



Speech by

Mr L. SPRINGBORG

MEMBER FOR WARWICK

Hansard 24 November 1999

PERSONS CONVICTED OF OFFENCES AGAINST CHILDREN

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (6 p.m.): I seek leave to withdraw the motion that I gave notice in this Parliament this morning that I would move and replace it with another motion.

Leave granted.

Mr SPRINGBORG: I move—

"That this Parliament supports the need to prevent unsuitable persons gaining child-related employment and refers to the Minister for Families, Youth and Community Care, in the context of the development of the Childrens' Commission legislation, the proposal of making it a criminal offence, punishable by a maximum five years imprisonment, for anyone to seek or accept a position—paid or unpaid—in an environment involving children where that person has—

- been convicted of a physical or sexual offence against a child; or
- where someone has received a court ordered prohibition."

I think it is fair to say that tonight we are going to witness something quite extraordinary where the shadow Attorney-General will move a motion which will be seconded by the Attorney-General. I think that this is a clear display of how a State Parliament should work—how a State Parliament should be focusing on the issues which unite rather than focusing on the issues which divide.

This morning I gave notice that I would move a motion which underlined the State coalition's strong belief that it should be a criminal offence for people who have committed offences against children to seek or accept employment in a workplace involving children. After giving notice that I would move that motion, I sought a meeting with the Government to brief it on the issue, and I pay tribute to the Attorney-General and the Minister for Families, Youth and Community Care for their willingness to sit down and arrive at a constructive position on which all sides can agree.

Tonight we are going to deal with one of the most important issues that confronts any level of Government anywhere in the world. Tonight we are going to deal with the safety of our children—undoubtedly the most defenceless members of our community. This issue is made even more important when honourable members consider the latest crime figures presented to this Parliament a little over a week ago. They showed, for example, an alarming 12% jump in just one year in the number of children aged 14 and under who were the victims of sexual crimes in this State. That is a total of 1,545. All members of this Chamber would find that statistic alone horrifying. But children are also the victims of assaults and other crimes as well. That is why the State coalition is being constructive in a non-political way to bring forward new ideas and models to combat this ever growing problem.

The motion before us tonight is not an issue of politics; rather, it is an issue of good Government, and that will be demonstrated by the Attorney-General's decision to second this motion and also the comments by the Minister for Families, Youth and Community Care, who has been very constructive in our discussions this afternoon. No side of politics has a monopoly on the desire to protect children. I think that fact is highlighted when one considers this very telling point: the motion being moved by the National and Liberal Parties in this Chamber this evening is not a policy that has its origins on the conservative side of politics. Rather, it is a policy which we are quite happy to

acknowledge stems from major and worthy reforms modelled on those being adopted by the Blair Labour Government in Britain.

The State coalition supports making it a criminal offence for anyone who has been convicted of an offence relating to a child—both sexually and physically—to be able to seek or accept employment in a position which involves working with children. In common with the model being adopted by the Blair Labour Government in Britain, we support imposing a maximum penalty of five years' imprisonment and we hope this position will ultimately be adopted by the State Government as well. We support, based on the model being adopted in Britain, looking at making it a criminal offence for inappropriate people to seek or accept employment in Government jobs, private sector jobs and jobs with voluntary organisations.

The motion goes one step further; it also seeks to allow a court to impose an order on anyone who has committed a serious enough crime to prevent them also from seeking a job which involves working with children. This is aimed at preventing an inconsistency of, for example, banning a person who committed rape against a child, yet not being able to ban a rapist who committed an offence against an adult. I am sure that everyone in this Chamber agrees that neither people are suitable to work with children, and that is why a court must have the power to impose an order invoking a ban on some people who have committed offences not relating to children.

Tonight we are not voting on complicated legislation. Instead, we are voting on a principle. If we adopt this principle, then Queensland can set about the processes of beginning to draft legislation similar to that being drafted in the UK and tailoring it to our State's specific needs. It is my guess—and certainly my hope—that no-one can oppose this principle.

Last week the Minister for Families, Youth and Community Care, when speaking on other legislation, referred to the model adopted by the Blair Government. She said—

"There was a recommendation that the Blair Government pursue something along the lines of what is being proposed here, but it has yet to be picked up by the Blair Government. It is not a piece of legislation before their Parliament and, at this stage, has only the status of a working party recommendation. I have no way of knowing what the intentions of the Blair Government are in relation to that recommendation".

This afternoon I had the opportunity to clarify that the Blair Government has gone further, and it is my view that we should, too. The Minister was correct when she said that it had not been legislated yet and she was correct when she said that it was a recommendation from a working party. But she was a little ill informed when she said that the Blair Government had yet to determine its position. In fact, on 29 July Britain's Home Secretary, Jack Straw, announced in relation to the proposals—

"The Government accepts these recommendations and intends to bring forward legislation in due course to implement them".

Straw went on to say—

"My colleagues at the Department of Health and the Department of Education and Employment have been integral in developing the details of this scheme".

He concluded, not by stepping back from the reforms, but adding—

"... similar schemes will be considered for Scotland and Northern Ireland with the aim of an interlocking framework of protection for the UK as a whole".

In addition, Britain's Education Minister, Estelle Morris, said on the same date—

"I welcome these proposals. The measures build on the existing systems for protecting children from unsuitable people and ... will provide an important new safeguard."

I believe there can be no doubt about the Blair Government's intention when the Home Secretary himself has clearly stated the Government's support and intention to bring forward legislation.

Recently, the State Government announced its plans to introduce a system of penalties for employers who fail to undertake the necessary precautions and background checks when appointing people to work in positions involving children. There has been some debate about the workings of the Government's proposed legislation and, indeed, the State coalition has expressed some of those very real concerns. But irrespective of how this Parliament ultimately decides to resolve those concerns, tonight's motion will, if adopted, complement the general thrust of the State Government's legislation. If the Government is prepared to put in place a system of penalties for employers who fail to undertake appropriate checks, why should it not also put in place a system of penalties for those unsuitable people who knowingly try to penetrate a work environment involving children?

This motion will put an onus on offenders as well. It will not deter some from trying to enter these vulnerable workplaces, but it will deter others. It will also make it quite clear that the community views with undiluted revulsion any attempt by these people to work in a children's environment. It makes it quite clear that we are prepared to make it a criminal offence, that we are prepared to take

that person out of the community and put them behind bars for up to five years such is the importance we place on the welfare of children.

Tonight's motion is not a cure-all solution, but it is another tool which we can use in our fight against crime against children. It is not surprising, therefore, that the Queensland Crime Commission itself has supported the coalition's stance in relation to this issue. It is regrettable that, when I first raised this issue—and I believe it was a positive concept—the Attorney-General was a little hasty and accused me of pushing a cure-all solution from the sanctuary of Opposition. However, I have been most heartened by the discussions I have had with the Attorney-General this afternoon.

One month after I suggested a model along the lines of that being introduced by the Blair Government, it was the turn of the Queensland Crime Commissioner, Tim Carmody, to endorse this particular approach. On 1 October he called on the State Government to adopt a similar model to that of the Blair Government. In conclusion, this is a great motion and it is a motion which should be supported by all members of the Parliament.
