

~~We need to keep unrestricted access to journey claims because every Queenslanders deserves to be protected when travelling to and from work. This is vitally important considering that Queensland is a large, decentralised state. It recognises our fly-in fly-out workforce. We are the only state to maintain journey claims for every worker. It is a poignant fact that we are the only state in Australia that actually does have journey claims. We have retained those. I commend the Attorney-General for keeping that provision. The Finance and Administration Committee recommended that we keep journey claims in the workers compensation scheme. We have kept those. It is a fantastic initiative.~~

~~We are cracking down though on fraudulent claims. We are changing the law to require that WorkCover refer all allegations of fraud related offences to the scheme's regulator for investigation. We have all seen the *Today Tonight* programs and others showing the guy with a bad back who cannot work again lifting things into the back of his car or doing a sneaky job on the side. Fraud in workers compensation does happen. They are ripping off the people of Queensland.~~

~~Debate, on motion of Mr Davies, adjourned.~~

~~Sitting suspended from 1.00 pm to 2.30 pm.~~

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## ~~ETHICS COMMITTEE~~

### ~~Report~~

~~Mr CRANDON (Coomera—LNP) (2.30 pm), by leave: I lay upon the table Ethics Committee report No. 137 titled *Matter of privilege referred by the Speaker on 8 August 2013 relating to an alleged deliberate misleading of the House by a member*. I commend the report and the committee's recommendations to the House.~~

~~*Tabled paper:* Ethics Committee Report No. 137—Matter of privilege referred by the Speaker on 8 August 2013 relating to an alleged deliberate misleading of the House by a member.~~

## CHILD PROTECTION (OFFENDER REPORTING) AMENDMENT BILL

### Introduction



**Mr JUDGE** (Yeerongpilly—UAP) (2.31 pm): I present a bill for an act to amend the Child Protection (Offender Reporting) Act 2004 for particular purposes. I table the bill and explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Child Protection (Offender Reporting ) Amendment Bill 2013.

*Tabled paper:* Child Protection (Offender Reporting ) Amendment Bill 2013, explanatory notes.

The policy objective of the bill is to confirm and strengthen police powers to conduct random audits to ensure compliance with reporting obligations under the provisions of the Child Protection (Offender Reporting) Act 2004 and thereby increase reportable offenders' certainty of apprehension for any noncompliance. To achieve this objective, the Child Protection (Offender Reporting) Amendment Bill 2013 will amend the Child Protection (Offender Reporting) Act 2004 to insert two new provisions under part 6 'Other matters'. It will insert section 74C 'Police functions include ensuring compliance with reporting requirement' and 74D 'Power to enter and search premises without consent or warrant to ensure compliance'.

Queensland's child protection offender register commenced in 2005 and is used to record the relevant personal particulars of reportable offenders as obliged to be reported under the provisions of the Child Protection (Offender Reporting) Act 2004. From the commencement of the register in 2005 and until June 2010, there had been a total of 1,523 breaches of reporting obligations under the Child Protection (Offender Reporting) Act 2004. This was according to the now Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs and Minister Assisting the Premier in a speech he made in this House on 9 March 2011, rightly identifying and confirming the issue at that time. These figures accurately indicate the recent rates of noncompliance and support the legitimate need for improved evidence based measures to increase compliance, especially in consideration of the continually increasing numbers of reportable offenders in the community.

In fact, last year on 21 September 2012 I formally wrote to the police minister about issues associated with the Child Protection (Offender Reporting) Act 2004 and the present approach being taken to community management of reportable offenders in Queensland. I table the letter forwarded to the police minister.

*Tabled paper:* Letter, dated 21 September 2012, from the member of Yeerongpilly, Mr Carl Judge MP to the Minister of Police and Community Safety, Hon. Jack Dempsey.

Prior to that, on 10 July 2012, I supported the Criminal Law (Two Strike Child Sex Offenders) Amendment Bill 2012 despite the numerous unsupportive submissions made to the Legal Affairs and Community Safety Committee. By far the vast majority of submissions to the committee were not supportive of that bill. This included a very critical submission from the Queensland Police Service. I table the Queensland Police Service submission relevant to this bill.

*Tabled paper:* Submission by Ross Barnett, Deputy Commissioner, Queensland Police Service, dated 28 June 2012, to the Legal Affairs and Community Safety Committee, titled 'Criminal Law—Two Strike Child Sex Offenders (Submission 016)'.

During a speech in relation to the Criminal Law (Two Strike Child Sex Offenders) Amendment Bill 2012 I stated that it is my belief that the next step we needed to take is to revisit how we manage known child sex offenders after their first offence. That is why I wrote to the police minister and that is why I am introducing the Child Protection (Offender Reporting) Amendment Bill 2013 today.

This bill, if enacted, will enable police officers to enter and search the premises of a reportable offender without consent or a warrant. It also enables police officers to enter without consent or a warrant in cases where the reportable offender is sharing the premises with another person or other persons. The bill also takes into consideration effective compliance management of the continually increasing number of reportable offenders in the community.

**Madam DEPUTY SPEAKER** (Mrs Cunningham): Order! There was an error with the clock. The member's time has expired. Would you like to incorporate the remainder of your speech?

**Mr JUDGE:** Yes, I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

This Bill will enable police to effectively prevent a reportable offender's non-compliance with reporting obligations under the Child Protection (Offender Reporting) Act 2004 from going undetected.

It should be noted that the fundamental purpose of the Child Protection (Offender Reporting) Act 2004 is, in part, to reduce the likelihood that reportable offenders will reoffend. The proposed amendments will significantly contribute toward that purpose.

As already stated Queensland's child protection offender register commenced in 2005 and is used to record the relevant personal particulars of reportable offenders as obliged to be reported under the provisions of the Child Protection (Offender Reporting) Act 2004.

Significantly, as at June 2013 there were 4,193 offenders recorded on the register. Comparatively, as at 30 June 2010 there were 3,543 offenders registered in Queensland. This indicates the continually increasing number of reportable offenders in the community.

As mentioned, from the commencement of the register in 2005 and until June 2010, there had been a total of 1,523 breaches of reporting obligations under the Child Protection (Offender Reporting) Act 2004.

This accurately indicates the recent rates of non-compliance over a considerable period of time and supports the legitimate need for improved, evidence based, measures to increase compliance. To this end and ultimately to protect children, the policy objective of the Bill is to confirm and strengthen police powers to conduct random audits to ensure compliance with reporting obligations and thereby increase reportable offenders' certainty of apprehension for any non-compliance.

Underpinning this policy objective and the Bill is a consistent finding in deterrence research that increases in the certainty of apprehension and punishment demonstrate a significant deterrent effect. However, studies of deterrence also suggest that the threat of imprisonment, as a standalone measure, only generates a small general deterrent effect.

To be clear, research indicates that increases in the severity of penalties, such as increasing the length of terms of imprisonment (e.g. mandatory 20 year sentencing introduced through the Criminal Law (Two Strike Child Sex Offenders) Amendment Bill 2012, do not produce a corresponding increase in deterrence. For this reason improved, evidence based, measures are required to increase compliance by reportable offenders in the community.

This research and rationale have been applied to inform the Bill, proposing amendments to the Child Protection (Offender Reporting) Act 2004. It has been purposefully designed to increase reportable offenders' certainty of apprehension for any non-compliance. It is asserted that this can only be achieved by enabling police officers to enter and search premises without consent or a warrant.

Overall the Bill will improve the management of reportable offenders in the community and ultimately serve to improve child protection in Queensland.

### First Reading

**Mr JUDGE** (Yeerongpilly—UAP) (2.35 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.


Bill read a first time.

### Referral to the Legal Affairs and Community Safety Committee

**Madam DEPUTY SPEAKER** (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

## ~~PRIVATE MEMBERS' STATEMENTS~~

### ~~Noosa Council, Election~~

~~ **Hon. GW ELMES** (Noosa LNP) (Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs and Minister Assisting the Premier) (2.35 pm): The Noosa shire is just over two months away from being restored to the position it enjoyed as a stand-alone local government area before the Beattie Labor government abolished it. Noosa residents will go to the polls on 9 November to elect its first council under the re-established Noosa shire. The election will be 'the last piece in the puzzle' of restoring the former Noosa shire.~~

~~The installation of a renewed Noosa council from 1 January will be a proud moment for the many people who have fought for so long to have the council restored. That keenness to see the shire restored is reflected in the large field of candidates for election. Nominations closed at midday today, and I am advised that there are 19 nominees for six available councillor positions and there are two candidates for the position of mayor.~~


~~The Electoral Commission will need to validate all of these nominations and will formally declare eligible candidates tomorrow. I have every confidence that Noosa includes people of the highest calibre who can form a council which will be innovative, forward looking and fair as it deals with the range of issues and opportunities facing our community.~~

~~Voting will be compulsory, but I doubt the people of Noosa need any sort of compulsion to make their way to a polling station. This is something Noosa residents have been waiting for. I would like to place on record here my thanks to the many organisations and individuals who have contributed to making the restoration of the Noosa shire a reality. Firstly, thank you to the Noosa Independence Alliance, a group made up predominantly of the Friends of Noosa and the Noosa Parks Association. They provided the catalyst for deamalgamation around which many others could gather and add their effort to the cause.~~

~~I would also like to thank the many thousands of Noosa residents who signed petitions and attended rallies. A particular group which deserves recognition is the 8,000 people mostly from Noosa who marched through the streets of Brisbane and demonstrated out the front of parliament in support of Noosa. I was very proud, indeed, to lead that march.~~

~~Noosa was steamrolled by the Beattie government in 2007, and the vote on 9 November will be the final step in a six-year fight by the people of Noosa to take back control of their destiny. It is now up to each and every resident who is eligible to vote to make sure that the mayor and six councillors we elect are up to the job and capable of guiding our community into the future. I have every confidence that that will be achieved and that Noosa council will resume its place as one of the state's most innovative and community focused local government areas.~~

### ~~Currumbin Estuary~~

~~ **Hon. JA STUCKEY** (Currumbin LNP) (Minister for Tourism, Major Events, Small Business and the Commonwealth Games) (2.38 pm): As honourable members are no doubt aware, the Currumbin electorate is home to some of the most beautiful, clean beaches and waterways in Queensland, if not the world—one of these being the Currumbin Estuary, which is a hive of activity all year round, especially in the summer months with a multitude of users, local and visiting, taking advantage of the weather and location. Due to this huge interest, discussions surrounding this waterway require careful consideration and a whole-of-community approach to ensure it remains safe for all to use. Tragically, in May 2011 local resident Richard King was killed whilst surfing at Currumbin Estuary. At that time I urged the community to recognise the dangers of the waterway and to look out for one another when partaking of any activity.~~

~~The Gold Coast Waterways Authority was formed as a result of an LNP election promise, and it provides a long-awaited, go-to authority for management of our waterways. On Friday, 13 September~~