland. The

legislation will be known as Daniel's Law in honour of Daniel Morcombe. The bill is modelled on the public notification scheme that is operating in Western Australia and follows the passage of similar laws in South Australia. The bill has been tailored to ensure it is fit for purpose in Queensland.

The commitment expressed through this bill brings Queensland in line with Western Australia and South Australia in increasing public access to information to help keep Queensland children safe. The bill will amend the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 to establish the framework for a three-tiered public child sex offender register, which I will refer to as the public register. The bill sets the parameters for the public register and provides the powers necessary to publish, provide and disclose particular offender information to the public. The objectives of the bill are intended to firstly increase general community awareness and vigilance by making particular information about certain reportable offenders more accessible to the public. Secondly, to provide a proactive tool to enable parents, guardians and the community to have the information and agency necessary to act, including at an individual level, to reduce risk and better protect the lives and sexual safety of Queensland children.

I will turn now to those three tiers specifically. Tier 1 is the missing noncompliant offender website. This will be a public website displaying facial images and particular personal details of reportable offenders who have failed to comply with their reporting obligations or the conditions of a supervision order made under the Dangerous Prisoners (Sexual Offenders) Act 2003 and whose whereabouts are unknown to police following investigations to locate the offender. Offenders who choose to evade their obligations and fail to comply with their requirements pose a significant risk to our communities. This information will be available to all members of the public to keep the community informed while police remain vigilant in their search and investigations for that individual. Once located, an offender's details will be removed.

Tier 2 is a locality search function. Upon application, residents will be able to apply to temporarily view facial images of particular reportable offenders residing in their locality. Tier 2 is limited to reportable offenders who are considered to present a high potential for harm because of their offending history against children and include a reportable offender who commits a further reportable offence against a child listed in schedule 1 of the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 after receiving notice of the reporting obligation. In simple terms, that is a reportable offender who is a repeat offender, a reportable offender whose reporting obligations are imposed for the remainder of the offender's life and a reportable offender who is subject to a supervision order or temporary supervision order made under the Dangerous Prisoners (Sexual Offenders) Act 2003. The bill also ensures that where a reportable offender demonstrates a serious risk to the lives or sexual safety of a child or children generally the Police Commissioner is empowered to include their photograph in tier 2 responses.

Locality has been defined in the bill to mean the general locality where the person resides, which will usually be the applicant's suburb or town. Given Queensland's vast geographic distances and diverse contexts, there may be circumstances that require a different approach to be taken that encapsulates adjoining suburbs or towns to the person's residential address. The photographs will be provided in a controlled manner for the purposes of enhancing public awareness and safety.

Tier 3 is the parent and guardian disclosure framework. This tier enables a parent, guardian or person with ongoing parental responsibility of a child to apply to confirm whether a person who has or will have unsupervised contact with their child is a current reportable offender. This contact includes any form of communication, whether in person or by electronic means.

In relation to safeguards and offence provisions, the public register will not enable the disclosure of information about child reportable offenders, other certain reportable offenders who committed offences as a child, offenders who are participants on a witness protection program or offenders where a court has prohibited the identification or disclosure of their personal information. Vigilantism will not be tolerated. The bill creates three new offences prohibiting misuse of information accessed or obtained from the public register. In addition, all persons who access the public register will receive warnings about the misuse of information, including penalties for the proposed offences.

The bill provides protection from liability to persons involved in the administration of the public register. Protection from liability is extended to the state. To ensure the effective operation of the public register, the bill provides that decisions cannot be reviewed unless the Supreme Court decides a relevant decision is affected by jurisdictional error. The bill includes an override declaration of the Human Rights Act 2019 with the required statement about exceptional circumstances detailing its necessity. The bill proposes a five-year statutory review of the public register coinciding with the expiration of the override declaration.

In conclusion, the bill reflects careful considerations and strikes an appropriate balance of community safety and the protection of children. Alongside the proposed public register, the Queensland Police Service will remain relentless in targeting those who do harm to the most vulnerable members of our community. I thank the committee for the opportunity to respond today and I welcome any questions the committee may have.

CHAIR: Firstly, could you unpack for the committee, please, what a reportable offender is, what level of offending that represents, and how many are in Queensland currently?

Deputy Commissioner Scanlon: I will defer to Mr Blanchfield. There are in excess of 3,000 individuals, but I will ask Mr Blanchfield to deal with that specific explanation.

Det. Supt Blanchfield: At the moment in Queensland we have a total of 3,240 reportable offenders. In that, we refer to 2,883 reportable offenders who are in the community. The difference being that some reportable offenders are in custody for other matters unrelated to sexual offending so they are suspended under the legislation, but we do monitor that to ensure that when they are released we clear them back as not suspended and deal with them. A reportable offender is an offender who has committed a serious sexual offence against a child under the Child Protection (Offender Reporting and Offender Prohibition Order) Act legislation. There are a number of offences that are nominated in the appendix to that as to what offences relate to reportable offenders and what they can be placed on orders for. That is done at the time of sentence and they become a reportable offender either after sentence or when released from custody if they do a period of custodial sentence. There is a lengthy list that constitutes offences that someone may become a reportable offender for. I believe it has been supplied to the committee.

Mr BUTCHER: On the back of that question from the chair, excluding the discretionary powers of the commissioner, how many of those child protection offender registry offenders are or would be captured under tier 2 criteria as set out in the bill moving forward?

Deputy Commissioner Scanlon: We have done some modelling on those numbers.

Ms Joseph: I can confirm that under tier 2, as at the date that we are at now, 749 total reportable offenders, including those subject to the Dangerous Prisoners (Sexual Offenders) Act, would be under tier 2 of the register.

Ms MARR: I think this might be directed at you, Mr Blanchfield. Can you explain to the committee how information awareness about sex offenders residing in your local area can improve vigilance and safety outcomes for Queensland families?

Det. Supt Blanchfield: The intention is to include a number of resources within the website to begin with to help educate parents about having robust discussions with their children in terms of how they can keep themselves safe. There will also be links to various agencies and resources that exist in the community to help parents to identify risks and to help prevent exposing children to those risks. We expect that there will be quite a suite of information contained within the website as well as those links to agencies that have very good and tried and tested programs that help protect children and help educate parents in how to educate their children to stay safe.

Ms MARR: That is important, so thank you very much.

CHAIR: As a follow-up question on that, you mentioned links to resources. There were some concerns brought to the committee around particularly a tier 3 where you find that the person who is interacting with your child, may be even your partner, is a reportable sex offender. You are then left with that situation and need to deal with it. Are there going to be resources where people can access links to support them?

Deputy Commissioner Scanlon: Yes, absolutely there will be. One of the significant things about tier 3 is that for the first time people in Queensland will be able to check those concerns about someone their child is in the care of. If that happens to be their partner, those checks on that will trigger in the back end of the system because it will be connected to our Child Protection Offender Registry staff, of which we have over 40 scattered throughout Queensland. That would then trigger further matters for us to have further contact with that family as to whether that child is at risk now and whether anything has occurred, but again that is one of the advantages of tier 3—that is, it is a mechanism to prevent further abuse, but there will be points of contact there. Obviously the front page will give people child protection information, but once that is triggered and then we can see that someone potentially is in contact with that child that would also cause the police to make further inquiries.

CHAIR: Right, so if somebody makes an application and it is a positive result then the police would be aware of that?

Deputy Commissioner Scanlon: Yes. We would have to contact that individual about what that positive contact actually is.

CHAIR: Great.

Mr BERKMAN: Thanks, everyone, for your time today. You would be aware that the human rights override in relation to this bill has been justified by the government on the basis that there is a child safety crisis gripping Queensland communities as shown by many horrific abuse cases and allegations over recent times. No-one will dispute the seriousness of any instance of child sexual abuse, but can you advise the committee if you are aware of any sudden or current escalation in the incidence of child sexual abuse in Queensland?

Deputy Commissioner Scanlon: In terms of current reporting of child abuse cases, there is no dramatic spike. That said, in terms of some of the child offending online, some of those online offences that we see, are a constant battle to us. In terms of this program, this program is about prevention. Being able to check whether your child is in contact or you have left your child in the care of somebody is not something that has been available to the community before at this level, so in fact this particular register allows preventive action before abuse happens. If someone is in contact, then that intervention effectively could prevent further children being abused.

Mr BERKMAN: I appreciate that. As a follow-up question, as a committee we have been briefed that there has been no evidence presented to demonstrate that the release of this information through the register would have a protective impact or that it would deter individuals from engaging in child sexual abuse behaviour. Are you able to provide the committee with any such abuse that justifies that view that it will be preventive?

Ms Joseph: The policy intent of the public register is to make information accessible to the community. Research shows that deterrence effects are difficult to measure and they vary in relation to public registers. However, the Queensland Police Service is committed to delivering the government election commitment and the policy intent, which is really to make that information available so that parents, guardians and generally the community can remain vigilant in their communities and help to protect children.

Mr BERKMAN: Thank you. Obviously we appreciate that policy intent and understand the QPS's role in engaging with government election commitments, but specifically—and it is fine if the answer is no—can you point to any evidence of the type I described a moment ago that this register created by this legislation will have a protective impact or a deterrent effect?

Deputy Commissioner Scanlon: Member, I have been working in child protection most of my career. If I had potentially had a register available to parents of children I have seen over the years where they could have checked on those things or individuals they have become involved with in a relationship or left their child with, potentially if they had known this information, their child would not have been abused. Anything that we can do to protect a child in Queensland in my view to prevent further sexual abuse has to be a good thing for the Queensland community and the children of this community.

Mr BERKMAN: In respect of those serious sexual offences that trigger the operation of this legislation, are you able to provide us with some historical data, say, over the last five years, with the number of instances of each of those specific types of offences? I appreciate that it might be something that needs to be taken on notice, but I am very keen to see that historical trend if at all possible.

Deputy Commissioner Scanlon: We will have to take that on notice. That may even require an individual audit, which is impractical, but nonetheless we will take it on notice and see what we can do.

CHAIR: Yes. Deputy Commissioner, if that is impractical to provide, that is okay. What was the specific question, sorry?

Mr BERKMAN: We heard just a moment ago that there are a number of articulated serious sexual offences against a child that trigger the existing reporting obligations and other bases of this legislation too. What I am keen to understand is this: how many people have been convicted of each of those offences over a historical timeline? I assume surely the QPS must maintain conviction data in respect of different offence types. What I am keen to get is a timeline of the last five years, or even 10 years would be great, to see how many people have been convicted of those offences over time.

CHAIR: To what end, member? This is an onerous task you are sending the deputy commissioner off to do. Can you just explain to the committee how it relates to the bill?

Mr BERKMAN: Absolutely I can. First of all, no-one other than you so far has said that it is an onerous task that cannot be satisfied. We have evidence from the QPS here that they do record that kind of conviction data. What I will say is that it is imperative in understanding whether there is in fact a justification for a human rights override here given the comments we heard before from the Human Rights Commission and its concerns that there was no evidence of a sudden or current escalation in the incidence of child sexual abuse to justify the human rights override.

CHAIR: I think the deputy commissioner answered that question though when you asked whether there was a sudden increase and she said no.

Mr BERKMAN: Would you suggest, Chair, that the data is not useful in further understanding or interrogating that question?

CHAIR: Deputy Commissioner, can you advise the committee whether or not that data that the member is asking for is readily available?

Deputy Commissioner Scanlon: We would be able to give you offences charged. We would have to enlist the Department of Justice potentially on conviction, but offences charged certainly. Depending on how long you are talking about—three years, two years, five years—we could extract data on offences charged.

Ms MARR: If I can just say something that may assist here, the initial questioning from the member was around how do we know if there were any instances of prevention and that there is a question as to whether this is a preventive measure. Is it not true that there is absolutely no data or no ability to identify how many people will be protected with this website?

Deputy Commissioner Scanlon: Yes, that is correct. Until we put this register in place, the other precedents are Western Australia, which is up and running in terms of prevention, but this is a brand new piece of work for us. In terms of that predictive data, we would have to wait until the register is in place, but we can certainly give you offences. If you are looking at how many serious offences are captured, we can give you charge data.

Mr BERKMAN: Thank you. I would very much appreciate that.

CHAIR: Deputy Commissioner, if you could take that on notice for the last five years perhaps of those offences as outlined by the member for Maiwar, that would be appreciated.

Mr BERKMAN: Thank you.

CHAIR: I would make the observation that the minister has made that declaration and it is a probably a question for the minister rather than the commissioner, but anyway we will push on.

Mr FIELD: Superintendent, Bruce and Denise Morcombe, as we know, have been advocating for Daniel's Law for over 20 years now. Now that they have achieved that goal with the help of the Crisafulli government, can you explain again how the scheme will assist local carers to find out whether a sex offender is living in their local neighbourhood? I note that you briefly touched on that before, but is there anything further you can elaborate on?

Det. Supt Blanchfield: The opening address by the deputy probably covered that fairly well. Tier 1 is those instances where we have concerns about a particular person and we want to find them in essence—in plain language for people—and we would put sufficient information on the website for that to occur, and that could be a range of things including a photograph, date of birth et cetera, but that would depend on what we are looking for and what might assist to help us find that, and we in no way want people to approach those individuals. We will have specific instruction on the website explaining how people can inform us of their sighting of that person.

Tier 2 is broader in scope for individuals within the community. If you live in a suburb, you will be able to go to the website and through a series of approvals identify yourself and your residential location to help narrow the search and you will be provided with photographs of persons within that geographical area for your use or use with your child to help protect your child.

The tier 3 model will be for people who have concerns about someone their child is going to have access with, and not just face-to-face access. There is the ability for people who may be having contact with people online. It may be able to provide that information, again with some caveats around who you are and your relationship to that child in terms of your parental role, and then you will be provided with information about that person—that is, yes or no as to whether they are on the register.

Mr FIELD: In a sense, when they are provided with these photos and that information about these existing individuals the laws will have restrictions on whether they can then go and make those public on Facebook, so that is that ironic issue where it will then be an offence for them to release that information to the public?

Det. Supt Blanchfield: That is correct.

Mr RUSSO: There have been some public submissions that have raised concerns that for tier 2, unlike Western Australia and South Australia, the bill contains no guidance in what factors should inform the Police Commissioner when making their decision—for example, information regarding medical and psychiatric assessments. Are you able to outline for the committee why the approach that was taken in South Australia and Western Australia has not been taken with the drafting of this bill?

CHAIR: I think, member, you are asking for an opinion on policy. They can give facts as to how it would operate, but in terms of the decision around the bill, that is a question for the minister, I would suggest. I will allow the QPS to answer that in whatever capacity you are able to.

Ms Joseph: I can confirm section 74AH of the bill outlines the matters that the Police Commissioner may have regard to when making decisions around the publication or disclosure of information. Some of the matters that may be considered are the effect that the publication, removal or provision of the identifying information might have on a victim of an offence committed by an offender; whether the publication, removal or provision of the identifying information would be likely to prejudice a criminal proceeding in relation to the offender or an investigation by the Queensland Police Service or other law enforcement agency of a state or the Commonwealth in relation to a contravention or possible contravention of a law by the offender; whether the publication, removal or provision of the identifying information is in the public interest and consistent with the purposes of this act; and any other matter the Police Commissioner considers relevant in releasing that information to a member of the public.

Mr RUSSO: This is a question I have asked some of the other people who have come along today. In relation to tier 3, a specific person being searched for may not be on the child protection offender register but still have other relevant criminal history; for example, serious sexual assault against an adult. Is it anticipated how the QPS may deal with this in responding to an application, especially in relation to tier 3?

Deputy Commissioner Scanlon: In the absence of this register, as it stands now if a concern was raised with us around somebody residing or cohabiting in a family with young children who were at risk, that would constitute a child protection notification if we saw things in the system that alerted us to the fact there was someone residing with or in contact with children that we should have concerns about. This scheme will be separate. If you are not on the register and you do not qualify, there will be no image or nothing available to that family. In an automated system, if someone checked that—and this is an additional layer—and information came to us that there was somebody in contact with a child that raised a concern, we would be actioning that anyway.

Det. Supt Blanchfield: You have to factor in that, as they land on that website to make that inquiry, there is a range of material there that provides information about how you assess safety for your child, how you share concerns for risk with your child. If you have a feeling you are not comfortable with and you access our website, there will be a range of materials and agencies you can seek to get assistance from. If you check and you get a no, but you are still uncomfortable with that, there is a range of materials there. We need to emphasise that this platform has, as its first and foremost step, education for parents about how to keep their kids safe in their home themselves without necessarily relying on what they get from our website. It will help them. It is part of a suite of things to help keep your child safe. That educative part is the first step they need to address.

CHAIR: Could you unpack for the committee a little bit more about how tier 2 searches will work in terms of what that looks like practically on the website. I note the deputy commissioner in the opening statement said they would be able to temporarily view a photo. Does it bring up a mat board with dots on it or does it bring up photos individually that flash up on the screen for a few seconds? Do you have an idea of how that would look at this point in time? It is okay if you do not; somebody designing the website.

Ms Murphy: We are currently looking at a range of options to display that information and whether or not we can do that in a way that is quite controlled to minimise the misuse of that information. As they come through, all applicants for tier 2 will have to agree to the conditions of the site and the viewing of any images that may come up. As we said before, only images of people within that tier 2 cohort in their local area will be available to see. How long that is available for or how those images appear is currently being worked through with some IT solutions.

CHAIR: The committee will have a look at the WA model. We will be travelling over there. Are you looking to their software et cetera for Queensland, or are you starting from scratch?

Deputy Commissioner Scanlon: There are processes currently underway in terms of procurement. Various vendors are being looked at and there are proof-of-concept options underway. This is a new build for Queensland. Others have built within from other systems, both in Western Australia and South Australia, but we are building new technology for this. It will be automated and therefore does not need great numbers of FTE manually managing these things. We should have the technology to help manage these systems to the public. That is in progress at the moment.

Ms MARR: I have a follow-up question for Ms Murphy, if I may, because you touched on it a little bit when you were responding to the last question. Are you aware of any instances of vigilantism in Western Australia? If so, how many were actioned in the court system over the last 13 years since it was implemented in 2012?

Ms Murphy: We have engaged with our colleagues in Western Australia and asked them specifically about vigilantism. They have reported there have been very low instances of vigilantism. I believe in their evaluation report they had only used it once, to our knowledge. It is essentially probably a matter for WA to respond to that.

Ms MARR: Would that be due to the consequences of the charges that would be laid or offences that—you cannot answer that; that is fine. I will ask them when I am there.

Mr BUTCHER: Deputy Commissioner, how many staff, sworn or unsworn, will be required to operationalise the register once it is established?

Deputy Commissioner Scanlon: We will establish a small team to begin with. It depends on the technology, to be honest. We do not know what the load will be on the system. It is a matter of public record that \$10 million has already been put in to progress this work. We will have a small team of staff, but that will be dependent on how far the technology takes us. I have over 40 child protection registry detectives around the state as well as the central registry. They will be hooked in very closely with the team, obviously, because they are operating a register in tandem. We will initially have four or five staff to get it underway, but that is until we establish what is needed in terms of FTEs going forward pending the technology build.

Mr BUTCHER: What is the process moving forward in relation to this bill? No tender has been put out for the development of the required platform at this point in time.

Deputy Commissioner Scanlon: No, we are working through that with whoever might be able to complete that work for us.

Mr BUTCHER: How long do you envisage it could take before we get a tender out, the information you need, and then we start to implement the new platform for users in Queensland after this bill is passed?

Deputy Commissioner Scanlon: That work is underway. It is in progress with our transformation office. We have laid out some timeframes around that. That work is underway. We have not seen the proof of concept yet so it is early days. The commitment has been made by the government to commence this work in 2026, and that is what I am working towards.

Mr BUTCHER: In your mind, when do you believe the QPS expects Daniel's Law to be fully operationalised and ready to go live? Are you saying early or late 2026?

Deputy Commissioner Scanlon: There may need to be a phased approach. We are working forward, but again it will depend on the technology build. I would like to deliver it as soon as I can. There may be phases delivered from 1 January and others that may be beyond that. As I said, it is currently underway in the procurement process. Yes, absolutely by early 2026 I would expect that we will have a fully operational system.

Mr FIELD: I will ask the easiest question there is: do you see any negatives with this legislation?

Deputy Commissioner Scanlon: I think from my own operational experience there is a balance that has been struck with this legislation. There has to be a deterrent for vigilantism. That is very much part of getting the balance right. What is the balance of protecting children versus the balance of the alternative? I think in this instance there will always be things that people are not happy about depending on who you are associated with. I guess there will be some things that people will not be happy with; there will be things that people will be happy with. The main principle of this is to protect children. At the end of the day, if we protect children—that is what this is about—then we have accomplished what the legislation should be doing. It is giving parents and others an opportunity to act protectively so their children are not abused by people in the community whom we know are risky.

Mr BUTCHER: Deputy Commissioner, we were talking about the platform in the last lot of questions I asked. I want to know more about what the QPS is doing in relation to the operational guidelines moving forward. What has been or is being developed by the QPS for the operationalisation of this legislation for the QPS itself, and are you able to provide some form of a guideline to the committee on what that would look like?

Deputy Commissioner Scanlon: There is already a team. There are several teams—some of those staff you see either side of me here—who have been working on this for many, many weeks as well as a technical team that is working through transformation. There is the legislative piece of this particular delivery and then there are the technical aspects of that. There are already teams up and running from within our existing resources to deliver this program of work.

Mr BUTCHER: How many would you say there are working on it right now compared to what it will look like operationally when this is up and running? Obviously you have staff you are utilising now. What will that look like on the operational side of things?

Deputy Commissioner Scanlon: When this register is live there will be full-time staff who have to manage it. Even with the technical build they will have to be co-located with our Child Protection Offender Registry, which is the non-public facing register. They will be co-located. The staff who are on this now have a whole raft of duties in other things—policy and performance people, staff from the child abuse and sex crimes group. We have technical people who are from different teams working on different projects. That is just to do the build on both sides. Once the register is up and running there will be a team of full-time staff. Our Child Protection Offender Registry and our Child Protection Investigation Unit staff across the state, our investigators everywhere, will play a role in this when that register is live. To answer your question, there is a core group that will manage the register not dissimilar to our current CPOR register.

Mr BUTCHER: I know you said you have them all around the state. Are you going to have to add to the number of police on the ground running this register?

Deputy Commissioner Scanlon: That will depend on how much volume hits the register. We can do predictive modelling on what Western Australia has seen, but again this is a new piece of work so we will have to gauge that as we roll out. If we can automate it the way it has been planned and is currently being put together, as I said, not dissimilar to our Child Protection Offender Registry—and it will be more modern technology—I would envisage that will be much easier to operate. Then the other staff will be utilised when there is a positive hit on the system, because then we will need to reach out to those families.

CHAIR: I guess the 350 extra staff in the last 10 months—and growing—is a help as well? Ms Joseph, can you discuss what provisions have been included in the legislation to review Daniel's Law's effectiveness and any unforeseen adverse outcomes?

Ms Joseph: There will be a statutory review after five years of operationalisation of the register in the community. That is to align with the human rights override declaration and also to give a substantial period of time to understand the trends, impacts and the volume of traffic that we see through the register. In terms of consequences, I believe the Deputy Commissioner touched on that before in her answer to the question that was raised previously. We do foresee there may be secondary impacts. I have heard from other briefings this morning about the secondary impacts to identified family members.

The Queensland Police Service is cognisant that that will be a consequence of the register. But, as has been described throughout this briefing, the real intent that we are trying to achieve with the register is to the safety of children. Naturally, the Police Commissioner's discretionary powers will allow for considerations, particularly in our First Nations communities and smaller communities, to explore opportunities to reduce that impact where necessary. However, the Queensland Police Service will always act to prevent any form of sexual abuse to children, so that will be our primary motive in terms of operationalising the register as intended.

Mr BERKMAN: I follow on from the member for Toohey's questions around section 74AH and the discretion that the commissioner holds in considering matters before making that decision on the publication or removal of identifying information. I appreciate that the legislation, as drafted, is a policy question. I am curious though, Deputy Commissioner, whether you can foresee any operational issues that might arise if there was a requirement, for example, to consult with victims before the publication of information or any other potential mandatory considerations in that process.

Deputy Commissioner Scanlon: I think that is the importance of the discretionary provision. There might be an occasion where we would need to locate a person, particularly in a small community. Sometimes in a small rural community, if family members were still there and of an age where they

were perhaps no longer children but adults in a community, as to whether that would require us to release information, that is where discretion would have to be applied to look at that. That said, would we release the publication of a photo if we believed a child was being abused in another household? Yes, to protect a child, but there could be times where that discretion will need to be applied in certain circumstances. That is a case-by-case circumstance that might arise. The aim of this is certainly to protect children from further abuse.

Mr BERKMAN: Can you shed any light for the committee on what the operational guidelines around that provision might say about particular considerations that should be contemplated? Without mandatory considerations, I am just trying to understand what the operational guidelines might suggest to that end?

Deputy Commissioner Scanlon: It would be no different to what we do now in an operational setting where we have operational procedures, manuals, advice for our people or policy guidelines and directives around those things. It is the same way that our child protection offender registry staff operate. They operate under certain guidelines in dealing with their legislation, policy and practise. The same will have to be built around this, around those sections and what that will require in terms of our policy and practise in operationalising it.

Mr BERKMAN: Can you suggest, though, what the operational guidelines might require in that discretionary decision?

Deputy Commissioner Scanlon: Our policy setting has to be built around the legislative requirements—some of the things that Ms Joseph outlaid earlier in that section about the commissioner's discretion. Those things will have to be built into our guidelines around how to apply that discretion.

Ms MARR: Deputy Commissioner, you spoke before about changes in technology and how that has changed all of your jobs over there as well. I want to repeat a line that Ms Ronken from Bravehearts said today. She said, 'Predators are not only grooming children; they are grooming families.' She also mentioned the risk to single parents and getting new partners and protecting their children. Can you tell us how Daniel's Law could work in that environment where a parent is concerned about introducing somebody different into their family home? How would this protect them?

Deputy Commissioner Scanlon: Absolutely. I would agree with Ms Ronken's take on that. Those things do happen. That is why tier 3 becomes important. If you have another person coming into your household and you are going to leave your child in the care of that person, that is what tier 3 is about. Where there are those concerns—where someone has gone into a relationship and they are feeling quite uncomfortable about that and they are not sure and want to make inquiries about that—that is what tier 3 is all about. There is a real opportunity that people could reach in.

The best protective measures, however, are not this register. The best protective measures are to act protectively as a parent, to listen to your child and also to educate children in protective behaviours. I have not seen the presentation this morning from Bruce and Denise Morcombe, but their work in educating children about protective behaviours is absolutely outstanding in terms of what they have done for children, not only in this state but across Australia. Protective behaviours, and a parent who has the ability to act on things when a child discloses things, are the best protection of the lot. You might leave your child with a tutor or it might be somebody else who you are leaving your child with that you have some concern about. This is an opportunity for a single parent, or whoever they might be, to check the register to see if those concerns are real.

Ms MARR: Like the Morcombes said, it is just another tool in addition to what we have already been doing.

Deputy Commissioner Scanlon: Absolutely.

CHAIR: With reportable offenders, are there restrictions on them in relation to involving themselves with a family with children? Are they breaching their conditions by getting a new partner who has children?

Det. Supt Blanchfield: No. They are not breaching their requirements but, if they are not reporting that contact to us, they are. That is where this dovetails in with the existing management processes that we have of our reportable offenders. We would hope that, if a parent accesses the website under tier 3, we possibly already know that that contact is occurring and may have already engaged with that family and provided information in a perfect world. That does not always happen. That is where, as the deputy commissioner mentioned before, a request under tier 3 will likely trigger us to take certain actions in our CPOR area.

CHAIR: At the moment, if a reportable offender reports to you, as required, 'I have moved in with a new family,' is any information provided to that family?

Det. Supt Blanchfield: Yes.

Mr RUSSO: Picking up on some of the earlier points about notifying the victims, I am trying to unpack that. You guys are at the coalface. Do you think it would be helpful to have mandatory notification to victims when an inquiry has been made, or is that too cumbersome?

Deputy Commissioner Scanlon: It is a question that has been raised before, and we have explored this. Some of the people who are on our register have many, many victims. The practicalities of actually contacting every victim—if I had an offender who has had contact and is on the register because there are 12 or 15 previous victims, I would not delay releasing a photo because I might not be able to find all 15 victims. Then you delay preventing something happening to another child. We have explored that, and that is the challenge.

What we will do is, when this is effective, we will be providing information to all victims. When we charge somebody, the victim will be given a fact sheet about what this process is about and what the nature of this will do in terms of going forward. It is impractical to try to notify or contact previous victims before you release information. Retrospectively it is not possible. It is also difficult when our online offenders sometimes have hundreds of victims.

Mr FIELD: I think most people understand you cannot give a definite number of how many people are going to be assigned to this program. I am assuming it will be the number that is required at the end of the day. As far as I see it, the idea of this whole thing is to make it easier for people or carers to find out whether there are offenders in their area. At the end of the day, it is there as a tool to have fewer victims, I suppose. Is that right?

Deputy Commissioner Scanlon: Correct.

Mr BUTCHER: In relation to tier 3, to avoid any false sense of security on the part of the applicant, how would the QPS handle, for example, a tier 3 application where the specified individual is not listed on the Child Protection Offender Registry but does have other relevant criminal history such as being subject to the Dangerous Prisoners (Sexual Offenders) Act?

Deputy Commissioner Scanlon: I have probably covered some of that in answer to a previous question. In our normal day-to-day child protection work, if we have information that places a child in the care or with somebody that could place them at risk, that would trigger a child protection notification and contact with the department of child safety. If they come up through this register and we get a positive connection, we will know that that family is making inquiries about that person being in contact with their child. That will require follow up anyway. In the absence of this register, information coming from anywhere about someone who could be a dangerous prisoner in contact with a child would trigger a child protection notification for us.

CHAIR: In relation to tier 1 offenders, I think it was the Law Society or the Bar Association expressed concerns around the threshold of what would put somebody on the tier 1 register. I think the comment was made that sometimes the police say they cannot locate someone when they are quite easy to locate. I imagine it is a higher threshold than that to be on tier 1. Could you flesh out for us how you get on the tier 1 register?

Det. Supt Blanchfield: Our data would indicate that, in the previous 12 months or in our assessment of the numbers, we are looking at a figure of probably five to nine reportable offenders over a year who may become tier 1. Our resources are very good at locating people, but they are not perfect, particularly if the person does not want to be found. Given that number of reportable offenders and the amount of work we can and will do to locate that person without going to the public, because speed is of the essence to find someone who we think is a risk to community particularly children, I think the threshold is suitable. They need to be someone we just cannot locate. We do have a range of ways to locate people without publicly releasing information. We would also suggest that it is unlikely that we would release information. For operational reasons as well, we would not necessarily go public due to some of the methodologies we might use to try to locate someone. With that number—five to nine in a year—and methodologies that we do have that we would use before we went public, I think there is a degree of comfort there.

Mr BERKMAN: We did hear from the Bar Association that they have some concerns about potential unintended consequences, specifically the impacts on the likelihood of entering a guilty plea. The establishment of the register might deter offenders from pleading guilty. Is that something that QPS has considered, and is it a concern that you share to any extent?

Ms Joseph: The register is purely an administrative-based register. We have not anticipated that the register or individuals who are subject to it will influence the sentencing outcomes. However, in saying that, we recognise that that may be a potential, but we will only be able to assess that once the register has commenced and to look at those trends and impacts over time. I foresee that the statutory review will also pick up on that. Aside from that five-year statutory review, I envisage that the QPS would be setting up a project board. We have already established one, but upon commencement we would also be reviewing those trends and impacts that we are seeing in terms of sentencing.

CHAIR: Thank you, representatives from the Queensland Police Service, for attending today. I believe one question was taken on notice and a response is required by 10 am on Friday, 26 September, if that is doable, so we can include it in our deliberations. That concludes the public briefing. Thank you to everyone who has participated today. Thank you to our Hansard reporters. The transcript of these proceedings will be available on the committee's webpage in due course. I declare this public briefing closed.

The committee adjourned at 1.58 pm.