

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

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## Submission to the Justice, Integrity & Community Safety Committee

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

Voice for Victims makes the following submission in strong support of the *Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025*.

The Bill honours Daniel Morcombe's legacy and acknowledges the continuing work of the Daniel Morcombe Foundation while reflecting community expectations that child safety must remain paramount.

The proposed three-tiered register is an important tool that will provide relevant information to parents and caregivers of children, strengthens transparency, and enhance some aspects of community protection through allowing the community to access information regarding non-compliant offenders, seek information relating to potential offenders in their area and seek information of known offenders who may be have unsupervised access to their children.

While this proposed legislation is a step in the direction to disclose and make more transparent the requirements of reportable offenders, we respectfully highlight areas where the framework may intersect or misalign with existing legislative schemes, particularly the *Corrective Services Act 2006 (Qld)*, the *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (Qld)* (CPOROPO Act), and the *Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld)* (DPSOA).

Through this submission we hope to address some of these overlaps and irregularities to ensure the proposed new register operates effectively without duplicating obligations of agencies or established supervisory systems to carry out relevant inspections and validation of information provided to them by reportable offenders.

#### **Support for the Bill**

The nature of the Bill's intent is clear and commendable:

- **Tier 1 (Missing Non-Compliant Offenders):** Strengthening community vigilance and aiding police by publishing details of offenders who breach regulated obligations and cannot be located.
- **Tier 2 (Locality Search):** Providing Queenslanders with carefully controlled access to information about high-risk offenders in their area.
- **Tier 3 (Parent/Guardian Disclosure):** Empowering parents to confirm whether individuals with unsupervised access to their children are registered offenders.

These measures provide parents and guardians with practical tools to assist in the protection of their children while embedding safeguards against misuse, including new offences targeting vigilantism.

#### **Victim-Survivor Impacts**

##### **Positive Implications**

- Empowerment and Validation through transparency and recognition of lived experiences.
- Increased Agency for parents and carers who can proactively check individuals of concern.
- Community Reassurance that authorities are acting to reduce risks.

##### **Negative Implications**

- Secondary trauma amplified by media coverage and possible social media sharing as observed in Western Australia.
- Unintended possible identification of victims in smaller communities or intra-familial cases.

- Collateral Impacts such as stigma or harassment of families and their children.
- False Reassurance being provided as most child sexual offending is perpetrated by individuals known to the child which often go unreported or unprosecuted.

Mitigation Strategies include bolstering victim support services, opt-in notification protocols, and education campaigns stressing that the register is one tool among many.

## **Operational and Systemic Considerations**

### **Execution by Police & Corrective Services**

- Police already manage offender reporting under CPOROPO and supervise offenders under DPSOA in partnership with Queensland Corrective Services (QCS).
- Daniel's Law adds responsibilities to police including:
  - Maintaining a public-facing database.
  - Vetting locality search and parent/guardian disclosure applications.
  - Investigating misuse or vigilante behaviour.
- Without additional resourcing and dedicated staffing increases, these additional functions risk overstressing police and QCS staff who are already experiencing increased demand on services due to expanded responsibilities with respect to domestic and family violence reforms, youth justice monitoring, and cybercrime. Additional requirements by Police to add to their policing tasks risks overloading frontline and specialist staff and possibly eroding public safety perception.

### **Frequency and Accuracy of Data Uploads**

- The value of the register depends entirely on data being accurate, up to date, and complete.
- Delays or errors in uploading residence changes, employment details, or compliance breaches could mislead the public and erode trust; while placing a heavy burden on police.
- Western Australia's experience with a similar database (as outlined later in the submission) highlights the importance of a clear standard for data entry timeframes (e.g., immediate upload following verification of new information) and rapid correction protocols for errors.

### **Review Times by the Commissioner**

- Locality search (Tier 2) and parent/guardian disclosure (Tier 3) applications will require discretionary review by the Police Commissioner (or delegate).
- What is considered an appropriate timeframe by the Parliament and Police Service, may not allay the concerns or perceived risk to the community which may undermining confidence and leave children exposed during critical windows of risk.
- A clear appeal or escalation pathway should also be considered for applicants who are dissatisfied with the outcome or hold concerns about delay in processing.
- Conversely, overly rushed reviews may compromise accuracy and fairness.
- To balance these, the Bill or regulations should set statutory or policy-based service standards for review times, with transparent reporting of performance without the requirement being placed solely on police and corrective services (e.g., average processing times).

### **Accommodation and Employment Incompatibilities**

- **Accommodation:** As underpinned by both Tiers 1 and 2 with respect to the publication and availability of data relating to offenders locations CPOROPO, offenders must report residence changes within 48 hours during the parole period to the relevant authorities. Under DPSOA the offender must advise QCS at least two days prior to their change in residence, and approval must

be granted prior to a change in residence. Public exposure of offenders' locations under Daniel's Law risks destabilising approved QCS and Parole accommodation through eviction or harassment, which may lead to an increase in workload for QCS due to an increase in the requirement to review, assess and approve or decline a new accommodation for reportable offenders. This could in turn lead to homelessness and additional non-compliance of order conditions; which in turn increases both police and QCS workload and the potential risk of reoffending by the reportable offender.

- **Employment:** As identified Tier 3 (Disclosure) unsupervised access with respect to CPOROPO requires offenders to report employment; DPSOA supervision orders typically prohibit any role involving children. Offenders attempting to work directly with children would already be in breach of existing laws and subject to arrest under the current legislation. Daniel's Law does not alter these restrictions but may make broader employment harder to sustain, undermining reintegration and stability.

The Committee is requested to note that, in the two instances described above—accommodation and employment—along with other relevant information collected and used to make an appropriate recommendation by police and QCS regarding offender compliance, much depends on accurate self-reporting by the offender.

The onus placed on a reportable offender to report accurate information within prescribed timeframes to an agency or agencies which supervise and control their release is a high bar to measure against with respect to both CPOROPO, and DPSOA legislation and its intersection with the proposed *Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025*, especially when the overall community sentiment around reportable offenders is at minimum distrust and suspicion.

We respectfully ask the Justice, Integrity & Community Safety Committee to reflect on these points raised and consider additional provisions of staffing to both police and QCS to allow for appropriate verification of information supplied by reportable offenders under such orders.

## **Lessons from the Western Australian Model**

Western Australia's three-tier register (in operation since 2011) demonstrates both benefits and challenges:

### Positives

- Assistance in locating missing/non-compliant offenders.
- Increased community confidence and parental empowerment.
- Clear offences deter widespread misuse.

### Negatives

- Victim re-traumatisation and inadvertent identification.
- Harassment and vigilantism directed at offenders and families.
- Amendments to legislation to refine thresholds, manage misuse, and balance rehabilitation concerns not initially considered.
- Destabilisation of housing and employment, complicating supervision.
- Resource strain on police to maintain accuracy and process applications.
- Over-reliance by families, despite most offending being by known individuals outside the register.

These lessons emphasise the need for strong safeguards, dedicated resourcing, education to children and parents alike for appropriate interactions with other children and adults and early independent evaluation on the proposed changes and impacts on Queensland services.

## Recommendations

- Victim-Survivor provisions to support these changes in legislation including counselling, opt-in notifications, and trauma-informed communication to victims from all relevant departments.
- Harmonisation of legislative frameworks across CPOROPO, *Corrective Services Act 2006*, and DPSOA to reinforce the intent of Daniel's Law and ensure that it is being applied consistently.
- Dedicated resourcing for police to manage the register, with specialist staff to avoid overstretch.
- Additional resourcing for QCS to validate accommodation and employment information provided by offenders on orders under CPOROPO and DPSOA legislation.
- Public Education Campaigns stressing that most abuse is committed by known individuals and that vigilance must extend beyond the register.
- Independent Evaluation within 18–24 months of commencement of the Bill, in addition to the five-year statutory review, focusing on victim impacts, police workload, community outcomes, and offender compliance.
- **Data Standards:** Mandate real-time or near-real-time updates of information, with independent auditing for accuracy.
- **Review Time Standards:** Establish clear service standards for Commissioner's review of Tier 2 and Tier 3 applications, with published performance metrics.
- **Accommodation Safeguards:** Prevent harassment-driven evictions undermining QCS-approved housing.
- **Employment Clarity:** Reinforce that existing laws already prohibit working with children; Daniel's Law should complement, not duplicate, these safeguards.

## **Conclusion**

Daniel's Law is a vital reform that will enhance child safety and community protection in Queensland.

Voice for Victims strongly support its passage and look forward to seeing how it may one day build with other jurisdictions to a Federally legislated tiered system to assist in the protection of children.

However, its success will depend on careful integration with existing frameworks, consistency in legislation, adequate resourcing for QPS and QCS along with robust safeguards for victim-survivors, and strong operational standards for data accuracy and application review times.

Western Australia's experience shows the model can work, but only if supported by resourcing, education, and protections against unintended harms. By embedding these considerations, the Committee will ensure Daniel's Law delivers its intended outcomes while honouring Daniel Morcombe's legacy.

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