



Speech By  
**James Lister**


**MEMBER FOR SOUTHERN DOWNS**

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

### **Second Reading**

 **Mr LISTER** (Southern Downs—LNP) (4.51 pm): I rise to make a contribution on the bill before us, the Community Protection and Public Child Sex Offender Register (Daniel's Law) Bill. I am aware that this particular bill is very important to Queenslanders generally. It would not surprise me if this bill, among a few others, would be attracting the attention of my constituents. If you are watching online or are watching a video of this, I am talking to you. This bill is not a large one—it is only 19 pages long, even with all of the extra pages that we see in these publications—but it has very definite implications for the safety of children in Queensland. Like every member who has come before me, and no doubt everyone who will come after me in this debate, I want to acknowledge Bruce and Denise Morcombe and their indefatigable advocacy for education for kids and for law reform to protect them from the dangers that unfortunately pervade our society. The introduction of a public child sex offender register in Queensland is something that they can take enormous satisfaction and pride in.

I was interested to hear my honourable friend, the member for Pumicestone—who spoke very well, as she always does—say that she remembers the lessons from this tragedy, even at the very tender age that she was at the time that the Daniel Morcombe tragedy was prominent in the news, more prominent than it is now, I would say. I do not think any of us would not remember where we were. I recall being a young flying officer in the Royal Australian Air Force posted to Victoria when the story broke that Daniel had disappeared. I have fixed in my mind's eye, as many of us would, the location under the bridge where Daniel went missing never to be seen alive again when he was merely going to go shopping to buy Christmas presents for his family. I am sure that resonated with all Australians. In postings subsequently throughout Australia I remember seeing the story develop and being immensely aware of the tragedy that the Morcombe family had suffered and the dignity with which they went about trying to make something constructive out of the tragedy they faced.

This bill was an election commitment of the LNP at the November 2024 state election. The Liberal National Party had advocated for it in opposition but did not see it come to fruition. Now that we are in government we have, as my honourable friend the member for Scenic Rim said, in a very busy first-year legislative program prioritised this piece of legislation.

There are three tiers to this child sex offender register. I think it is important that people understand that it is not a free-for-all. It is a tiered system that provides a balance of access to information about reportable child sex offenders who may have access to your children, but also preventing widescale vigilantism, which we do not want to see. The three tiers depend on the circumstances that parents face in trying to identify if those who do or might have access to their children are reportable child sex offenders.

Reading from the explanatory notes, tier 1 is a missing noncompliant offender website. That is a public website displaying facial images and particular personal details of reportable offenders who have breached their obligations and whose whereabouts are unknown to police. If there is a child sex offender who should have been reporting to police, for instance, or who has moved from a place that they were lawfully obliged to remain at and we do not know where they are, parents can see their images to know whether or not they need to look out for those people in their community and ensure their children have no contact with them.

The second tier is a local area search allowing Queensland residents to apply temporarily to view facial images of particular reportable offenders, including reportable offenders who the Police Commissioner considers pose a serious risk to the lives or sexual safety of a child or children residing in their general locality. You can narrow down the search to see if these monsters are in your vicinity so that you can better identify them and be on the lookout for them to ensure that your children are not exposed to them. I know that being able to access that will be of great comfort to parents.

The third tier, which is perhaps the most restrictive but necessarily so, is a parent/guardian disclosure scheme, an application-based scheme enabling parents or people with ongoing parental responsibility for a child to apply for confirmation about whether a particular person, who has had or will have unsupervised contact with their child, is a reportable offender. I take this as being a situation in which a person may be thinking of employing a governess or someone in their home, or somebody has joined the family—maybe a new relationship with a parent—and the applicant wants to make sure that that person will not pose a risk to their children. I think that is very admirable and necessary.

Before I sit down I would like to respond to some of the contributions of opposition members in the course of this debate. There has been, as there rightly should be in relation to legislation coming before this House, criticism of some aspects of this bill. I point out that the opposition—the Labor Party—had the last decade in power to legislate for a public child sex offender register. I recall being in this House in about March 2019 and debating whether something like this should be instituted and having that proposition rejected by the Labor government of the day with the use of their superior numbers. They had the opportunity to introduce this much needed legislative reform while they were in power.

**Mr McDonald:** To support the Morcombes!

**Mr LISTER:** I take that interjection from my honourable friend, the member for Lockyer. I think it is disingenuous to be too harsh and to criticise this necessary legislation which we took to the electorate at the last election with a promise that if elected we would legislate for.

There was also the criticism, which does have some basis, that this is not a panacea that will prevent the accessing of innocent children by paedophiles. That is correct because, as has been said in the House, a reportable child sex offender is somebody who has been convicted and, in our system, those who are not convicted are considered to be not guilty. Say you were to seek a criminal history check on someone you want to employ. If they have done the wrong thing in the past and have gone before the courts and been found not guilty or have not been prosecuted then that will not appear on the information provided to you. So what is new? Obviously parents will understand that this child sex offender register can only point out the existence of reportable child sex offenders who have been convicted in the past.

My wife and I are the parents of four children: an 11-month-old baby, a three-year-old girl and 11- and 14-year-old boys. We feel this, too. It is important for all of us to bear in mind that around us are people who intend ill to our children. That is just a fact. While society decries it and does all it can to prosecute, punish and restrain those who are guilty of that, there will always be those who have not yet been caught and who may never be caught. Being such a complex sociological phenomenon, there are many cases of people who have gotten away with this because of the stigma borne and felt by the victims of these terrible crimes. We must all be vigilant and make sure we look out for our children and are inquiring of and incredulous about the bona fides of those who will have access to our children.

I commend the bill to the House. I say to the people I serve as the member for Southern Downs that this is good legislation. It is a step in the right direction. I look forward to seeing it implemented once voted upon.