

Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025

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Justice, Integrity and Community Safety Committee
Queensland Parliament

Submission:

Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025

To whom it may concern,

We thank you for the opportunity to a submission in relation to the *Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025*.

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.

The below submission (with minor amendments) was originally submitted to the Strategic Policy and Legislation Branch, Policy and Performance Division, Queensland Police Service in response to their discussion paper: *Establishing a Queensland Public Child Sex Offender Disclosure Scheme (Daniel's Law)*.

The Bill

Bravehearts supports the *Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025* and the intention behind the Bill.

We note that non-public registration of child sex offenders has been in place in Australia since 2000, based on the UK Sex Offenders Act 1997. Managed by the Australian Criminal Intelligence Commission (ACIC), the National Child Offender System (NCOS), provides police across jurisdictions to record and share information on registered child sex offenders (this includes addresses and contact details, as well as information on vehicles, employment, club memberships and any children the offender has contact with. In addition, many Australian jurisdictions provide police with the discretion to notify, or disclose to, relevant agencies and personally effected individuals, certain details relating to released, adult, serious child sex offenders where an obvious risk exists.

However, the public disclosure of a sex offender's information has become a popular response to the risk released offenders pose to the community, with the main objective to increase public safety. While Bravehearts does not support community notification in the form of Megan's Law in the United States and the subsequent unintended consequences, we have advocated for restricted disclosure schemes based on the Western Australian tiered model and the Child Sex Offender Disclosure Scheme (CSOD)/Sarah's Law in the United Kingdom. We strongly believe that such disclosure schemes can be seen as a form of tertiary prevention in optimal circumstances.

Specific Recommendations

On reviewing the *Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025*, we offer the following recommendations (explored in detail below):

- Daniel's Law should be viewed as one component of a multi-faceted approach to preventing child sexual abuse. When integrated with offender monitoring, therapeutic support and interagency collaboration, controlled disclosure schemes can provide a pragmatic and ethical mechanism for reducing harm.
- We would argue that it is critical that community education be included front and centre on the disclosure scheme portal. This should include:
 - the limitations of the scheme,
 - the nature of sex offending – for example, prevalence, who offenders are, grooming processes.
 - personal safety messages for parents and guardians, with links to websites that can support parents and guardians.
 - links to support services.
- Ensure website and communication with individuals seeking information clear, trauma-informed (e.g. do not want new offences such as vigilantism to come across as threatening to victims who may be feeling vulnerable and as if justice has not been served).
- Consideration be given to reviewing Tier 3 consideration given to fact that some may go to site who are not carers of a child (e.g., grandparent concerned about mum's new boyfriend – need to give them info on appropriate steps).
- Education/marketing campaign going alongside (perhaps seek input from victims and survivors on how to deliver the messages around the scheme, and its limitations).

Detailed Response

The Proposed Scheme

Bravehearts supports the proposed Daniel's Law in Queensland, which we believe would allow for controlled public disclosure of information about convicted child sex offenders.

Community support for such schemes has remained high across jurisdictions, reflecting a broader public expectation that child protection policies be proactive and transparent. Victim advocacy organisations, including the Daniel Morcombe Foundation, have long championed mechanisms that allow parents to make informed decisions in the best interests of their children. From a child rights perspective, the scheme aligns with Australia's obligations under the United Nations Convention on the Rights of the Child, particularly Article 34, which mandates that states protect children from all forms of sexual exploitation and abuse (UN General Assembly, 1989). A disclosure scheme that is tightly regulated and implemented in a child-centred manner can therefore be considered a proportionate response to the ongoing risks of recidivist sexual offending.

International evidence supports the utility of disclosure schemes when implemented responsibly. An evaluation of the UK's CSOD found that while the number of formal disclosures was modest, the policy improved public confidence in police and facilitated timely interventions in high-risk cases (Home Office, 2010). Similar benefits were noted in Western Australia, where the Community Protection Website led to increased parental vigilance and requests for information, though disclosures were made only when police determined there was a significant risk (Department of the Attorney General WA, 2014). Importantly, Daniel's Law

proposes a controlled disclosure model—restricting information to individuals with a legitimate interest (such as parents or guardians)—which mitigates the risks of vigilante behaviour, misidentification, and broader social harm often associated with public registries (Freiberg, 2011; Richards, 2011).

Holistic Approach

A national public register will only ever tell us about a small number of offenders. To begin with, official disclosure rates are low. Many victims do not disclose to the authorities. Recent research highlights that while child sexual abuse (CSA) is prevalent in Australia, disclosure remains a complex and uneven process. The Australian Child Maltreatment Study (ACMS) reported that 28.5% of Australians aged 16 and over have experienced CSA, with significantly higher rates among women (37.3%) than men (18.8%) (Mathews et al., 2023). However, not all victims disclose their experiences. A national study by Mathews et al. (2025) found that disclosure rates vary considerably, with approximately 76.1% of girls and young women disclosing CSA compared to 55.8% of boys and young men.

Attrition rates of sex offences within the criminal justice system remain persistently high, reflecting systemic challenges in securing justice for victims (Gilbert, 2024; Flannery, Quinn & Barnaba, 2024). A substantial proportion of sexual offence cases fail to progress from reporting to conviction, often due to factors such as evidentiary difficulties, societal myths about sexual violence, and victim withdrawal. Research from Daly and Bouhours (2010) found that, across multiple jurisdictions, only a small fraction of reported sexual offences—ranging from 5% to 20%—resulted in a conviction. These rates are significantly lower than for other violent crimes, indicating that sexual offences face unique procedural and cultural barriers.

For these reasons, ultimately Daniel’s Law should be viewed as one component of a multi-faceted approach to preventing child sexual abuse. When integrated with offender monitoring, therapeutic support, community education, and interagency collaboration, controlled disclosure schemes can provide a pragmatic and ethical mechanism for reducing harm. While critics may argue that public disclosure compromises rehabilitation, the limited scope and procedural safeguards proposed under Daniel’s Law aim to strike an appropriate balance between public protection and offender reintegration (Richards, 2011). As such, the proposed legislation represents a step toward a more transparent, community-engaged, and child-focused criminal justice response in Queensland.

In addition to community education (discussed below), we advocate for a holistic approach that encompasses:

- The strengthening of continued detention legislation that exists in various forms across the country (e.g. the Dangerous Prisoners (Sex Offenders) Act 2004 [Qld]) would provide the capacity to ensure that offenders who are assessed as an unacceptable risk of reoffending remain incarcerated until such time as the risk is considered able to be managed.
- Strengthening of existing inter-jurisdictional and ‘multi-agency’ relationships for the monitoring of sex offenders post release. Providing police and community corrections with greater resources and avenues for sharing information is critical to ensure the effective monitoring and currency of offenders’ information. As a component of monitoring, Bravehearts supports enhanced and strengthened approaches to supervising offenders in the community to assist offenders in managing their risk levels.

It is our position that we need to utilise a battery of tools to increase desistence from re-offending.

- There is a need for improved access to rehabilitation programs, both within and outside of custodial settings.
- A focus on providing support to address factors associated with risk of reoffending warrants greater attention. The period immediately following the release of child sex offenders from prison into the community carries the highest risk of reoffending. However, research shows that sex offenders who receive support during this time are less likely to reoffend (Richards, Death & Ronken, 2023; Richards, Death & Ronken, 2021). Bravehearts supports the Circles of Support and Accountability (COSA) model, currently running in South Australia. The emerging international evidence suggests that COSA can reduce sexual, violent and general reoffending, protect the community from sexual recidivism, and more effectively monitor and manage sex offenders in the community than statutory (parole) supervision alone.
- Identifying and providing prevention and early intervention programs with sex offenders is critical in any holistic approach to protecting communities and addressing sexual offending. Preventative interventions with individuals at risk of offending, often referred to as primary or "upstream" prevention, are gaining recognition as a necessary component of a comprehensive child protection strategy. Programs such as the Stop It Now! initiative provide confidential support and counselling to individuals concerned about their sexual thoughts or behaviours toward children, aiming to prevent first-time offences (Letourneau et al., 2017). These programs reflect an important shift toward public health-informed approaches that view child sexual abuse not only as a criminal issue but also as a preventable behavioural and societal problem
- The need to address harmful sexualised behaviours in children and young people, to prevent future offending has been addressed in the recent Royal Commission into Institutional Responses to Child Sexual Abuse. Volume 10, of the Final Report handed down in December 2017, was dedicated to children and young people with harmful sexual behaviours. All 7 recommendations delivered in Volume 10 are aimed at ensuring that there is an evidence-based response (e.g. Bravehearts' Turning Corners program).

Community Education

Sex offender disclosure schemes, while intended to enhance public safety by informing communities about known offenders, can inadvertently create a false sense of security among the public. These schemes focus on individuals who have already been convicted and registered, yet the majority of sexual offenses are committed by those not previously identified by the criminal justice system. As a result, disclosure laws may lead people to overestimate their ability to detect and avoid risk, potentially neglecting vigilance in everyday interactions and broader prevention strategies. This false reassurance risks complacency, ultimately undermining comprehensive efforts to protect vulnerable populations.

A major challenge for Queensland is the need to ensure such schemes do not shift attention away from systemic issues like education, early intervention, and support services, offering a simplistic approach that does not address the complex nature of sexual offending or the nuances of risk.

Providing information and links to services on the portal for the Scheme would be critical to ensuring a holistic and informed approach to protecting children, young people and the community.

Increased public awareness of safety and protective skills, specifically programs that build resiliency and empower children with the knowledge to keep safe. Evidence-based, developmentally appropriate personal safety programs, such as Bravehearts' Ditto's Keep Safe Adventure, the Keeping Kids Safe Resources through The Daniel Morcombe Foundation and Learn to be Safe with Emmy and Friends through Act for Kids, are proven to play a key role in providing children and young people with knowledge and skills that reduce vulnerability to offenders. Broader campaigns and programs aimed at adults is important to provide information that supports them in protecting children (focussed on the myths and facts of child sexual assault, including who offenders are, dispelling the prevalent 'stranger danger' myth, and providing knowledge around the dynamics of offending, as well as tips for speaking with children of all ages).

Trauma-informed Language and Website Design

Public child sex offender disclosure scheme websites must adopt trauma-informed language and approaches to ensure they do not unintentionally harm or retraumatise survivors of sexual abuse. A trauma-informed approach recognises the widespread impacts of trauma and seeks to create environments of physical, psychological, and emotional safety (Queensland Centre for Domestic and Family Violence Research, undated). Language used on public-facing websites can significantly influence survivors' emotional responses and their willingness to engage with the content or services. Research demonstrates that insensitive or stigmatising language—such as overly graphic descriptions or labels like "predator"—can activate trauma responses, reinforce feelings of shame, and undermine recovery (Bryant-Davis et al., 2017; Quadara & Wall, 2012). For public disclosure websites, which may be accessed by survivors seeking information or reassurance, embedding language that is respectful, non-sensational, and empowering is essential to prevent inadvertent harm.

Moreover, trauma-informed design is critical in acknowledging the diverse needs of individuals accessing these platforms, including survivors, families, and community members. Such websites must balance public safety objectives with ethical considerations around victim sensitivity, privacy, and community well-being. Trauma-informed communication also includes providing clear explanations of the site's purpose, limitations, and appropriate supports—such as links to counselling services or survivor advocacy organisations (Mathews et al., 2020). Failing to do so may amplify public fear or trigger distress in survivors and others with lived experience. As public disclosure schemes expand, incorporating trauma-informed principles is not only a best-practice standard but a necessary safeguard for the ethical delivery of community protection initiatives (Powell & Wright, 2012).

Tier 3 Review

Under the proposed framework, only parents, guardians or someone having or exercising ongoing parental responsibility may receive information if police checks confirm that a person poses a risk to a child due to prior child-sexual offences or substantiated intelligence.

Bravehearts believes that restricting disclosure to parents or guardians may miss risks posed by people known to the family, such as new partners or close acquaintances.

If a new partner, trusted family friend or neighbour poses a risk, disclosure only to parents may not always suffice if the parent cannot act or see potential concerns. It may be argued that non-guardian third parties (e.g. grandparents or concerned neighbours) might be better placed to raise alarms or offer protections.

We would advocate that information be included on the Tier 3 portal, that directs those with concerns about the safety of a child or children to raise their concerns with the appropriate authority, such as child protection.

While we understand that expanding eligibility for Tier 3 may raise significant concerns about privacy, policing, and unintended consequences, we believe this is a valid area for further consideration. Bravehearts would suggest that on the first review of the scheme, in its current format, consideration be given to expanding Tier 3.

Education/Marketing Campaign

The introduction of a public child sex offender disclosure scheme necessitates a strong and strategic focus on community education and marketing to ensure the initiative is both effective and ethically sound. Public understanding of the scheme's purpose, scope, and limitations is critical to prevent misinformation, misapplication, and undue fear. Without clear messaging, there is a risk the public may misinterpret the scheme as a comprehensive solution to child sexual abuse, when in reality it is one tool among many for safeguarding children. Community education campaigns can provide important context about the nature of sexual offending, including the fact that most child sexual abuse is perpetrated by someone known to the child and not necessarily by individuals listed on public registers. This helps avoid reinforcing stranger-danger myths and supports a more informed, preventative approach to child protection.

Marketing and education efforts are also essential for promoting responsible use of the scheme. Clear communication around the legal boundaries, privacy protections, and reporting mechanisms ensures the community engages with the disclosure process in a way that minimises harm and upholds the rights of all individuals involved. Moreover, effective marketing can foster community trust by highlighting the scheme's integration with broader child protection systems and trauma-informed support services. Culturally appropriate and accessible materials, especially for First Nations communities and linguistically diverse populations, are vital to ensure equity in access and understanding. Ultimately, community education and marketing are not peripheral activities but core components of a safe, fair, and impactful public disclosure scheme.

Co-designing an education and marketing campaign for a public child sex offender disclosure scheme with victims and survivors is crucial to ensure the messaging is respectful, accurate, and empowering. Survivors bring invaluable perspectives on the language, tone, and imagery that can either support or retraumatise individuals with lived experience. Their involvement helps shape a campaign that avoids sensationalism, challenges harmful myths, and promotes messages of safety, support, and prevention. By centring survivor voices, the campaign is more likely to resonate with the community, build public trust, and reflect a trauma-informed approach that upholds the dignity and agency of those most affected.

Western Australian Experience

An evaluation of the Western Australian Scheme emphasises how few offenders will be subjected to registration (Whitting, Day & Powell, 2016). Out of a total of 2,052 sex offenders, there were 125 subjected to notification (Tier 1: 39; Tier 2: 86), and there were 1,927 offenders

who were not subjected to notification. Only 6% of convicted sex offenders were able to be included in the Scheme.

The following are extracts from the evaluation of the impact of the Western Australian model, from October 2012 to February 2015:

- **39 offenders were subjected to tier one notification** [missing offenders] between 15 October 2012 (when the website went live) and 27 February 2015. Of these, 6 were subjected to tier one notification on more than one occasion during this period (4 offenders were subjected to notification on two separate occasions and 2 offenders were subjected to notification on four occasions). As at 27 February 2015, 6 offenders remained on the missing offenders register (i.e., tier one).
- Within this same period, **86 offenders were deemed to meet the tier two criteria [dangerous and high risk]** and thus were potentially subject to notification (as notification in this case is contingent upon a member of the public who resides in the same locality as the offender performing a local search).
- The data provided by the police agency indicates that there were 182,475 hits on the community notification website between 15 October 2012 (when it went live) and 27 February 2015. Over this period, **36,837 tier two searches** were performed and **892 enquiries or requests for assistance** were received (542 via the website and 350 via email), the vast majority of which were in relation to tier two. It is not known how many telephone enquiries were received, as no record is kept of these. Unfortunately, as only the total number of hits, searches, and enquiries were provided, it is not possible to examine trends in usage over time.
- **Ten tier three applications** [parent of guardian making an inquiry about a reportable offender] had been received as at 27 February 2015; however, two of these were duplicates of previously submitted applications and one was withdrawn because the applicant discovered through other means that the person of interest (an associate of her ex-husband) is a convicted sex offender.
- A key theme that emerged from the analysis was that the introduction of the scheme **had not resulted in many of the adverse consequences** that the police had anticipated. It is probable that their expectations were founded on the evidence from the United States, where community notification is much more widespread and intrusive. A consistent finding of this body of research is that community notification adversely impacts offenders' psychological well-being
- From the perspective of the police, the scheme **has had on the whole a limited long-term impact on offenders**. It would appear that the distress and anxiety experienced by offenders prior to the scheme's implementation arose from misinformation and misconceptions about the nature of the scheme and largely dissipated following its implementation.
- From the perspective of the police officers interviewed, a major source of offenders' anxiety surrounding the introduction of the scheme was a fear of vigilantism, a concern shared by the police. Some offenders reportedly drastically changed their appearance around the time the scheme came into effect, presumably out of fear they would be targeted by vigilantes..... A subsequent search of the agency's internal evidence briefing system revealed that **only one individual had been charged with a vigilante offence** as at 27 February 2015.
- A key concern was that the introduction of the scheme would lead to offenders going underground. This concern does not appear to have come to fruition. On the contrary, **there was a perception among those interviewed that the introduction of the scheme had improved compliance**, at least among some offenders. A few offenders who had failed to report and whose whereabouts were unknown

reportedly ‘surrendered’ themselves to police upon being published on the missing offenders register.

General Statement

Bravehearts supports the *Community Protection and Public Child Sex Offender Register (Daniel’s Law) Bill 2025* and the intention behind the Bill. In summary, we note that notification schemes should only be considered as part of a holistic approach to the protection of children and young people. Offender reporting laws and notification schemes, only protect against known, convicted sex offenders. Research indicates that only a small percentage of sexual offence cases make their way into the criminal justice system, and those that do are subjected to various barriers and filtering processes, which ultimately results in few cases resulting in charges, prosecutions, or convictions. We would emphasise the need for governments to invest in public awareness of safety and protective skills, specifically programs that build resiliency and empower children with the knowledge to keep safe.

Please contact us on research@bravehearts.org.au should you have any questions relating to our submission.

Kind Regards,



Carol Ronken
Director of Research

References

- Bryant-Davis, T., Adams, T., Alejandre, A., & Gray, A. (2017). The trauma lens of police violence against racial and ethnic minorities. *Journal of Social Issues*, 73(4), 852–871. doi:10.1111/josi.12251
- Daly, K., & Bouhours, B. (2010). Rape and attrition in the legal process: A comparative analysis of five countries. *Crime and Justice*, 39(1), 565–650.
- Department of the Attorney General (WA). (2014). *Review of the Community Protection (Offender Reporting) Act 2004 (WA)*. Government of Western Australia.
- Flannery, T., Quinn, L. & Barnaba, L. (2024). Attrition through the Victorian criminal justice system by offence type. *In Fact*, no. 14. Crime Statistics Agency,
- Freiberg, A. (2011). *Post-sentence preventive detention and supervision of serious sex offenders*. Australian Institute of Criminology.
- Gilbert, B. (2024). Attrition of sexual assaults from the New South Wales criminal justice system. *Bureau Brief*, no. 170. NSW Bureau of Crime Statistics and Research.
- Home Office. (2010). *Child Sex Offender Review (CSOR) Public Disclosure Pilots: A process evaluation*. United Kingdom Government.
- Letourneau, E. J., Nietert, P. J., & Avery, M. E. (2017). Preventing the onset of child sexual abuse by targeting young adolescents with universal prevention programming. *Child Maltreatment*, 22(2), 100–111. doi:10.1177/1077559517692439

- Mathews, B., Finkelhor, D., Collin-Vézina, D., Malacova, E., Thomas, H.J., Scott, J.G., Higgins, D.J., Meinck, F., Pacella, R., Erskine, H.E., Haslam, D.M. & Lawrence, D. (2025). Disclosure and non-disclosure of child sexual abuse in Australia. *Child Abuse & Neglect*.
<https://doi.org/10.1016/j.chiabu.2024.106578>
- Mathews, B., Pacella, R., Dunne, M. P., Simunovic, M., & Lawrence, D. (2023). *The Australian Child Maltreatment Study (ACMS): Key findings*. Brisbane [Qld]: Queensland University of Technology.
- Mathews, B., Pacella, R., Dunne, M., Simunovic, M., & Marston, C. (2020). Improving public communication about child sexual abuse: A framework for understanding and designing messages. *Child Abuse & Neglect*, 107. doi:10.1016/j.chiabu.2020.104596
- Powell, A., & Wright, K. (2012). *Preventing repeat sexual violence: The role of perpetrator interventions*. ACSSA Issues, 15. Australian Institute of Family Studies. Retrieved from: <https://aifs.gov.au/publications/preventing-repeat-sexual-violence>
- Quadara, A., & Wall, L. (2012). *Effectiveness of sexual assault prevention education for bystanders*. Australian Centre for the Study of Sexual Assault, AIFS.
- Queensland Centre For Domestic and Family Violence Research (undated).
- Richards, K. (2011). Megan's Law: Does it make children safer? *Trends & Issues in Crime and Criminal Justice*, No. 429. Australian Institute of Criminology.
- Richards, K., Death, J. and Ronken, C. (2023). The views of victim/survivors of sexual violence about perpetrator post-release measures. *Criminal Justice Studies*, 36(4), 418-437.
doi.org/10.1080/1478601X.2023.2218531
- Richards, K., Death, J. and Ronken, C. (2021). What do victim/survivors of sexual violence think about Circles of Support and Accountability. *Victims & Offenders*, 16(6)
doi.org/10.1080/15564886.2020.1850578
- UN General Assembly. (1989). *Convention on the Rights of the Child*, 20 November 1989, United Nations.
- Whitting, L., Day, A. & Powell, M. (2016). An evaluation of the Impact of Australia's First Community Notification Scheme. *Psychiatry, Psychology and Law*, 24(3): 339-355.