



Speech by

**CARRYN SULLIVAN**

**MEMBER FOR PUMICESTONE**

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Hansard 4 June 2003

**DANGEROUS PRISONERS [SEXUAL OFFENDERS] BILL**

**Mrs CARRYN SULLIVAN** (Pumicestone—ALP) (4.54 p.m.): This bill introduced into the House this week will go some way to alleviating the growing concern in our communities about the release from prison of convicted violent sex offenders and paedophiles. The bill's objective is quite explicit. It provides for the ongoing detention or supervised release of certain prisoners to ensure adequate protection of the community and to provide continued control, care or treatment of those prisoners to facilitate their rehabilitation.

Who could forget the recent *60 Minutes* interview with self-confessed paedophile Jim Bell who agreed with Liz Hayes when she referred to him as 'the Devil', every child's nightmare, and the recent release of Dennis Ferguson into the community, which was the catalyst which caused a team from *Brisbane Extra* to visit Bribie Island earlier this year to interview parents who were subjected to receiving an anonymous letter that suggested that a known paedophile who had recently been released from prison was residing there.

**Ms Keech:** Was he?

**Mrs CARRYN SULLIVAN:** The member for Albert actually brings up a good point. In fact the letter was unfounded, it was baseless and it was certainly irresponsible. The police actually discovered that Mr Ferguson lived permanently in Albion. In fact Mr Dennis Ferguson rang me and suggested that he may be able to help me solve the mystery of who was putting out this anonymous letter.

**Ms Keech:** Helpful.

**Mrs CARRYN SULLIVAN:** He was helpful, but I did tell him that I had passed all the information on to the police.

These two events, and many others, have highlighted genuine community concern about the possibility of offenders who may have completed their fixed term sentence imposed by the court reoffending. Certainly Jim Bell knows how easy it would be to reoffend. As he said—

I don't want to go back to prison, therefore I am willing to take every form of action and help to make sure that this matter doesn't get any worse.

They are not very comforting words because he was not prepared to admit that preying on young girls was actually wrong.

There has been little evidence to suggest that convicted sex offenders and paedophiles, after refusing to participate in sexual offender treatment in prison, upon release will be rehabilitated. In fact the evidence is quite the contrary. They have an inclination to reoffend. Currently serious sex offenders who have served their full sentence are released into the community without supervision. This is addressed in the bill by enabling the Supreme Court to order the post-sentence prevention detention or supervision of those sex offenders who are deemed to pose a serious danger to the community. This bill is about changing a somewhat archaic system to a more contemporary and effective scheme for the better protection of the community.

We are constantly reminded that everyone has rights, even those who have been incarcerated for any reason. Therefore the continued detention of someone in custody, that is those who may be detained beyond the term previously imposed by a court, that is depriving them of their liberties, would not be considered lightly. There are checks and balances.

Prisoners will be given every opportunity to rehabilitate. The Attorney-General will be able to apply to the Supreme Court within six months of the prisoner's sentence expiry date for orders requiring the offender to submit to a risk assessment performed by two qualified psychiatrists who must prepare a report for the court on the risk posed by the prisoner to the community. The court will assess the report and, depending on the risk of reoffending, will either impose a continuing detention order or a supervision order containing a number of strict supervision conditions upon release.

The courts would take into consideration any relevant evidence, including medical and criminal history, to determine its final decision, and if it is a continuing detention order it must be reviewed at least every 12 months. Bearing in mind the rights and liberties of the offender, he or she will be given notice of the application to enable him or her to obtain separate reports and present any evidence in rebuttal of the claim that they are a serious danger to the community.

The bill also contains provision for appeals to the Court of Appeal against the decision of the Supreme Court on the principal application. This bill is an attempt to address legitimate public concern about the dangers to which the community is exposed by seriously violent sex offenders who are unwilling or unable to be rehabilitated.

Since the Internet has become popular and more accessible, there has been a huge increase in paedophilia activity and other sex related crimes. It poses little threat to the sex monsters because it not only allows their anonymity but also makes it easier to lie and deceive and work their way into people's homes. Even the most ardent defenders of the good will tell you that it is so difficult to stop. A well-timed published article dated today by Amber Hartley highlighted just how hard it is for parents to protect their children from paedophiles. She quoted from a Queensland government Department of Families statement—

It would be easy if paedophiles walked around with a certain look that could help children avoid such people, but there isn't any way to describe what they look like.

Liz Hayes has described paedophile Jim Bell as a successful, respectable, ordinary businessman with a loving wife and healthy, well-educated children.

I return to Amber's story. She concurs that child molesters could be the respectable member of the community or the nice person in the street. They may be in a position of power or authority, which can make it almost impossible for children to disobey. Amber also describes the risk of the Internet to children with these words—

Children don't realise that any piece of information they give over the Internet can assist a paedophile in tracking them down—a sports team, what car mum drives, where parents work, what school they attend, et cetera.

As difficult as this whole issue is, the government has not shied away from its responsibility to ensure that, in society's management of proven sexual offenders, the community is protected from recidivist serious sexual violence and paedophilia. If people have any suspicions, they can ring the Parent Line from 8 a.m. to 10 p.m. seven days a week on 1300 310 300 and/or Kids Help Line, which is a 24-hour service, on 1800 551 800. I congratulate Minister Welford and his staff for introducing the bill and I commend it to the House.