



Speech By  
**Scott Stewart**

**MEMBER FOR TOWNSVILLE**

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

 **Mr STEWART** (Townsville—ALP) (12.50 pm): I rise this afternoon to speak in support of this bill, which is all about tougher laws to protect our children. That is certainly the role that we have in this parliament. I have heard several times from members on both sides already about being proud of this particular legislation. My previous life before coming to politics is no secret, particularly the work that I have done with children. I feel very proud and privileged to stand in this House today to be part of this legislation that takes the next step in keeping our children protected and protecting their innocence.

I would like to acknowledge and thank all of the members of the Education, Tourism, Innovation and Small Business Committee for their work on the bill and also the work of the secretariat staff for their work and support throughout this inquiry into the bill. More importantly, I would like to acknowledge and thank those who were consulted and the submitters to the bill whose voices we have heard many times and whose voices will never be silenced for as long as perpetrators take advantage of our kids. Those voices include: Bravehearts, Protect All Children Today, the Queensland Council for Civil Liberties and the Queensland Law Society, just to name a few.

Make no mistake: this bill is purely about taking further steps—further steps as our technology develops at astounding rates, further steps to make sure that we keep our kids safe from rock arachnids who prey on our young people. What we know is that these predators use a range of digital devices like computers and smart phones. Giving our hardworking police increased abilities to stop those atrocities before they start is exactly what we are trying to do today.

A person charged with and convicted of sexual or other serious crimes against children, known as a reportable offender, may be sentenced in a number of ways. They may be fined, sentenced to a community based order, sentenced to imprisonment or receive a suspended sentence. Regardless of the penalty, almost all reportable offenders will again live in our community at some stage. To address concerns about the risk posed by reportable offenders living in the community, Queensland has laws to monitor, control and limit their behaviour.

Two acts currently govern Queensland's system for monitoring people who offend against children and for regulating their behaviour: the Child Protection (Offender Reporting) Act 2004, the offender reporting act; and the Child Protection (Offender Prohibition Order) Act 2008, the prohibition order act. In effect, the offender reporting act provides a reporting system to monitor reportable offenders and obtain information about possible concerning behaviour, and the prohibition order act provides a response mechanism to prevent the person from engaging in that behaviour.

The prohibition order act regulates the day-to-day conduct of reportable offenders, reducing the risk to children by allowing police to intervene early in an effort to prevent rather than respond to new offences against children. Police may apply to the court for an offender prohibition order if they become aware that a reportable offender is engaging in concerning conduct that poses a risk to our children. The prohibition order will prohibit the reportable offender from engaging in conduct that is viewed as a precursor to them committing a further offence.

This bill proposes to give police new powers under the Police Powers and Responsibilities Act 2000. This legislation will also act as an adjunct to those currently available to police under section 21A—'Power to enter for Child Protection (Offender Reporting) Act 2004'. This new section 21B will give police the power to inspect or seize any device capable of storing electronic data if in the last three months the reportable offender has been released from government detention or sentenced to a supervision order or convicted of a prescribed internet offence or a magistrate makes a device inspection order.

The powers are accompanied by a requirement to provide access information to any device, including cloud storage. This means that reportable offenders will be required to provide pin numbers and passwords to police during such incidents. A person who fails to comply with a direction to provide access information will be liable for a maximum penalty of 300 penalty units or five years imprisonment. The increase in penalty is necessary as the current penalty provides insufficient disincentive for offenders. The current penalty associated with the offence of hinder police carries a maximum of 60 penalty units or only 12 months imprisonment. Under this bill the maximum penalty will now rise to 300 penalty units or five years imprisonment.

The Palaszczuk government is serious about protecting our Queensland children. That is what this bill will do. The powers will enable police to keep pace with the ever-evolving range of internet based sexual offences against children, including the possession or distribution of child exploitation material, the production of child exploitation material, online grooming and solicitation of children. This bill gives our police the powers to monitor and manage the risk posed by reportable offenders. This is the legislative authority to access information which is stored on devices. This is important. Having access to electronic devices will assist forensic examiners who are inspecting devices to decode any encrypted information which may not otherwise be accessed.

There are also safeguards within this bill. One such safeguard includes limiting the number of inspections that can be carried out in each 12-month period and includes judicial oversight in the making of device inspection orders. Another is that the use of these new powers will be limited to those police officers who are responsible for the management of reportable offenders in the community or have been authorised by the Police Commissioner. Given the work of this parliament to protect victims of domestic violence, this bill will also protect the most vulnerable in our community—our children. It is our responsibility—our responsibility—as legislators to do what we can, everything we can, to keep our children safe.

Finally, I would like to acknowledge the extensive and unfortunately never-ending work of the Task Force Argos team of the Queensland Police Service. This team will do some of the most difficult work of monitoring websites, blog sites and Facebook posts to intercept online adult predators lurking behind the veil of a digital screen in their quest to lure unsuspecting children into unspeakable sexual acts that forever more will change their lives for the worse.

I would also like to acknowledge the extensive work of Detective Inspector George Marchesini from the Child Safety and Sexual Crime Group and Detective Superintendent Cheryl Scanlon also from the Child Safety and Sexual Crime Group. I am especially proud of Detective Superintendent Cheryl Scanlon as she is a former student of Townsville State High School—where I was a principal—who has made a significant impact upon our state. While Cheryl had left the school perhaps only a few years before I got there, we are extremely proud of what she has achieved from the education she received at our state school. I commend the bill to the House.