




Speech By
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MEMBER FOR TOOWOOMBA SOUTH

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POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL

 **Mr JANETZKI** (Toowoomba South—LNP) (3.07 pm): I rise to make a contribution to the Police Powers and Responsibilities and Other Legislation Amendment Bill 2018. I will limit my comments to the amendments that have been proposed by the minister today.

The Labor government is pretending. They are great pretenders. They are pretending that they are standing alongside the community and with the victims of crime. They are pretending that these amendments are a panacea to the risks involved with serious sexual offenders who are on the street without any supervision whatsoever. There may be a couple of members with law degrees over there, however—as we have learned again today with these amendments—they do not understand how to draft laws that work for, and with, the people of Queensland.

Let me start at the very beginning with respect to the difference between monitoring and supervision. We have a supervision regime under DPSO and we have the monitoring process that has been proposed by the minister today. Under DPSO, Queensland Corrective Services dedicate considerable resources to strictly supervise offenders. Queensland Corrective Services closely monitor Queensland's most dangerous sexual offenders under DPSO orders. How do they do that? They do that through 24/7 GPS tracking, surveillance, case management and intervention. In the event of a critical GPS monitoring alert, Queensland Corrective Services officers immediately advise the Queensland Police Service to take action. The truth is that, by introducing new monitoring arrangements that apply only to child sex offenders coming off a DPSO order, Labor is basically legislating an honour system that requires some of the worst criminals in Queensland history to send an email to the police to let them know how they are going.

It is a disgraceful approach to what is a most serious problem. I repeat: these are offenders who have repeatedly—some over 50 years and multiple offences—proven themselves incapable of reforming. They have gone on to commit serious offence after serious offence and then, beyond that, gone on to breach repeatedly the supervision orders that have been issued under DPSO. Now the Labor government simply expects them to check in and voluntarily provide information to the Queensland Police Service. The opposition will watch with interest and, can I say, great trepidation and fear as these provisions roll out.

It is worth reflecting just for a moment on how many reportable offenders there are in Queensland already today. We have about 2,800 in the community and 500 in custody. We understand that some additional resources have been promised by the minister. I did not hear the particular resources that have been promised, but my understanding is that at this stage there are just over 20 police officers across Queensland who are responsible for monitoring child protection act reportable offenders. Throw into the mix some of the worst criminals in Queensland's history as they come off DPSO orders and I fear that the resources are currently not there to give the police the help they need, bearing in mind that most of the monitoring undertaken by the Police Service in this area is conducted online and remotely.

They do not have easy access to get in cars, go out, 'kick the tyres' and keep an eye on these reportable offenders. How are they ever expected to keep up with the excess of child sex offenders when their supervision orders end? It is colossal complacency to think that the amendments that will be moved here today will in any respect provide meaningful protection of the people of Queensland from these most serious, and in many cases repeat, sexual offenders.

These amendments, in the way they have been brought into this House and drafted, also show colossal complacency on the part of the Attorney-General. What has been going on for the past 3½ years? What has been happening? What preparations have been made? These are not new problems. Here we are, at the eleventh hour, seeing these amendments tacked on to this bill. We are again contemplating these most serious questions that have wideranging consequences for the safety of Queenslanders. This is being done at the eleventh hour, in a mad dash.

I believe that most of the amendments have been brought about by the pressure brought to bear by the opposition to this question; however, it has always been this way. I will take a very quick jaunt down history's path. DPSO was introduced—the member for Gaven reflected on the introduction of the DP(SO) Act—in 2003, so this has been a 15-year cycle. Labor did not like the Criminal Law Amendment Act that did apply in 2003. The then attorney-general in 2003, when introducing the DP(SO) Act, actually called the Criminal Law Amendment Act outmoded. They were never happy with having to introduce DPSO.

I reflect on the fact that the Criminal Law Amendment Act permits the court to declare, based on medical evidence, a person convicted of a sexual offence to be incapable of exercising proper control over their sexual instincts and direct that they be detained at Her Majesty's pleasure. This was the bill that was already in force when the Labor government of 2003 introduced DPSO. If we recall correctly, it was Dennis Ferguson who was the precipitating factor of DPSO. Would you believe that the first application made under the DP(SO) Act in 2003 was for one Robert John Fardon? He was due for release in June 2003, having served a 14-year sentence. These offences were committed within 20 days of his release on parole after an eight-year sentence. These are facts on the public record. This is the backdrop to the introduction of DPSO and the concepts of continuing detention and supervision orders that had been introduced into Queensland law.

By 2009 the Labor Party had again lost its way. It introduced a bill to amend DPSO but let it sit on the *Notice Paper* for over 12 months. During that period Mr Fardon was jailed for rape—again—but it was quashed on appeal. It was the circumstances of this jailing that prompted the attorney-general at that time to overturn the initial drafting of that bill which limited supervision orders to five years. They came back in and made an amendment to make it a minimum supervision order of five years. Labor has been all over the place on these amendments for many, many years.

In 2011 we had a backflip by then premier Bligh, who saw at last the merits of GPS tracking devices for monitoring our most serious sexual offenders. They were late converts all the way to these necessary legislative provisions, which they have fought all the way to today's amendments.

Although the members for Redcliffe and Morayfield have failed to identify any one person, I think it is safe to say that we all know the catalyst of these amendments—that is, Mr Fardon. Why is Labor not willing to fight for laws to protect Queenslanders—to put it on the line, to show Queenslanders that it is truly serious about protecting the community? We know that those opposite do not care, and Queenslanders will start to understand that too.

This Labor government will not fight for victims of crime and it will not fight to safeguard the community, but it will fight to entrench its established political power in Queensland—whether it be ignoring the advice of the CCC chairman that there could be successful challenge to the electoral laws in Queensland or whether the Attorney-General tramples on 25 years—

Mrs D'ATH: Mr Deputy Speaker, I rise to a point of order on relevance to this bill. We are now straying way outside the scope of this bill. The member should be brought back.

Mr DEPUTY SPEAKER (Mr McArdle): Member, could I urge you to stay relevant to the bill.

Mr JANETZKI: While the Labor government will not fight for the safety of Queenslanders and for laws that protect them, the LNP opposition will. We always will. Why are we left debating this bill at the very last minute, when the Attorney-General and the government have had hundreds of lawyers at their disposal and 15 years to get these laws right? Finally today we see a damp squib of a bill that will do nothing to safeguard the community from serious repeat sexual offenders. Those opposite will always put the civil liberties of some of the worst Queensland criminals in history above the rights of the community to safety.