

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

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Submission of Luke Twyford, Principal Commissioner Queensland Family and Child Commission

It is now apparent across many decades, many of society's institutions failed our children. Our child protection and criminal and civil justice systems let them down.... Society's values and mechanisms which were available to regulate and control aberrant behaviour failed.

- Royal Commission into Institutional Responses to Child Sexual Abuse, 2017

No child should suffer child sexual abuse because the adults around them did not share information about the threat.

I acknowledge the debate about the civil liberties and rights of offenders who have served their sentence for child sexual abuse who may be identified through this mechanism; however, this cannot override the importance of protecting children from the indelible harm of child sexual abuse.

No child should suffer abuse because authorities failed to act on information they held.

This year, as the Chair of the Child Death Review Board, I continue to lead a large-scale review of the offending of Ashley Paul Griffith. I have collected thousands of pages of evidence, commissioned expert research and heard from impacted parties.

This work has provided sage insights into the legislative and policy frameworks and the responses to concerning behaviour from individuals, service providers, and government. Specifically, it has highlighted to me that the people who seek to sexually abuse children have a significant advantage when government services limit access to their information, fail to share what they know, and treat privacy and information security as higher, or equal, concerns as the protection of children.

The protection of children from harm must be the paramount consideration in all decision-making. While adult privacy and reputational rights are important, they cannot outweigh the obligation to ensure that children are safe. The harms caused to a child by sexual abuse can be lifelong, irreversible and often intergenerational. By comparison, the harm caused to an adult through disclosure of allegations can be significant but not of the same irreversible magnitude.

For these reasons, and for the protections present in the Bill, including the triaged approach, I support the *Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill 2025* – because we can and must do more to protect children from child sexual abuse.

I hope that with appropriate implementation and evaluation, the mechanisms proposed in this Bill will assist in the prevention of child sexual abuse, and improved safety for all children.

Prevalence of Child Sexual Abuse

It is well known that child sexual abuse has long lasting and significant consequences and the reality is that child sexual abuse is far more widespread than most people realise. More can – and must – be done to prevent abuse and protect children from these harms.

Australia is still grappling with its understanding of child sexual abuse. The 2017 Royal Commission into Institutional Responses to Child Sexual Abuse helped lift Australia's awareness of the historical risks and damage caused by abuse, and the landmark 2021 Australian Child Maltreatment Study shocked the community by confirming the ongoing rates and incidence of child sexual abuse today.

The evidence is clear: child sexual abuse in Australia is not rare or exceptional — it is widespread and persistent. Prevalence studies, administrative data, and survivor accounts all converge on the sobering truth that many thousands of children experience sexual abuse, often at the hands of trusted adults or peers. While prevalence estimates vary depending on methodology, the weight of the evidence establishes that child sexual abuse is a common reality in the lives of Australian children.

Yet prevalence data only tells part of the story. Detecting and responding to child sexual abuse is uniquely complex. Victims may be too young to disclose, too fearful to speak, or too uncertain to be believed. Families, institutions, and authorities often struggle to interpret signs, while systemic barriers — stigma, inadequate training, fragmented information sharing, and legal thresholds — can delay or prevent protective action. As a result, the true scale of abuse is likely to remain under-reported and underestimated.

This reality underscores the need for a coordinated, whole-of-society response. Protecting children cannot rest solely with police or child protection agencies. It requires the active vigilance of families, communities, schools, faith groups, sporting organisations, digital platforms, workplaces and governments. A shared recognition of prevalence, combined with collective responsibility for prevention, early detection and compassionate response, is essential if Australia is to reduce the burden of child sexual abuse.

Only through coordinated effort — cutting across sectors, systems and communities — can the widespread prevalence of child sexual abuse be addressed, its detection improved, and its devastating impacts mitigated.

Legitimate use of the information

While the Bill addresses the risk of vigilantism through the creation of new offences, it cannot be ignored that the measures introduced in this Bill will increase the risk of vigilantism. Protection from vigilantism must therefore be a legitimate and ongoing concern for the practitioners operating the scheme and providing information to the community. The consequences for misuse of the information must be real.

I note the *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004* (CPORAPOA) presently permits information about a reportable offender to be provided to a person (including a parent or guardian of a child) if it is reasonably necessary and appropriate in order to reduce a risk to the lives or safety of one or more children, or of children generally. The proposals in this Bill aim to build upon this existing non-public register and information-sharing mechanisms which operate under CPORAPOA (and by extension, the *Dangerous Prisoners (Sexual Offenders) Act 2003*).

The difficulty with this non-public register is that it leaves gaps in information for those who do not know what to ask or where to go with their concerns. As such I believe the Bill provides an avenue that balances risk for both the offender and the community, that preferences the risk to children generally.

Community awareness must increase

The Bill's Explanatory Notes advise that the proposed three-tiered public register has been broadly modelled on the *limited public notification scheme* operating in Western Australia.

The locality search mechanism under Tier 2 may support parents and caregivers to make informed safety decisions in their local area – but we must also support developmentally appropriate conversations with children regarding risk identification, individual safety, and reporting concerning behaviour. Tier 3 enables caregivers to access information that strengthens their agency in protecting their children at an individual level, providing specific information on people known to the child (or family), who pose the greatest risk of perpetrating abuse.

A survey of community members who had accessed the Western Australian registry provided varied perspectives about whether the scheme increased public safety. Some respondents indicated the scheme would protect children through increased information access. Other respondents raised concern that the scheme could create a false sense of security or complacency with many respondents reported considering the absence of a registered offender on the notification as evidence that there were no child sexual offenders living in their community. At the time of the study, Western Australia had about 3,000 registered sex offenders, with 82 offenders subject to the notification scheme.^{1,2}

I agree that it is prudent to acknowledge the limitations of public registers to provide community safety. A 2016 study on the effectiveness of a publicly available sex offender notification scheme reported concerns from specialist police officers that a public register is not an effective deterrent for recidivism for individuals who have committed child sexual

¹ Taylor, S. C. (2017). Community perceptions of a public sex offender registry introduced in Western Australia. *Police Practice & Research*, 18(3), 275–290. <https://doi.org/10.1080/15614263.2017.1291572>

² Taylor, C., Gringart, E., (2015, May 5). 'Sex offender registers don't mean we can assume children are safe'. *The Conversation*. <https://theconversation.com/sex-offender-registers-dont-mean-we-can-assume-children-are-safe-39188>

abuse offences and may increase other recidivism risks as a result of increased stigma.³ I do not believe however, that this should prevent the introduction of the scheme – instead it foreshadows that we must all do more to improve how we protect children by building a holistic child safeguarding system.

While the proposed public child sex offender register provides access to information to support adults to make an informed risk assessment about the individuals their children interact with; it alone cannot safeguard children and must be considered as part of the broader information access landscape. This public information mechanism, working in conjunction with the *Working with Children Check* (Blue Card) system, and the incoming Reportable Conduct Scheme (commencing July 2026), provides additional opportunities for government to share information between agencies to support informed risk identification and safety decision making.

For this reason, while I support the Bill's objective to enhance community awareness of individuals who may pose a risk to children, I also emphasise the responsibility of all adults in the community to be aware of suspicious behaviours such as grooming and to be attuned to risk identification, especially where a child has identified a concern with an adult.

Queensland must do more to educate community members on how to prevent, detect, and respond to child sexual abuse.

It is only through prevention that we will ensure that all children are safe.

³ Whitting, L., Day, A., & Powell, M. (2016). Police officer perspectives on the implementation of a sex offender community notification scheme. *International Journal of Police Science & Management*, 18(4), 261 -272. <https://doi.org/10.1177/1461355716668539>