


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,

I 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*.

In the past I have worked closely with Bravehearts for many years as a true child protection advocate advocating for evidence based policy over emotional and dangerous based policies. Hetty Johnson the founder of Bravhearts in response to any form of public registration strongly asserts that, "It just doesn't work. Any kind of research will tell you it just doesn't work. That we're even contemplating it in this country just makes me shake my head (Bravehearts, 2018)."

In place any form of public register Hetty Johnson suggested the Bravehearts 3 Piers to Prevention Program.

1. Educate: All children receive effective personal safety education.

- Personal safety curriculum in schools,
- Personal safety resources in child care centres,
- Whole-of-community approach,
- Cyber-safety Initiatives. (Internet websites).

2. Empower: All adults are trained, aware and motivated.

3. Protect: All systems of community and government engage effectively (Bravehearts, 2018).

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Together with the National Society for the Prevention of Cruelty to Children, Bravehearts claim that the most effective approaches to the safety and protection of children against child sex offenders are those that are holistic and involve structured and comprehensive interdisciplinary responses founded on research-based best-practice. If the basis of introducing laws is public safety and the reduction of threats to our children, these laws, such as, Daniel's law simply do not work

(Bravehearts, 2017; NSPCC, 2006).

Bravehearts have highlighted their main arguments against a public register, such as, Daniel's law, as follows:

- The register may inadvertently reveal the name of the victim.
- The register may brand innocent members of the child sex offender's family.
- There may be victimisation of innocent individuals whose name or physical appearance are confused with those of offenders.
- There may be encouragement of community anger or lawlessness.
- Offenders are hounded from place to place, the stress may influence them to re-offend. (In the UK a paedophile was hounded out of more than 10 hotels/motels and 3 homes/apartments after authorities notified his neighbours).
- Registered paedophiles are more likely to 'disappear'.
- Released paedophiles are less likely to register. A much higher percentage of paedophiles register in the UK where the registers are not made public compared to the US.
- Offenders may take more drastic steps to cover up their offence.
- Some suggest it is a double-punishment of the offender.
- The community is lulled into a false sense of security, whereas most paedophiles are never charged or convicted and live in every suburb and town across the country.
- The huge cost involved must be measured against actual effectiveness. The greater expense of a public register (as compared to a police register) may be otherwise spent on more effective, evidence-based methods of prevention and policing.
- There is a lack of evidence highlighting the effectiveness of community notification policies, and legislation is not based on empirical evidence in the first place (Maguire & Singer, 2011). Additionally, legislation provides little evidence of true community safety.
- Community notification negatively impacts the offenders' success for rehabilitation.
- Blind application of policies restricting sex offenders serve a political agenda, instead of providing treatment, rehabilitation and reintegration processes (Kruse, 2007).
- Community notification policies fail to address the offenders' deviant behaviour.
- Sanctions applied to sex offenders are net-widening, and are overlong in duration.
- There is no substitute for parental supervision and common sense. Most often, the

perpetrator is known to the victim.

- Enforces a climate of suspicion and paranoia combined with a nanny state instinct.

Likewise, communities subject to notification laws report increased anxiety due to notification (Bravehearts, 2017).

Are Community Notification Laws Ineffective?

The lack of evidence highlighting the effectiveness of community notification laws and with the constitutional and human rights questions surrounding these laws have been noted by many scholars, with some suggesting community notification have no value and should be repealed (Bravehearts, 2017; Griggs, 2015).

The reality is that community notification is unlikely to have any impact on the majority of woman and men who are responsible for most sexual violence. A significant number of offenders never come into contact with the criminal justice system (Freeland & Wainwright, 2005). Community notification will only ever identify a very limited number of sex offenders because the laws can only apply to convicted/known sex offenders (Stucky & Ottensmann, 2016).

Individuals may become fixated on those offenders they have been informed about and pay less attention to other 'dangerous' individuals and situations. The potential for this happening appears heightened when a child is involved. It has been argued that children may 'get the wrong message' and fail to be cautious except with those people specifically pointed out as someone not to go near. Instead of Daniel's Law, evidence-based policies should be considered and implemented to protect children (Bravehearts, 2017).

References

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