



Child Protection (Offender Reporting
- Publication of Information)
Submission 004

Telephone: 07 3211 6991
Reference: SPRP/DN58423

- 6 DEC 2013

Mr Ian Berry MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Berry

Thank you for your letter dated 18 October 2013 inviting feedback from the Commission for Children and Young People and Child Guardian on the Child Protection (Offender Reporting—Publication of Information) Amendment Bill 2013 (the Bill).

As the Acting Commissioner for Children and Young People and Child Guardian, I have a responsibility for protecting and promoting the rights, interests and wellbeing of Queensland children and young people under the age of 18. As such my comments relate to safeguarding the rights and interests of children and young people, including those who may be reportable offenders.

I welcome initiatives which seek to strengthen the safeguards and protections for children and young people. I have reviewed the Bill and note that it essentially reflects the *Community Protection (Offender Reporting) Amendment Act 2012* which established a publically accessible online sex offender register in Western Australia.

My particular concern relates to clause 74AF of the Bill. This clause allows for the Police Commissioner to publish personal details of reportable offenders other than a reportable offender who is a child. My concern is that this clause will capture 17 year olds who in Queensland are not considered to be children under the *Youth Justice Act 1992*. This is not the case in Western Australia or in any other Australian jurisdiction, as in all jurisdictions apart from Queensland 17 year olds are considered to be children and are afforded protections from being treated as adults in the justice system.

Research on similar international offender identity publication models suggests these schemes can inadvertently encourage a vigilante mentality amongst the community and hinder rehabilitation efforts for publically identified offenders¹. Young offenders should be given every opportunity to be successfully rehabilitated and I recommend that the Bill is amended so that it does not apply to 17 year olds.

¹ Simpson, R. (1999) 'Megan's Law and other forms of sex-offender registration' briefing paper number 22/99. NSW Parliamentary Library and Research Service.

I appreciate the opportunity to contribute to the inquiry process and should the Committee require any further information please contact my Principal Advisor, Ms Susan Dwyer, on 3211 6991.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Barry Salmon', with a long, sweeping underline.

Barry Salmon
**Acting Commissioner for Children and Young People
and Child Guardian**