




Speech By
Hon. Amanda Stoker

MEMBER FOR OODGEROO

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COMMUNITY PROTECTION AND PUBLIC CHILD SEX OFFENDER REGISTER (DANIEL'S LAW) BILL

 **Hon. AJ STOKER** (Oodgeroo—LNP) (6.21 pm): This is a bill that directly seeks to deal with every parent's worst nightmare, a nightmare the Morcombe family have been living every day since their son Daniel was abducted on the Sunshine Coast on 7 December 2003, only to be murdered by a known paedophile. Little 13-year-old Daniel was just trying to catch a bus to the shops to buy Christmas presents for his family, but he never made it there. Such a loss would crush most of us, but in the 22 years since Denise and Bruce Morcombe have channelled that pain into a legacy that has educated children and families and that is, with this legislation, equipping parents with the tools they need to better protect their kids.

I am sad to say that the exploitation of children by predators of the worst kind, whether in person or online, is much too common. When I was a criminal prosecutor it used to infuriate me to hear submissions made in favour of a defendant being sentenced for online sexual crimes against children claiming that their conduct was victimless because they were simply consuming images or videos. Let us be clear here: every one of the children depicted in online exploitation material is real. The people who consume it are not engaging in a harmless pursuit; they are creating a market for ever more children to be abused by sophisticated networks of criminals who profit from the misery of the innocent.

As I commend the tireless advocacy of the Morcombe family, I similarly salute the officers of Task Force Argos in the Queensland police, whom I found to be, and who have the reputation for being, among the very best in the world at dealing with this revolting trade. This kind of work changes you as a person. I hear that from officers all the time. For my part, it has made me a very protective parent—something that probably frustrates my kids from time to time. I implore all parents to be vigilant about what their children access online and the things they are exposed to. Please supervise carefully and diligently. Childhood can be so easily stolen. Our job as parents is to protect that innocence. There is a large and growing body of evidence that too much digital time is deeply harmful for the developing brain of a child, even when that content is clean and not of the predatory kind. When you factor in the additional layers of danger that come from exposure to predators, even on apps that are marketed to children such as Roblox, the imperative to restrict device use and to carefully supervise is intensified.

This is a bill that deals with child sex offenders wherever they lurk. It is the fulfilment of a commitment this team made well before it was elected to government when Labor had, despite a decade of opportunity to do so, failed to implement a publicly searchable register. Based on the contributions we have heard today it looks like they might vote for it now, but make no mistake: given the 10 years they had to act, it is a vote they are providing reluctantly, not really believing in it, some of them kicking and screaming. If it were otherwise, this register would have been established a very long time ago.

This bill establishes a three-tier Community Protection and Public Child Sex Offender Register that will make information about these offenders more accessible to the community and give parents, guardians and carers access to information about people who have contact or will have contact with their child. There is already a private register of sex offenders in Queensland and information-sharing arrangements between agencies, but a public register will, for the very first time, equip parents to make active decisions about the risks their children face on an individual level. Never before have parents had any right to know the risks to which their child or children will be exposed.

The register will be operated and maintained through the Queensland police and it is broadly modelled on the Western Australian public registry. I say that because, to the extent that we have heard from some Queenslanders opposing it in that it would expose offenders to unfair or unreasonable treatment or vigilantism, that has not been borne out by the Western Australian experience. In the bill before this chamber there are protections in the form of an offence of misusing information from the register to engage in conduct intended to or likely to incite others to intimidate or harass a person they believe or suspect is an identified offender. There are also restrictions against the unauthorised sharing of information accessed through the register. The Western Australian experience shows that these are effective balancing measures.

I have mentioned that the bill establishes a three-tier system. The first tier is a webpage for missing and noncompliant offenders. It will display facial images and the personal details of offenders who are in breach of their reporting or other obligations and whose location is not currently known to police. The Police Commissioner will have the power to release additional information, if necessary, such as distinctive features like tattoos. The second tier allows for local area searching. A resident of Queensland can request access to temporarily view facial images of the offenders who are residing in their locality. Repeat reportable offenders will be in this tier, as will lifelong reportable offenders and reportable offenders who are subject to a supervision order under the Dangerous Prisoners (Sexual Offenders) Act. The third tier provides a scheme to enable parents, guardians and others with parental responsibilities to apply for confirmation about whether a particular person who has or will have unsupervised contact with their child is a reportable offender. Contact is defined in the bill to include physical contact right through to electronic communication without the presence of another adult.

The way these categories are drawn captures a broader scope of offenders than is captured by the Western Australian model. For instance, this bill captures in tier 2 both contact and non-contact offences such as possession of child exploitation material. Those are not captured by WA's scheme. More people are entitled to access the information on the register that is proposed by this bill than are able to do so in, for instance, the South Australian comparable equivalent. What we have before the House today is a best-in-class option that has been carefully crafted to learn the lessons from similar measures that have been tried and tested in other states.

There is no way we can eliminate all risks, despite the best efforts of police. I say that with a heavy heart, but it is true. Not all offenders have been detected by the system such that they have been marked as offenders. Parents will always need to be careful. With good information and active parents we can keep kids safer than they ever have been before. This Friday is Day for Daniel. It is a day to remember a little boy who was lost in the worst possible way. However, this year will be different because, after 22 years, the Morcombe family's plea has been heard and the protections for which they have advocated have finally been delivered and are ready to be operational alongside their comprehensive work in the education space. It is called Daniel's Law. His death, while it will never be okay, has delivered something important—that is, a community that will be safer because of the law that bears his name. I commend the bill to the House.