




Speech By
Mark Boothman

MEMBER FOR ALBERT

Record of Proceedings, 11 May 2017

**CHILD PROTECTION (OFFENDER REPORTING) AND OTHER LEGISLATION
AMENDMENT BILL**

 **Mr BOOTHMAN** (Albert—LNP) (3.25 pm): I rise today to make a contribution to the Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2016. Firstly, as always, I want to thank my fellow committee members, the committee chair, the deputy chair and the secretariat staff who enabled us to work so well on this very important bill. I also want to thank all the stakeholders who contributed to this bill—Bravehearts, the Aboriginal and Torres Strait Islander Legal Service Queensland, the Queensland Aboriginal and Torres Strait Islander Child Protection Peak, the Office of the Public Guardian, Protect All Children Today, the Queensland Law Society, the Bar Association of Queensland, the Office of the Information Commissioner and the Queensland Police Service. This was always going to be an emotionally charged bill. As a father of three, you want to do everything you can to protect children and make sure that they are kept as safe as possible.

In Queensland an individual charged with and convicted of sexual or other serious crimes against children may be sentenced in a number of different ways. This ranges from imprisonment, suspended prison sentences, community orders or fines. Most of these individuals will eventually return to the community at some point. Currently in Queensland we rely on two acts that address the risk of reportable offenders living in our community—the Child Protection (Offender Prohibition Order) Act 2008 and the Child Protection (Offender Reporting) Act 2004. The first act governs the day-to-day conduct of reportable offenders. It is designed to reduce the risk of harm to a child through prevention by prohibiting the individual in conducting actions that would be deemed as high risk. The second act regulates the obligations of the offender to report their whereabouts to reduce the likelihood of offending.

During the previous LNP government we introduced mandatory life imprisonment with a minimum non-parole period of 20 years for repeat sex offenders. In addition, we inserted a new offence of grooming into the Criminal Code and listed those individuals as dangerous offenders. Furthermore, the LNP implemented mandatory sentencing of one-year imprisonment for sex offenders who tamper with or remove their GPS monitoring bracelets. The implementation of maximum penalties for procuring a child with mental impairment for a sexual nature increased from 14 to 20 years. We also placed more stringent reporting conditions for offenders in the Child Protection Act. These amendments further highlight the LNP's strong record for standing up and protecting children in our state against those who would mean to do them harm.

The Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2016 focuses on introducing powers to allow police to access information on electronic devices such as mobile phones where there is reasonable suspicion that a reported offender has committed an offence. Mobile technology has become instrumental in our society and these devices have a high degree of security. Therefore, we need to give the police the powers to access this information on the phone to prevent the spread of illegal material and child exploitation. In a news article on the SBS website dated 2 January

2015, it was reported that mobile phone accounts outnumbered the Australian population. It is estimated that 31.01 million mobile phone accounts were active in Australia, equal to, on average, 1.31 accounts per resident.

Since 2011, the overall global population of people using the internet has increased by 60 per cent—from two billion internet users to more than 3.4 billion internet users in 2016. An article in *TechSpot* dated 20 March 2013 states that nearly 640 terabytes of IP data is transferred globally every 60 seconds. With the dramatic increase in the number of internet users, certainly, that number will only climb.

Mr Rickuss: How many pages is that?

Mr BOOTHMAN: Just think of the *Encyclopaedia Britannica* a few thousand times every split second. More than ever, our law enforcement agencies need the general public to be vigilant to help them deal with these individuals who exploit our children. Our Police Service needs the tools with which to combat people's ever-increasing reliance on mobile technology and the dangers that brings. A failure to meet that challenge will place our law enforcement agencies at a major disadvantage. As I have stated, technology is continuing to change and we must prepare our law enforcement agencies for the technology of tomorrow.

Another key aspect of this bill is the merger of the Child Protection (Offender Prohibition Order) Act 2008 and the Child Protection (Offender Reporting) Act 2014 into a single act. The Child Protection (Offender Reporting) and Other Legislation Amendment Bill will streamline and simplify offender prohibition orders, as recommended by the CCC. Changing the definition of 'concerning conduct' will give the police the ability to better identify the risk that offenders may pose to children in our community. That was another recommendation by the CCC.

The civil court process will also be amended to prohibit offenders who represent themselves from cross-examining a child witness or a person who was a child when the alleged offence occurred. That will take away an enormous amount of stress and anxiety for the victim, therefore, increasing the rights of the victim, not the perpetrator. We can only imagine the pain and heartache that is caused when an individual cross-examines someone who was taken advantage of.

As I have stated previously, the key aspect of this legislation is to give the police the powers to access information on electronic devices where there is a reasonable suspicion that a reportable offender has committed an offence. It will also allow the police to inspect an electronic device in the possession of a reported offender who is deemed a great risk to our community. The police need this tool to keep pace with the ever-changing technological advances in our modern society. I would like to pass on my thanks to the officers of the Queensland Police Service for their hard work in protecting our children throughout the state and working with other law enforcement agencies around the world to protect all children.