Speech by

Hon. TOM BARTON

MEMBER FOR WATERFORD

Hansard 20 July 1999

MINISTERIAL STATEMENT

Convicted Child Sex Offenders; Notification Orders

Hon. T. A. BARTON (Waterford—ALP) (Minister for Police and Corrective Services) (9.54 a.m.), by leave: As my colleague the Attorney-General and Minister for Justice, Matt Foley, has pointed out, these proposed amendments mean the decision-making process on this emotive subject is taken out of the political arena. The amendments outlined by the Attorney-General are a balanced approach to the treatment of a difficult issue. It also means decisions to release information can be made in a careful, considered manner by community representatives who make similar decisions week after week with a great deal of success.

The Queensland Community Corrections Board members, headed by Frank Lippett, are very capable people whose job is to accurately reflect community attitudes on all matters related to graduated release and parole of prisoners. It is a very difficult job but one I think the board has done well since I amended its guidelines last year. The board has extensive experience in determining risk profiles and this extra task is an extension of that responsibility.

Under the proposed changes, we will be going far beyond what the coalition put forward in sections 19 and 20 of the Criminal Law Amendment Act 1988. The current legislation allows information to be released only on the sex offence the offender was originally sentenced on and does not allow the release of the offender's address or anything else.

Under our proposals, the QCCB will have the power to disclose not only the name and details of the original child sex offence but also any other offences. The board can also release the address of the offender to relevant people. The board will have the power to notify people of any change of name, because sex offenders often change their name.

To toughen up the current legislation, the board can also release the modus operandi of the offender, as it is a crucial piece of information for people to determine the whereabouts and habits of offenders. As I said, it goes beyond sections 19 and 20 of the Criminal Law Amendment Act, but it has safeguards in place to ensure that the information supplied is not misused. The QCCB can act to release the information only on application and only if the persons given the information have a legitimate and sufficient interest in requiring the information, as required under the current legislation.

The coalition has tried to portray the little-known and little-used sections 19 and 20 as some type of pseudo Megan's law. The coalition, which introduced the original legislation in 1988, did not even put in place the procedures to monitor those offenders sentenced under sections 19 and 20. That is how seriously the coalition took this issue, and the Beattie Labor Government has had to fix all of that by putting in place procedures for police and corrective services. Poorly drafted legislation has to be corrected and we have acted quickly to do exactly that.

The coalition has attempted to whip up hysteria on the treatment of child sex offenders by pretending to be strong advocates of Megan's law-style legislation. The Victims of Crime Association, to its credit, saw through this facade and has taken a very level-headed approach to this issue. When the issue was raised in May this year, Victims of Crime Association spokesman John King said Megan's law was not the answer. He said sex victims and their close family should certainly know if their attacker was released, but telling everyone was risky. Mr King went on to say—

"The ideal is to release someone back into the community who will not reoffend. I don't think telling everyone will achieve that aim.

We would move into a situation where people can take revenge and that is just as much offending behaviour as the initial offence."

These amendments deliver exactly that—a capacity for victims to find out information about an offender but with safeguards in place to prevent the information being misused.

As the Attorney-General has said, these changes will require an amendment of the Corrective Services Act 1988 and the issue of a new guideline for the QCCB. A regulation will also have to be drawn up with regard to section 161 of the Corrective Services Act 1988 which provides for or with respect to "the custody and safe keeping of the records of corrections boards and access to those records."

I also refer to the powers of the Police Commissioner to be able to release information relating to addresses and criminal histories of offenders. Section 10.2 of the Police Service Administration Act 1990 was originally designed to allow the commissioner power to release relevant information to Government agencies and statutory bodies. A regulation under that Act is currently being developed to clarify the commissioner's power to release information, especially to enable the QCCB to gain any information that it requires.

The extra powers and responsibilities given to the QCCB by these changes will necessarily mean an increase in workload for the board members. In order to offset this extra workload, Cabinet has agreed to increase the board's recurrent budget by almost $145,000 per year in order to employ extra staff and resources.

These changes will enable members of the community who need to know the whereabouts of child sex offenders to gain the necessary information in a controlled, ordered manner outside the political realm. It goes beyond sections 19 and 20 of the Criminal Law Amendment Act, which the coalition has promoted as its answer to this complex problem. However, our proposed amendments remove the inherent flaws in the coalition's sections 19 and 20.

The Beattie Labor Government has taken a responsible, balanced view on the treatment and supervision of child sex offenders and these amendments will enhance that approach.

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