

From: [REDACTED]
To: [CPOPOActReview](#)
Cc: [REDACTED]
Subject: TRIM: CPOP Act Review
Date: Monday, 9 September 2013 2:31:15 PM
Attachments: [CPOR Letter to Minister Dempsey Final copy \(2\).docx](#)

It is understood the CPOP Act review aims to determine:

- how relevant sexual offenders engaging in concerning conduct come to the attention of the QPS and Queensland Corrective Services (QCS) (whose officers may identify concerning conduct when monitoring offenders subject to probation or parole conditions)
- how the QPS and QCS respond to relevant sexual offenders who engage in concerning conduct
- how well these responses protect children.

Accordingly, I draw your attention to the content of the attached report to the Police Minister dated 21 September 2012. I submit it for your consideration as relevant to how relevant sexual offenders living in the community are managed.

Please feel free to contact me should you wish to inquire further on this matter.

Kind Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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21 September 2012

The Hon. Jack Dempsey MP
Minister for Police and Community Safety
PO Box 15195
CITY EAST QLD 4002

Dear Minister,

I write to you with serious concern about the *Child Protection (Offender Reporting) Act 2004 (QLD)* (the CPOR Act) and the present approach being taken to community management of reportable offenders in Queensland.

The purpose of the CPOR Act is stated at section 3, with the clear objective being to protect children by means of effective community management of reportable offenders. Currently this role is performed *exclusively* (emphasis added) by the Queensland Police Service (QPS) which is also the department that administers the CPOR Act on your behalf in accordance with the prevailing 'Administrative Arrangements Order (No. 4) 2012'.

As you are no doubt aware the CPOR Act is designed and intended to proactively reduce the likelihood that reportable offenders will re-offend as well as comprehensively facilitate the investigation and prosecution of any future offences that they may commit (i.e. sexual and/or other serious offences against children).

As a matter for your consideration, I have identified that the existing legislation fundamentally fails to reduce the likelihood of re-offending.

By and large this is because the CPOR Act does not provide any legitimate authority whatsoever for random compliance audits as arguably necessary (e.g. via unscheduled residential visitations to check whether a reportable offender may be residing or having unsupervised contact with a child).

As it stands an inquiry of this nature would require a police officer to have a reasonable suspicion of an offence, such as a reportable offender failing in their obligation to report a relevant change in their personal circumstances (e.g. residing or having unsupervised contact with a child). Accordingly, legislation providing legitimate authority to conduct random compliance audits as indicated would markedly strengthen deterrence of failing to comply with reporting obligations, albeit through increased apprehension of detection for non-compliance, and thereby effectively reduce the likelihood of re-offending.



[REDACTED]

To explain further, under the existing legislation, aside from obligations imposed on reportable offenders to complete scheduled and/or otherwise prescribed reports (i.e. initially, annually or whenever there is a relevant change in their personal circumstances), police officers are basically limited to applying surveillance and intelligence gathering techniques to monitor compliance with reporting obligations by reportable offenders living in the broader community. Subsequently, it is from this perspective that it is asserted that the CPOR Act requires urgent review and amendment.

It is also perceived that cost-benefits and enhanced child safety could possibly be achieved through a comprehensive review of the current approach to community management of reportable offenders.

Specifically, it is respectfully suggested that consideration should be given to Probation and Parole, within the Department of Community Safety (DCS), assuming responsibility for monitoring and administering scheduled and/or otherwise prescribed reports by reportable offenders. In essence, this involves completing (data entry) registration for initial and annual (face-to-face) reports as well as similarly recoding relevant changes in personal circumstances in between initial and subsequent annual reports as it often occurs.

Taking into consideration the overwhelming time taken to complete this work and the average fulltime equivalent salaries of the highly trained police officers (i.e. detectives) typically tasked to perform this role - a task that could be suitably and less expensively performed by probation and parole officers - it is anticipated that such an approach could yield significant financial savings into the future for the Government while also maintaining the primary objective of CPOR Act.

The outlined approach would also align with the *core business* (emphasis added) of each department (i.e. DCS and QPS) as well as the Newman Government's priority of improving frontline service delivery.

On this point, it is believed that the outlined approach would immediately increase the capacity for detectives to investigate any suspected cases of non-compliance under the CPOR Act and thereby systematically enhance child safety in Queensland. In all probability it would also correspondingly increase the availability of highly trained police officers to respond to other calls for service in the broader community.

In respect of the information provided above, it should be noted that on the 9th of March 2011, while the Liberal National Party was in opposition, [REDACTED] stated words to the effect that "since the commencement of the CPOR Act on 1 January 2005, the QPS has investigated over 2,000 offences and police are now required to monitor over 3,500 registered offenders convicted of serious child sex offences"; averaging to approximately 500-600 new reportable offenders per annum.

Based on these recent figures and the ever increasing number of reportable offenders living in Queensland and being recorded on the Child Protection Offender Register each year, it is evident that the effectiveness of the CPOR Act is becoming increasingly dependent on deterrence and largely voluntary compliance, especially because reportable offenders typically report for periods of 15 years to life. On this basis, it is foreseeable that the resources and capabilities of the QPS to exclusively and effectively fulfil the role of managing reportable offenders in the community are being rapidly exceeded.

[REDACTED]

In view of this concerning situation, it is suggested that a symposium is urgently required to provide Government with viable options and evidence-based solutions to the escalating problem, ideally to discuss and debate a new multidisciplinary approach.

To briefly explain, although police officers currently assess reportable offenders in terms of grading them from low to high risk of re-offending, it is irrefutable that specialist psychologists are more qualified to perform this role and advise on appropriate case management strategies including increased or decreased frequency of random compliance audits for example which in turn could result in efficiencies and improved outcomes for child safety.

It is envisioned that a new multidisciplinary approach of this kind would involve Queensland Health, DCS and the QPS all working together along with other agencies as appropriate (e.g. Department of Child Safety); adopting a model similar to Suspected Child Abuse and Neglect (SCAN) teams.

Significantly, it is believed that a multidisciplinary approach would efficiently and comprehensively increase resources and enhance capacity to deal with the ever increasing number of reportable offenders living in Queensland as well as prove to be best practice. Utilising therapeutic services as warranted may also serve to achieve best practice and reduce the likelihood of re-offending by reportable offenders in the broader community.

In closing, I affirm my availability to participate in further discussions with you about this important issue and trust that the information provided herein will be of interest and value to you as the Minister for Police and Community Safety. I can also indicate the likelihood of being able to attract academic experts to participate in a symposium including from the Centre of Excellence in Policing and Security administered by Griffith University at Nathan Campus in [REDACTED].

I look forward to your reply.

Yours Sincerely,

[REDACTED]