



Speech By **Nikki Boyd**

MEMBER FOR PINE RIVERS

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

 **Ms BOYD** (Pine Rivers—ALP) (4.53 pm): From the depths of unimaginable pain, grief and loss, Denise and Bruce Morcombe have dedicated themselves to making the children of our communities safer. Their life's mission is advocacy, awareness and education—protecting other children from the horrors that they endured. I was also a teenager when Daniel went missing. For me, like many Queenslanders, this event was a flashbulb memory—an event that rocked our state and was deeply felt through our communities. The Daniel Morcombe Foundation was established to give back to the community that provided them so much support. It has evolved into one of our nation's most well-respected child safety organisations.

I reflect as a community leader, but more desperately as a mother, on the journey of almost 8,000 days that the Morcombe family has been on with deep respect, admiration and appreciation. Our nation has been inspired through their determination and the dedication that they have shown, as well as the tangible good they have contributed through our communities.

There is often a difference of views in this place around matters but not when it comes to keeping children safe from child sexual assault. On that we can all agree. It was clear through the committee process that there is a genuine concern from experts and much of the credible feedback included what would make a stronger system. Experts directly called on us to do more, to work harder and to provide a more robust and meaningful framework. Concerns around safeguards, educational resources, reviews and resourcing were all raised—and I share many of these concerns. Respectfully, I add my voice of concern and trepidation to this debate. Through my contribution I will highlight those concerns with the legislation.

The Queensland Sexual Assault Network submitted that child sexual abuse is a relatively common experience. While it can be perpetrated by anyone, most perpetrators are someone known to the child or young person. The most recent Australian Child Maltreatment Study found 28.5 per cent of children reported experiencing child sexual assault—almost three in every 10 children. They are incredibly alarming statistics. Sadly, we know all too well that sexual abuse often has a very low reporting rate. More desperate is the conviction rate. It is even lower, particularly when the victims are children or young people. We know that many abusers will not, firstly, be reported; secondly, see their day in court; or, thirdly, actually ever be in a position where they could be captured on a public register of this nature. These specific metrics are alarming.

I know there is nothing more disempowering or destructive than having a grown-up in your life who preys upon you. We know that this is almost certainly commonly happening in environments that should be the most protective by adults who should be the most trusted. This is the lived experience of Queensland children being abused. We need to acknowledge the additional difficulties that children face in these settings: to be heard and believed by those whom they confide in and to be supported

through the justice system knowing that their perpetrator is a blood relative, a member of the family, a trusted friend, a sporting coach, a member of the faith community—and the list goes on. We should enter into this debate not with backslapping and congratulations on a legislative fix—far from it. My focus is on how much further we have to come to tackle this deeply challenging and complex issue and to protect the most vulnerable in our community.

Through the committee process the Queensland Police Service advised that of the 3,240 reportable offenders on the child sex offender register only 749, including the DPSOs, will be included under tier 2 of the register. This is a rate of less than 25 per cent of known offenders. This is in no way absolute.

I am alarmed by the contributions of those opposite who are purporting that this will be a system where people can get on and figure out whether there is a perpetrator or predator in their local sporting group or school. Not all of those will be captured. We have a responsibility to be clear about that with the community—not just through this legislation but ongoing through resources. Clear education and communication about the limitations of the system was a call repeatedly made through the submissions of experts to the committee. It needs to be an urgent priority for implementation. Victim-survivors deserve more than a committee report strongly supporting the intention of the QPS to develop information and resources. It needs to be guaranteed and provided.

The Queensland Law Society submitted that stranger perpetrator cases represent a minority of sexual assault cases and the disclosure scheme should be clear and carefully calibrated to reflect this reality. Interestingly, the Bar Association of Queensland talked through their concerns about unintended consequences being a deterrent for some individuals to plead guilty.

Stakeholders talked in detail about how imperative it is to have evidence-based safeguards built into this reform. The committee heard how this model is lacking review mechanisms and critical safeguards that are built into the WA model. That Western Australian model was reviewed within 12 months of operation and there were 12 findings and 10 recommendations. Why on earth would this government not want the opportunity to finesse their system and make it better and stronger? This government are saying that they think it is acceptable to wait for five years before review—a period of operation of almost 2,000 days. They are making this call in the full knowledge of the benefit from the WA review in less time.

There have been calls for additional resourcing and staffing to sit alongside the system, and it is critical that this model is appropriately funded and staffed. It is clear that the sector does not have confidence around the ability to build, staff, maintain and protect a system that has this level of sensitivity, and I share those concerns. We live in a digital age where electronic systems contain sensitive data. It is imperative that there is rigour and confidence in these systems to prevent them from being hacked, to prevent their misuse and to prevent risks associated with artificial intelligence and other emerging technologies. A limited-life fund has been committed to the establishment of a team and a register, but there is no transparency about how this will be funded and supported into the future.

Then there are safeguards around victims themselves. Numerous organisations talked through the traumatising impact a public register can have. Many victims in our state choose to be on our victims' register—a system that so many, particularly victim-survivors, praise and support—yet when it comes to mandatory notifications to victims impacted by the register that is too impractical, we are informed by this government. A person whose details are wrongly published or disclosed would be unable to require a commissioner to amend the website or to seek compensation. It is alarming once again to be back in this chamber talking about legislation under this government where there are voices of experts that have been diminished and discarded through the committee process. If they are not acknowledged and if there are not further safeguards and an ability to strengthen this legislation, I am very fearful that there will be unintended consequences.

Those opposite have claimed that this will prevent predators from hiding in the shadows of our communities. We need to be really up-front with people in our communities that there will still be predators hiding in the shadows—absolutely. This will not eliminate that. This will not be the panacea whereby people can have a look on a website and see listed anyone who has ever perpetrated a crime of this nature. They certainly will not be. We know that a small percentage of people who are convicted will actually be on these websites. We need to be really clear about that; otherwise, there will absolutely be unintended consequences.

The Attorney-General today made the statement that the LNP government will take whatever steps it can to make children safe, so let's review this system sooner. Let's do more to protect victim-survivors in our state. Let's be really clear with people around what this legislation will do and

what a public sex offender registry will actually provide to our communities—not slogans or rhetoric but real information that is based in fact that can be provided to people. Our language needs to be measured, it needs to be temperate and it needs to be responsible; otherwise, I fear that the backslapping and grandstanding will result in children in our communities being put at risk.