



Speech By
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MEMBER FOR WARREGO

Record of Proceedings, 18 September 2018

POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LEAHY** (Warrego—LNP) (7.34 pm): I rise to make a contribution to the debate on the Police Powers and Responsibilities and Other Legislation Amendment Bill. I thank the members of the parliamentary committee for their report. However, it was disappointing that the committee was not afforded the opportunity to review the amendments to the bill.

The objectives of the bill are aimed at enhancing the efficiency and quality of front-line policing services and to ensuring that policing services remain responsive to contemporary community needs. I acknowledge the work that the police men and women do in our community, especially those who work alone in those single-officer stations where they cannot always phone for backup because there is no mobile phone coverage, let alone any backup within a two-hour drive. These police officers go beyond the call of duty on a daily basis and they do that for their community. I thank them for their work.

This bill makes a number of amendments to legislation, specifically, the Police Powers and Responsibilities Act 2000 and the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004. I note the amendments to this bill that the government has tabled. I find them inadequate and particularly inadequate in terms of the protection of women from serious sexual offenders.

When it comes to dealing with people such as Robert John Fardon, this Labor government has been asleep at the wheel. The members opposite were asleep until they read the *Sunday Mail* and the LNP's tough proposal to deal with this problem. I congratulate the shadow Attorney-General for what he has put forward in the legislation that he has prepared for this House that ensures that the community is protected.

It should be the priority of all governments to keep their citizens safe. Given that the bill was introduced back in June, these amendments should have been part of the bill. Rather than deal with the safety of the community in a timely manner, the government has sat on its hands. It is interesting to note that the members opposite talked about the LNP legislation and asked if it was valid. However, we see this government introducing amendments to this bill that have not been referred to a committee, have not been scrutinised by stakeholders and have not been assessed for compliance with the legislative standards. The government is not prepared to do the analysis of its own amendments to this bill. It is a knee-jerk reaction to a *Sunday Mail* article.

We should not forget that, when this government introduced amendments to sack councillors in the public interest, they were not put before a parliamentary committee. We found ourselves back in the House debating council-specific legislation because the amendments did not achieve the government's objectives. There is a distinct pattern of this government introducing last-minute amendments. I wonder if we will be back with Fardon-specific legislation introduced by this government sometime in the future.

I have had the unpleasant experience of having to deal with a notorious paedophile in my electorate. I have also had to deal firsthand with the concerns from the community when that occurred. When I look at the situation that is about to unfold with the supervision order expiring on 3 October, I have a feeling of *deja vu*.

In 1988, Dennis Raymond Ferguson kidnapped and sexually abused three children and was sentenced to 14 years imprisonment. One of the judges who dealt with the Ferguson case noted that there was no chance that he would be rehabilitated. After being released from jail in 2004, owing to public pressure and media attention, Ferguson was forced to move to numerous locations in Queensland. Angry residents forced him to flee from the towns of Bundaberg, Toowoomba and Murgon.

In February 2005, Ferguson settled in Ipswich with another paedophile, but was again found by his neighbours and the media. In November 2005, Ferguson was charged with sexually assaulting a five-year-old girl at her home in the Queensland town of Dalby. In a rare legal move, the judge granted Ferguson a bench trial without a jury as he considered that, owing to the enormous amount of media coverage, Ferguson would not receive a fair trial by jury.

In July 2008, Ferguson moved to a rural property near Miles, but after the word of his location spread—and I can tell members that it spread extremely quickly in the community of Miles—cars began to arrive at the property and police were called after 60 people began chanting anti-Ferguson slogans.

At this time mothers at Miles were phoning me, too scared to allow their children to play outside in the front yard. They were accompanying their children to and from school because they were frightened for the safety of their children and, as it turned out, justifiably so. Fathers were on the phone advising that they would take matters into their own hands and risk committing a crime and going to jail to remove Denis Ferguson from where he was living at Miles.

The Labor government at the time provided more protection and privacy to Denis Ferguson, a notorious, unrepentant paedophile, regarding his whereabouts rather than protecting the safety of children and families in Miles and Dalby. There is no way that Denis Ferguson could stay away from children because if he was required to report to the local police station in Miles it was opposite the local state primary school. The only way that he could get to the local police station was to walk right past that school or to park right in front of it.

This House should not permit a repeat of what happened with Denis Ferguson. Unfortunately I can see this happening again because this government does not understand that community safety—in particular the safety of women and children—should come before the rights of repeat sex offenders. This Labor government is soft on crime whereas we in the LNP will always put the rights of the victims before the rights of repeat offenders.

Under this Labor government's proposed amendments, for a GPS tracker to be applied, a reportable offender must engage in concerning conduct that is to be intercepted by the police and brought before the court and sanctioned by the court as part of a prohibition order. The key part here is 'intercepted by police'. In rural and regional areas this will not happen. They just will not be intercepted because the police cannot be everywhere at once.

The explanatory notes to Labor's amendments also state that the prohibition order remains in force for only five years, not for the rest of their lives. What this government fails to understand is that repeat offenders, who are incredibly difficult to rehabilitate and some do not feel that they need to be rehabilitated at all, do not suddenly become rehabilitated because the prohibition order has ceased. Labor claims that police will direct these offenders where to live. This is absolutely fraught with danger. That is only done through a prohibition order that needs to be court sanctioned once an offender is engaged in concerning conduct. This government is highly likely to repeat the mistakes of the past and I can see these prohibition orders directing offenders to communities which will create absolute mayhem in those communities. It is too late to do this after an offender has engaged in concerning conduct. By then there could easily be more victims.

This Labor government's laws do not apply to all repeat violent sex predators. They neglect the safety of vulnerable women in particular because their amendments do not include all repeat violent sex offenders—that is, the serial rapist whose victims are women who will be released unsupervised into the community under Labor's laws. This is appalling from the member's opposite. If they were concerned for the safety of women in the community they would have insisted that this provision be changed to protect women. This is one of the significant shortfalls of Labor's rushed and poorly cobbled together laws. They are relying on an honesty system to monitor offenders. The worst kind of offenders will be relied upon to self report. I can really see that provision working overtime!

The LNP wants strict and indeterminate supervision of Queensland's most notorious, dangerous, violent sex offenders. The community can have confidence with the LNP's proposal. No wonder Labor is continually blocking the attempts of the LNP to introduce these tougher laws to parliament. Labor's laws fall far short of the LNP's tougher laws that are far more comprehensive and ensure greater protection of the community. As I have said, the protection of the community should be what this government is concerned with.