



Hon Judy Spence MP
Member for Mount Gravatt



1/11/07
Queensland
Government

25 OCT 2007

Minister for Police, Corrective Services
and Sport

Mr Neil Laurie
The Clerk of Parliament
Parliament House
George Street
BRISBANE QLD 4000



Dear Mr Laurie

Thank you for your letter of 27 August 2007 regarding the petition received by the Queensland Legislative Assembly Numbered 887-07. The letter was sent to the Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland. Since the issues raised in the petition fall within my ministerial responsibilities it has been forwarded to me for consideration and response.

The petition seeks to draw to the attention of the Legislative Assembly, the lack of public child sex offender registers in Queensland.

The Queensland Government is committed to supervising and detaining convicted sex offenders who still pose a threat to the community through the operation of the *Child Protection (Offender Reporting) Act 2004* and the *Dangerous Prisoners (Sexual Offender) Act 2003* (DPSOA). In putting these Acts into practice, the offence history of the sexual offenders and other personal details kept by relevant agencies can be released to selected members of the public in a responsible manner.

The *Child Protection (Offender Reporting) Act 2004* is part of national legislation providing for the registration of child sex offenders including child sexual offenders who transfer from another State or Territory. This Act supports the operation of the Australian National Child Offender Register which keeps details of all registered child sexual offenders. Offenders on the register are required to keep police informed of their whereabouts and other personal details for a period of time, to reduce the likelihood that they will re-offend. Personal details that must be disclosed by a reportable offender, including name and date of birth, include:

- any aliases;
- the address of each of the premises at which the offender generally resides;
- if the offender is employed, the nature of his or her employment and the addresses at which the offender is generally employed at;

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- details of the offender's affiliation with any club or organisation that has child membership or child participation in its activities;
- the make, model, colour and registration number of any motor vehicle owned by, or generally driven by, the offender; and
- details of any tattoos or permanent distinguishing marks that the offender has, including details of any tattoo or mark that has been removed or changed.

Relevant agencies within Queensland, such as Queensland Corrective Services, also assist in maintaining the register by disclosing to the police when an offender is:

- discharged/released from custody;
- re-enters custody;
- is transferred interstate;
- granted permission to travel; or
- ceases supervision.

Under the DPSOA, when members of the community have contact with released offenders on a DPSOA supervision order (for example through shared accommodation or employment) a probation and parole officer will direct those offenders to provide relevant details to their associates so that a decision can be made about the risks of employing or living with the offender.

If the offender decides not to inform their associates, then they will be directed to move or change employment. If they fail to abide by this direction, they can be breached for non-compliance and returned to custody.

In addition, the Department of Child Safety will be informed if it is considered there is a risk of harm to a child from a supervised offender.

Queensland Corrective Services ensures DPSOA offenders who are released into the community by the court are subject to the highest levels of case management and supervision to manage their risk to the community. Electronic monitoring is a standard condition of DPSOA orders to ensure compliance with supervision conditions in relation to a curfew.

As well as these specific Acts, Queensland Corrective Services already has in place a legislative and procedural framework which allows this Agency to disclose information concerning an offender, including a sex offender, to individual members of the public where it has been considered appropriate. Under provisions of the *Corrective Services Act 2006*, the Agency can release information in a responsive and/or proactive manner.

Responsive disclosure may occur where the Agency decides to release information in response to a specific request. For example, in the situation where an offender has been admitted to a Brisbane hospital for treatment and the hospital contacts the Agency asking for details of the offender's criminal history, particularly any history of sexual offending, the Agency can provide a summary of the offender's criminal history so he or she can be appropriately monitored and managed while in the hospital's care.

Proactive disclosure is where Queensland Corrective Services voluntarily provides information to an individual or individuals, due to the offender's potential risk, as identified by the Agency. For example, proactive disclosure may be used in the scenario where an offender, who has a history of sexual offending against female children, reveals he has become involved with a single mother of two young female children. The authorised delegate can disclose the offender's history to the mother. The Department of Child Safety would also be contacted and notified of the situation.

These comprehensive legislative and procedural regimes mean that the agencies best placed to determine the risk of a sex offender are able to responsibly manage the release of information to members of the public that need to know.

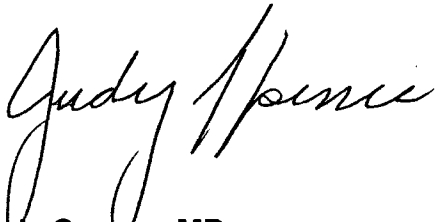
The intent of public sex offender registers is to protect children and the wider community. However, there are many risks associated with public registers. These risks include registers inadvertently revealing the names of victims, creating a false sense of security in the community about who potential offenders are and impeding offender access to treatment which reduces the likelihood of rehabilitation. There have also been cases of vigilantism in which members of the offender's family, and persons mistakenly identified as the offender have been attacked.

Bravehearts Incorporated, a major advocate of protecting children against sex offenders, does not support public registers of child sex offenders. Bravehearts has stated that public registers do not protect the community and can even make sex offenders more dangerous.

This Government is committed to the protection of Queensland children and Queensland communities. That is why we will continue to detain and monitor dangerous sex offenders, release information about sex offenders to members of the community and share information with other law enforcement and Government agencies for the protection of the community.

I trust this information is of assistance.

Yours sincerely



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Minister for Police, Corrective Services and Sport

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