



Honourable Neil Roberts MP
Member for Nudgee



Minister for Police, Corrective Services
and Emergency Services

Ref: 4506 P2 TMc LB

08 JUN 2011

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

Dear Mr Laurie

I refer to petition number 1540-10 lodged with the Legislative Assembly on 10 May 2011 by Mr Rob Messenger MP, Member for Burnett.

The petition requests the House to implement a Megan's Law style public register of sex offenders to track the whereabouts of sex offenders and provide notification to the public of the presence of a sex offender in the community.

I referred this matter to the Queensland Police Service (QPS), which advises that the *Child Protection (Offender Reporting) Act 2004* has provided the QPS with the ability to monitor the activities of reportable offenders. This includes the maintenance of a register of reportable offenders with access restricted to law enforcement personnel.

In 2011, the Bligh Government introduced a number of changes to the *Child Protection (Offender Reporting) Act 2004* placing stricter obligations on reportable offenders, and increased penalties for failure to comply with the requirements of the Act.

The current form of the restricted register is preferred as there is evidence that publishing the details of offenders may in fact bring serious consequences that serve to undermine the capacities and efforts of authorities to manage the risks posed by reportable offenders.

Reported research confirms community notification strategies increase the likelihood reportable offenders will go "underground" and withdraw from the agencies involved with them, to the overall detriment of ongoing compliance management and public safety.

Further, research supports that community notification laws are of limited or no benefit in preventing child sex offending or reoffending and may in fact contribute to reoffending due to an offender's social isolation and stigmatisation.

In addition, it is expected there would also be implications and risks associated with persons mistakenly identified as reportable offenders including possible vigilante action, as has occurred in other jurisdictions around the world, resulting in the destruction of property and deaths of innocent people.

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Notably, in Queensland, schedule 3, section 10(1) (Law enforcement or public safety information) of the *Right to Information Act 2009* specifies:

'(1) Information is exempt information if its disclosure could reasonable be expected to-

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- (c) endanger a person's life or physical safety; or
 - (d) result in a person being subject to a serious act of harassment or intimidation;'

There is evidence of this occurring in Queensland in recent years reducing public safety and the preservation of property.

Another consideration regarding the effectiveness of community notification laws is the nature of the relationship between the offender and the child, and community recognition of who poses a threat. Significant research supports the majority of sexual offending against children is perpetrated by family members or acquaintances, a group whose criminal histories should already be known to the parent or caregiver of the child. This prior knowledge arguably replicates the desired outcome of community notification laws yet highlights its ineffectiveness.

By allowing the QPS to manage the register in its current form and, when appropriate, provide information or take suitable action to ensure that community safety is maintained whilst not unnecessarily infringing on an offender's personal liberty is espoused to be effective for community safety.

Acting Detective Superintendent Cameron Harsley, State Crime Operations Command, Child Safety & Sexual Crime Group, QPS, is available on telephone (07) 3364 6191 for any further assistance required.

I trust this information is of assistance.

Yours sincerely



Neil Roberts MP
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