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

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| **Submission No:** | 27 |
| **Submitted by:** | [redacted] |
| **Publication:** | Making the submission public but withholding your name |
| **Attachments:** | See attachment |
| **Submitter Comments:** | |

# Submission to the Justice, Integrity and Community Safety Committee

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

From: Withheld — name and address confidential; consent to publication of submission text

Date: 02 September 2025

Confidentiality: I request that my name and address be kept confidential under the committee's submission rules. I consent to the publication of the substance of this submission.

## 1. Executive summary (position)

I support the Bill's objective to protect children and strengthen community safety. However, I urge the Committee to recommend targeted amendments to reduce the serious and foreseeable harms arising from publication of long-term, low-risk offenders. Publications should be limited to offenders currently assessed as high risk of reoffending, and all details and images of low-risk offenders should be suppressed if they have children under 18 in their care.

Without these safeguards, the Bill risks generating fear, stigma, and vigilante violence that would harm offenders' families, destabilise rehabilitation, and ultimately undermine public safety.

## 2. My interest and perspective

I am a Queensland resident and parent committed to measures that protect children. I also have deep concern that publishing identifying information on long-time rehabilitated low-risk offenders could expose their families (including my wife and children) to unwarranted harassment, risk of vigilante violence, housing instability, and emotional trauma.

My offending occurred more than two decades ago. My offending did not include acts of violence. I had not offended in any manner prior and have not offended in any manner since. I have been fully compliant with my reporting obligations for the register. I have served my prison sentence and parole period without incident. I have been assessed by Health and Human Services (VIC) as low risk. I was assessed by the Department of Corrections (VIC) as low risk. I was assessed by the Parole Board (VIC) as low risk. I was assessed by the Department of Family Services (QLD) as low risk. I have been assessed by the Queensland Police Service as low risk.

I have stable employment. I have a stable and loving family. I have stable housing. By my own choice, I have no contact with children, other than with members of my family, to avoid any doubt, by any person. I am deeply remorseful for my offending.

Due to variation in legislation of different jurisdictions, had I been convicted in Queensland rather than Victoria, I would not have been placed on the Register for life, so would not now be in this position.

I plead with the committee, and all members of the government, to consider the circumstances of people in my position with a rational and evidence-based approach rather than arbitrary thresholds, that do not capture assessed risk of further offending. Under this Bill, my image and locality could be published despite my low-risk status. This would expose my family to harassment and stigma, undoing years of rehabilitation and damaging my children's psychosocial safety and wellbeing. Being on the register for life does not equal high risk.

## 3. Key concerns, evidence and examples

A. Vigilante attacks—including mistaken identity:
- In Dallas, Texas, a man was attacked with a baseball bat after moving into a home previously occupied by a registered sex offender.
- The Sex Offender-Vigilante database documents ~279 incidents of vigilante violence, ~10% involving mistaken identity.
- In Alaska (2016), a man attacked registrants with a hammer, describing himself as an "avenging angel."
- In Australia, men assaulted an innocent homeowner after mistaking him for a sex offender.

B. Emotionally charged framing by leadership:
Premier David Crisafulli has labelled people on the register "predators" and "monsters." While intended to reassure the public, this language risks fuelling vigilantism and undermining measured, evidence-based policymaking.

C. Harms to long-term, low-risk, rehabilitated offenders and their families:
- Rehabilitation programs help offenders reintegrate; public exposure destabilises this progress.
- Excessive identification and surveillance of low-risk people increases reoffending risk by breaking vital pro-social ties.
- Stigma and public targeting often cause job loss, eviction, and bullying of innocent family members.

D: While public sex offender registries are supported by some as tools for deterrence and public awareness, a substantial body of research questions their effectiveness in reducing recidivism and enhancing community safety. Concerns about potential harm and the risk of unintended consequences suggest that alternative approaches focusing on rehabilitation and targeted monitoring may be more effective.

Research Findings Supporting Public Registries:

- General Deterrence: Some studies suggest that public sex offender registries may have a modest deterrent effect on first-time offenders. However, this impact is

generally considered limited and provides minimal reduction in recidivism. Australian Institute of Criminology+1

- Public Awareness: In certain jurisdictions, registries aim to inform the public about the presence of sex offenders in their communities, potentially enhancing community vigilance.

Research Findings Opposing Public Registries:

Recidivism Rates: Empirical evidence indicates that public sex offender registries do not significantly reduce recidivism rates among offenders. In some cases, they may even contribute to increased reoffending.

Community Fear: Despite strong public support, registries appear to have little effect on reducing levels of fear in the community.
https://www.aic.gov.au/sites/default/files/2020-05/ti_what_impact_do_public_sex_offender_registries_have_on_community_safety_220518_0.pdf?utm_source=chatgpt.com

Unintended Consequences: Public registries can lead to negative outcomes such as harassment, vigilante behaviour, and social ostracism of offenders, which may hinder rehabilitation efforts.

*Critics of public sex offender registries often highlight the potential for widespread public vigilantism, and concerns for the physical safety of registered sexual offenders. This is a plausible argument given the extremely negative public attitude towards sexual offenders in Australia. In the United States, Lasher & McGrath's (2012) review of multiple studies found that, on average, 44 percent of registered sexual offenders reported experiencing threats or harassment by neighbours, while around 20 percent experienced threats or harassment in general. Importantly, 16 percent of offenders reported that their* ***family members*** *or other cohabitants had been harassed, attacked or had property damaged as a result of their registration.*

## 4. Clause-specific concerns and recommendations

1. s.74AF (publication powers): Require a documented risk assessment showing a current, serious risk before publication.
2. s.74AE/74AH (restrictions): Add a safeguard prohibiting publication of low-risk offenders' details and images while they have children under 18, unless assessed as high-risk.
3. s.74AM (finality): Provide internal and external review mechanisms.
4. s.74AN (human rights override): Narrow or remove; require case-by-case proportionality checks.

## 5. Practical and operational safeguards

- No family identification: suppress household or family details, including identification by association.
- Proactive policing: resource monitoring of online vigilantism and enforce penalties quickly.
- Transparency: require reporting on publication frequency, removals, and reviews.

- Eliminate the risk of images being misappropriated by only displaying them to applicants under direct police supervision, rather than transmitting them electronically, or making them available in digital form, where they can be photographed, screen captured or downloaded for redistribution.

## 6. Recommendations to the Committee

1. Require current risk assessments before any publication.
2. Enact a statutory safeguard suppressing publication of low-risk offenders' details/images while they have children under 18 in their care.
3. Introduce time-limited publication with reassessment.
4. Enable review and appeal mechanisms for publication decisions.
5. Implement proactive enforcement against vigilante misuse.
6. Publish anonymised statistics on registry use.
7. Narrow or remove the blanket Human Rights Act override.

## 7. Conclusion

I offer my sympathy to the Morcom family for their devastating loss and grief. I support the aim of Daniel's Law to protect children. However, without deliberate and targeted safeguards, the legislation places rehabilitated families at risk, driven by emotionally charged rhetoric and precedent from overseas jurisdictions where similar laws resulted in harm, mistaken targeting, and violence.

The most important safeguard is automatic suppression of details and images of low-risk offenders while they have children under 18 in their care.

Thank you for your considered review. I support publication of this text, provided my personal details remain confidential.

**Formal Submission to the Queensland Parliamentary Committee on "Daniel's Law"**

**Submission to the Queensland Parliamentary Committee on "Daniel's Law"**

**Executive Summary**

**Submitted by: Name Withheld**
**Date: 8 September 2025**

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**Purpose of Submission**

This submission highlights inequities that will arise if Tier 2 publication under the "Daniel's Law" amendments is applied to individuals relocating to Queensland from Victoria. Due to fundamental legislative differences, the regime risks producing disproportionate and unfair outcomes.

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**Key Example**

- **Victoria**
    - Under the *Sex Offenders Registration Act 2004 (Vic)* ("SOR Act"), an adult convicted in 2013 of three Class 1 offences dealt with together is automatically subject to lifetime reporting obligations (s 34(1)(a)).[1]
- **Queensland**
    - Under the *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (Qld)* ("CPOROPO Act"), the same offender convicted in 2013 of three offences dealt with together would be subject only to a 10-year reporting period (s 13(2)(a)).[2]
    - Their obligations would have ceased in 2023 (subject to extension for custody under s 13(6)).

**Outcome:** If such a Victorian lifetime registrant relocates to Queensland, they are automatically classified as a Tier 2 offender and subject to perpetual photo and name publication. An identical Queensland offender would never face such publication.

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**Why This is Unfair**

1. **Disproportionality**
    - Victorian transferees face Tier 2 publication, whereas Queenslanders with identical histories are not subject to such exposure.
2. **Geographic Inequity**
    - Outcomes depend on state of conviction, not conduct — creating a "postcode lottery" of lifelong stigma.
3. **Conflict with Queensland's Legislative Intent**

- Queensland escalates to life reporting only if there is post-notice repeat offending (s 13(2)(c) CPOROPO Act).[3]
- Victoria escalates automatically for multiple Class 1 offences, even if dealt with at the same proceeding.

4. **Risk of Vigilantism**
    - Public release of names and photographs increases risks of harassment, vigilante attacks, and mistaken targeting of family members.

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**Recommendations**

1. **Harmonisation Mechanism**
    - Require interstate registrants to be assessed under Queensland's framework.
    - Only apply Tier 2 where their history equates to Queensland's life tier (post-notice multiple reoffending).
2. **Judicial or Administrative Review**
    - Permit a court or the Police Commissioner to review the classification of interstate registrants before Tier 2 disclosure.
3. **Discretionary Publication**
    - Ensure Tier 2 publication is discretionary and risk-based, not automatic, particularly for interstate registrants.

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**Conclusion**

The "Daniel's Law" proposals, if unamended, will produce inequitable and arbitrary results:

- A Victorian offender convicted of three Class 1 offences in 2013 is subject to life reporting (SOR Act s 34(1)(a)) and Tier 2 publication.
- A Queensland offender convicted of the identical offences is subject only to 10 years reporting (CPOROPO Act s 13(2)(a)), with obligations ending in 2023, and no Tier 2 publication.

This undermines proportionality, fairness, and public confidence. Legislative harmonisation or discretionary safeguards are necessary to ensure "Daniel's Law" operates justly.

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**Appendix: Legislative Comparison**

| Scenario: Adult convicted in 2013 of three Class 1 offences dealt with together | Queensland – CPOROPO Act (s 13) | Victoria – SOR Act (s 34) |
|---|---|---|
| Trigger for escalation | Requires post-notice repeat offending (s 13(2)(b)–(c)) | Number and class of offences, regardless of notice (s 34(1)) |
| Reporting period outcome | 10 years (s 13(2)(a)) – obligations ended in 2023 | Life (s 34(1)(a)) – obligations indefinite |
| Effect under "Daniel's Law" | Not Tier 2 – obligations concluded | Tier 2 – perpetual photo/name publication |
| Key policy focus | Targeting recidivism after notice | Automatic escalation for multiple serious offences |

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**References**


1. *Sex Offenders Registration Act 2004 (Vic)*, s 34(1)(a).
2. *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (Qld)*, s 13(2)(a).
3. *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (Qld)*, s 13(2)(c).

**Introduction**

This submission addresses the proposed Tier 2 publication regime under the "Daniel's Law" amendments. I submit that the application of Tier 2 disclosure to individuals relocating from Victoria is grossly unfair due to fundamental differences in how reporting periods are calculated under Queensland and Victorian law.

By way of example, an adult convicted in 2013 of three Class 1 sexual offences in Victoria is subject to lifetime reporting obligations under the **Sex Offenders Registration Act 2004 (Vic)** ("SOR Act"). The same individual, if convicted in Queensland in 2013 of the same three offences dealt with together, would have been subject only to a 10-year reporting period under the **Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (Qld)** ("CPOROPO Act"), with obligations having expired in 2023.

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**Legislative Framework**

**Queensland**

- **Section 13 CPOROPO Act** prescribes the duration of reporting obligations.
    - **10 years** – adult offender convicted of a single reportable offence (s 13(2)(a)).
    - **20 years** – adult offender, after being given a reporting obligations notice, convicted of one further reportable offence (s 13(2)(b)).
    - **Life** – adult offender, after being given a reporting obligations notice, convicted of more than one further reportable offence (s 13(2)(c)).
- Escalation requires **post-notice repeat offending**. Where multiple offences are dealt with together at the initial proceeding, they are treated as a single reportable offence for the purposes of s 13(2).

**Applied to the example:** An adult convicted in 2013 of three offences dealt with together is classified under s 13(2)(a) as a **10-year reportable offender**. Reporting obligations ceased in 2023 (subject to extension for custody under s 13(6)).

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**Victoria**

- **Section 34 SOR Act** governs reporting periods.
    - **Life** – two or more Class 1 offences (s 34(1)(a)); certain single very serious Class 1 offences (s 34(1)(b)); combinations of Class 1 and Class 2 offences (s 34(1)(c)).
    - **15 years** – one Class 1 offence (other than those in s 34(1)(b)) or two Class 2 offences (s 34(2)).
    - **8 years** – one Class 2 offence (s 34(3)).
- Escalation to life does **not** require post-notice offending. Multiple Class 1 offences at a single sentencing proceeding are sufficient.

**Applied to the example:** An adult convicted in 2013 of three Class 1 offences is automatically subject to **life reporting** under s 34(1)(a).

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**Inconsistent Outcomes**

The same conduct (three serious offences dealt with together in 2013) produces radically different results:

- **Victoria:** Lifetime reporting (SOR Act s 34(1)(a)).
- **Queensland:** 10 years reporting only (CPOROPO Act s 13(2)(a)), with obligations expiring in 2023.

If such a Victorian registrant relocates to Queensland, their "lifetime" status is imported, and they are automatically captured by Tier 2 publication. A Queensland offender with the identical offending history would never face such publication.

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**Consequences Under "Daniel's Law"**

1. **Disproportionality**
    - A Victorian transferee with lifetime reporting under s 34(1)(a) of the SOR Act is treated as a Tier 2 "serious" offender in Queensland.
    - A Queenslander with the same offending history is treated as a 10-year offender under s 13(2)(a) CPOROPO Act and escapes Tier 2 publication altogether.
2. **Geographic Inequity**
    - Outcomes depend not on conduct, but on jurisdiction of conviction. This produces a "postcode lottery" of lifelong stigma.
3. **Departure from Queensland's Legislative Intent**
    - Queensland's regime deliberately escalates reporting only where there is **post-notice repeat offending**, reflecting a targeted focus on recidivism.
    - Automatic Tier 2 classification of Victorian transferees overrides this policy distinction.

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**Recommendations**

1. **Harmonisation Mechanism**
    - Insert provisions to ensure interstate lifetime registrants are assessed under Queensland's framework (s 13 CPOROPO Act).
    - Only where their history would independently amount to life under Queensland law should Tier 2 apply.
2. **Judicial or Administrative Review**

- Allow a Queensland court or the Police Commissioner to review an interstate registrant's classification before Tier 2 disclosure.

3. **Limit Automatic Publication**
    - Make Tier 2 publication discretionary, guided by risk assessment, particularly for interstate registrants.

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**Conclusion**

The proposed Tier 2 regime produces grossly unfair outcomes. A Victorian offender convicted in 2013 of three Class 1 offences is a lifetime registrant (SOR Act s 34(1)(a)) and would face perpetual public exposure in Queensland. An identical Queensland offender is classified as a 10-year registrant under s 13(2)(a) CPOROPO Act and would have concluded obligations in 2023, facing no Tier 2 publication.

Such inconsistency undermines proportionality, equality before the law, and the credibility of the register as a protective tool. Legislative harmonisation or discretionary review is essential to avoid unjust results.

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**Appendix: Comparison of Reporting Period Frameworks**

| **Scenario: Adult convicted in 2013 of three Class 1 offences dealt with together** | **Queensland – CPOROPO Act (s 13)** | **Victoria – SOR Act (s 34)** |
|---|---|---|
| Trigger for escalation | Requires **post-notice repeat offending** (s 13(2)(b)–(c)) | **Number and class of offences**, regardless of notice (s 34(1)) |
| Reporting period outcome | **10 years** (s 13(2)(a)) – obligations ended in 2023 | **Life** (s 34(1)(a)) – obligations continue indefinitely |
| Effect under "Daniel's Law" | Not Tier 2 – obligations concluded | Tier 2 – subject to perpetual photo/name publication |
| Key policy focus | Targeting **recidivism** after notice | Automatic escalation for multiple serious offences |

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