Speech By

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CHILD PROTECTION (OFFENDER REPORTING AND OFFENDER PROHIBITION ORDER) AND OTHER LEGISLATION AMENDMENT BILL

Mr MICKELBERG (Buderim—LNP) (4.45 pm): I rise to address the Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation Amendment Bill 2022 and perhaps more significantly to address the chaos and crisis typical of this Palaszczuk Labor government in the form of the amendments that have been brought in at the last minute.

At the outset let me state that I support the measures contained in the original bill. Any measures that we can take to stop sex offenders from committing their heinous acts should be implemented and they should be supported. I do support the measures that were in the original bill. What I cannot support is the disgraceful abuse of process displayed by the Minister for Police in introducing 57 pages of amendments yesterday—57 pages of amendments when the original bill was only 48 pages.

Those 48 pages appropriately went to a committee and were considered by stakeholders, with submissions from people like Bruce Morcombe, Bravehearts, the Queensland Police Service, the community and the opposition. We had an opportunity to view the bill, to consider the bill in its entirety and to consider what the effect and the effectiveness of that bill would be. That is not the case with the 57 pages of amendments that have been brought in. You would have thought that with 57 pages of amendments they would also be considered appropriately. I do not accept the rationale that these amendments are so urgent that they need to be rushed through in this ham-fisted, chaotic manner as displayed yesterday.

The shadow minister for resources, the member for Condamine, enunciated the issues around the town of Glenden, the time frames for the commencement of the amendments and the fact that those amendments could have been very easily incorporated into another bill or even into the bill that the Minister for Resources introduced yesterday. They could have been considered appropriately by a committee. They could have been considered by the community. The second order effects of that bill could be considered. Instead, the government have come in here and tried to rush things through as quickly as possible without the scrutiny that they might otherwise have had.

Given that, it is difficult to arrive at any other conclusion than the Palaszczuk Labor government are trying to hide something. Unfortunately, they are true to form. We have seen it time and time again where the ministers of the Palaszczuk Labor government come in here and, despite the rhetoric of openness and transparency, try to rush legislation through. They try to bury it.

Ms Grace: When?

Mr MICKELBERG: The Minister for Education is asking, 'When?' Yesterday! There were the electoral law changes. How many times have we seen this? I will give credit where credit is due. Some ministers know how to do their job—some—but there are many on that side who do not. I am not going to highlight them. Some of this is pretty rudimentary. There are drafting errors consistently time and time again. Second order effects of provisions that are contradictory to existing legislation are not considered.

That reactionary, chaotic approach that we see from the Palaszczuk Labor government means that those errors are not identified. The loopholes that exist in legislation are not called out. Inevitably we will be back here in coming months and years—just as we did for the Minister for Education portfolio's previously—to fix errors that should have been identified in the original bill. They should have been identified through the consultation process and through the consideration process of the committee. Then they could have been rectified before the bill came back to the House for debate. That is not what we are doing here today.

Turning to the original bill, I want to place on the record my support for Bruce Morcombe's submission calling for the establishment of a national publicly accessible sex offender register, and I emphasise 'publicly accessible'. The committee report acknowledges Bruce Morcombe's advocacy for a national sex offender register; however, the committee's acknowledgment and the Queensland Police Service's response to that issue ignores the fact that it should be a publicly accessible register. It ignores the fact that parents, children and the community more broadly have a right to that information and that their rights should come before those of convicted sex offenders.

This bill does not establish a publicly accessible register, and I believe that is an initiative we should be pursuing here in Queensland. Families have a right to know if a sex offender lives next door to them. As a father, I have a right to know that a sex offender lives in a house where my young children might go for a sleepover with a friend. A publicly accessible sex offender register already exists in other jurisdictions. It exists in Western Australia and it works fine. There are appropriate safeguards in place to ensure it is not abused. It is a measure we should be bringing here into the Queensland parliament, in my opinion.

On that note, I would like to acknowledge the work of Bruce and Denise Morcombe. I am sure that all members of the House have interacted with Bruce and Denise. Daniel went to school in the electorate of Buderim at Siena Catholic College before he was tragically murdered a number of years ago. Daniel's legacy and Bruce and Denise's work through the Walk for Daniel and Day for Daniel is that our young children are safer. Every year I take my older children to the Walk for Daniel, and I am always astounded at the knowledge they have gained through the education the Daniel Morcombe Foundation delivers in our state schools—my children go to a state school—and I am always astounded at—

An honourable member interjected.

Mr MICKELBERG: They are quite young. They are in the early stages of primary school. The knowledge they have gained through the education delivered by the Daniel Morcombe Foundation is genuinely impressive and it genuinely keeps them safer, so I would like to place on record my thanks to Bruce and Denise for their work and advocacy in that space.

My own community recently had a sex offender who was subject to a child sex offender reporting order. This man was convicted of multiple instances of storing and distributing child exploitation material of children as young as three. Although they were non-contact offences, he was not subject to a prohibition order, but he was—and is—subject to an offender reporting order. That man is able to regularly access a state school. He is regularly able to access a day care because he is a parent. For me that is unacceptable. I am confident that the majority of our community would agree it is unacceptable—regardless of whether an individual is a parent—that they are able to access places where young children are present and vulnerable. I just do not accept it is reasonable that a convicted sex offender who has reporting obligations can attend a state school because he is a father.

I have raised this previously. As I understand it, there is no government legislation and or policy that prevents him from doing so. It is my view there should be. I am not in a position to determine what the appropriate mechanism is because of the very reasons I highlighted at the start with respect to amending legislation in a narrow manner. I think it is important that these matters are considered fully. I would ask the government to look at this issue. Whether it is a policy change from the Department of Education or whether it is a legislative change, a sex offender, regardless of whether it is a contact offence or not, should not be able to access a state school regardless of whether they are a parent or not. I think that is a significant shortfall in our existing framework.

I also want to touch on the youth detention issue before I finish up. On 21 August 2019 the then minister stated—

The bill removes legislative barriers that may contribute to kids being held on remand or refused bail and kept in watch houses beyond normal processing.

That kind of runs counter to what we are debating here today. One must ask the question why that bill was introduced. The bill was introduced because there was a public perception—an optics problem—at that point. We had some train wrecks on *Four Corners*. We had a problem the government needed to resolve, so once again in their ham-fisted, chaotic manner the government brought in legislative changes—legislative changes they had spoken against many, many times in this place.

I have only been here since 2017 but I have seen those opposite change their position three or four times on youth detention and breach of bail. Many of those opposite must be regretting their decision to speak on some of those bills in the past where they condemned breach of bail and then turned around and supported it a couple of years later. With respect, those opposite are not sincere. I want to draw a distinction here, because I heard the member for Cooper's contribution earlier. It was a sincere contribution; it was a meaningful contribution. I appreciate her genuineness and the value of contributions like that to the debate. We should have more of them. I have to say that I have not seen any sincerity from the ministers opposite with respect to their responses on youth justice issues or youth detention. The position changes based on the political winds of the day. I am happy if those opposite do not think young people should be in detention when they do the wrong thing. I have a different view. If that is the position of the government, then stick to it. Acknowledge it. Own it. That is not what we see. We see it shifting whenever the political winds change. It is an insincere position. Queenslanders deserve better. Queenslanders deserve a government that introduces considered, logical and structured legislation to address these issues, not ham-fisted and chaotic short-notice responses.