




Speech By

Stephen Bennett

MEMBER FOR BURNETT

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

 **Mr BENNETT** (Burnett—LNP) (4.20 pm): I begin by expressing my surprise at the amendments tabled 17 minutes ago in terms of their significance. There will be such a lot of ramifications from the proposed amendments. The Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation Amendment Bill is important. I acknowledge the submitters who put so much into their responses. I also acknowledge those who work every day in protecting children and keeping them safe. I thank those who gave evidence to the committee.

We know that reducing risk in people's everyday lives and sexual safety are so important. I was surprised to hear witnesses from several organisations suggest that reportable sex offenders are having their rights eroded under the bill. I have no sympathy for these convicted high-risk offenders. We must do everything we can and as often as we can in these debates to never forget the victims. We must support legislation that seeks to ensure police powers keep up to date with the changes in technology and the way these individuals offend. We must protect children. Bravehearts in its submission stated—

... Bravehearts believes it is imperative that our legislation addresses the, at times, conflicting rights of the safety and protection of children, young people and the community and the rights of individual offenders. In discussing the rights of offenders, it is necessary that the discussion include the rights of the victims of crime, the rights of potential victims of crime and the rights of children in the community.

The police also did a lot of work in their monitoring of 3,982 reportable offenders in the community. Of these, 55 were considered high-risk offenders due to their status as a reportable offender who had previously been subject to an order under the Dangerous Prisoners (Sexual Offenders) Act and been convicted of a reportable offence. The registry comprises: 42 specialist detectives based regionally throughout Queensland; a forensic behavioural investigation specialist team—we can imagine their job and have a lot of sympathy for these men and women; as well as a registry investigation team.

Reportable offenders are required to report their details. In addition, every reportable offender is given a notice of their reporting obligations. Each reportable offender is assigned a police case worker who not only monitors compliance but also can actively assist. I still do not understand why we are giving so many opportunities to high-risk individuals to have digital devices that can potentially be used for what we all were warned about during the committee's work. 'Offenders' is a polite term. That they were permitted access to the ugliness of the internet and the increased activity that the committee heard about, particularly during COVID, opens up a lot of questions for me.

I will move away from the bill that the committee spent so much time considering over the last year. Now that we have all of these amendments, it is important that the House understands the work of the committee in its inquiry—we received 45 submissions—into the outcomes of repealing certain sections of the Summary Offences Act: section 7, urination in a public place; section 8, begging in a public place; and section 10, being intoxicated in a public place. The minister's amendments propose that the sections be removed and the acts decriminalised. Doing this represents a 'cart before the horse'

mentality. This will not deal with, in many cases, the underlying problems of poverty, homelessness and entrenched disenfranchisement. That is why we made it clear that we must fix the issues before introducing legislative reforms.

The community expects us as legislators to ensure they can utilise public spaces free from begging, public intoxication and public urination. Our report did not reflect what many see as a disproportionate response to these offences and will be seen as a continuation of a soft-on-crime government. It must be said that this is exactly what this is doing: fuelling the Labor machine about decriminalising all of these activities without having diversionary centres, without providing support and without having these people front and centre of the decisions we make. We will cut them loose. This is against what the police wanted, what the police union wanted and what many other people in our community wanted. The expectation was that we would have done so much better before we went down this rabbit hole.

Concerns were raised about the proposed repeal of these provisions—in a child safety bill, of all things—particularly by local governments. Many local governments are just appalled that we would do this and throw this issue back on them. That is what will happen. We will ask local governments to pick up, clean up and deal with people exhibiting this behaviour. We also have not seen in the legislation exactly what we will do when people are violent. In some cases when people are publicly intoxicated violence breaks out. We are repealing police powers to address these things, and I think our communities will speak up against—

Mr Smith interjected.

Mr BENNETT: I take the interjection from the member for Bundaberg. All I am saying is: if we are going to repeal these provisions, the community should understand the ramifications. The bill should have gone to a committee. The amendments should not have been included in a bill dealing with something as important as internet issues around child safety. The shadow minister was appalled and so am I. This is a serious issue and represents a breach of trust for the community. The community does not trust us anyway, but then we turn around and do these sorts of things.

It really is outrageous. We are trying to deal with child safety, and now we are also dealing with people playing up, fighting and carrying on in parks and with issues around sex workers. These are important social issues. Let's have a debate and have stakeholders engaged—not just ram this stuff down our throats and expect us all to sit back and not take interjections from members who probably have not read the report that was done in June last year about public intoxication. We did a lot of good work and we were very proud of it. The committee report made serious recommendations about what detox centres should look like. What will we do with people? If we pick them up and they are violent, are we going to throw them in the back of a paddy wagon? Will police even want to do that now, because if we decriminalise these things the police become babysitters to these people until they are sober enough to deal with their own cases. This is serious and it has huge ramifications.

The police union's submission and subsequent evidence provided to the committee highlighted that its members believe a multifaceted approach to public intoxication and begging is required to meet the expectations of the community and public safety. No-one on the other side of the House is talking about public safety tonight. Imagine Surfers Paradise and the glitter strip if we take away the offence of public drunkenness. Imagine the streets in particularly some of our remote communities, where public drunkenness is a real scourge on the community. None of us feels very comfortable about that.

In terms of public safety, there is a role for departments, non-government providers and third parties to assist in the care and wellbeing of individuals. That is not in this bill. We are just cutting them loose. We are just removing the provisions to see where it falls and then we will have to deal with it. In many examples in other jurisdictions where decriminalisation has occurred there was a need for the introduction of protective custody legislation which gives police the powers to apprehend persons as a last resort to keep them and the community safe. There is nothing in the amendments or the explanatory notes about that, either.

The committee heard from police around the state who are doing this work. They are concerned. A major concern of members of the committee was the impact on police banning notices in safe night precincts. This will serve as a slap in the face in terms of that piece of legislation which has seen some good work across a lot of communities. Basically, safe night precincts will now be a thing of the past due to the reckless removal of sections 7, 8 and 10 of the Summary Offences Act.

Before any decriminalisation of offences under this act is considered, the government should consider our international human rights obligations to uphold essential rights under the Human Rights Act and establish a culturally safe health and welfare approach to public intoxication affecting the poor,

mentally ill, homeless and First Nations people. Nothing in these amendments talks about that. It is just not on. We have to ensure we do this correctly. I do not understand the urgency when the committee was running around and doing this inquiry last year. The committee completed its report but suddenly the issue is urgent. I ask the minister to explain why this is suddenly an urgent issue.

During the inquiry many issues were raised. Recommendations 79 to 91 talk about diversionary centres, particularly for First Nations people. What an insult it is that we have not moved to provide opportunities for intoxicated First Nations people in their communities to be treated with respect. We have no idea what will happen now. The police will be left without direction. They will be making up their minds about how they deal with people who are intoxicated in public.

The many consequences of the failure to provide the support services, the resources, important infrastructure and the serious issues confronting intoxicated persons are not dealt with in these amendments either. Of concern to me is the way this has been done here tonight. It would have been great if this parliament could have done more work to make sure we understand what this will mean in the long term. I have real concerns about the lack of consultation. The fact is that these amendments were thrown on us 17 minutes before the debate. I heard members yelling out before that we still have 12 minutes to sort it out. It is going to take a lot of work before this side of the House can either support these important reforms or not.

No wonder people do not trust us when we are dealing with amendments related to resources, social issues and amending the Summary Offences Act. The amendments deal with kids and detention centres. They talk about kids being moved from detention into watch houses. This is a serious issue. This is a bad thing to do in this parliament when the issue is bad enough.