

**COMMUNITY PROTECTION (OFFENDER REPORTING) BILL 2004**

*Second Reading*

Resumed from 22 September.

**MR D.F. BARRON-SULLIVAN** (Mitchell - Deputy Leader of the Opposition) [4.46 pm]: I am not the main speaker for the Opposition on this matter; the member for Kalgoorlie and shadow Minister for Police will handle this Bill on our behalf.

No member in this Chamber would disagree that there is no more serious a topic than sexual offences against children, and this Bill purports to go to the heart of that matter. As a result of the seriousness of this issue, a great deal of attention will be given to digesting the full ramifications of the measure the Government has brought before the House. The Bill covers a range of other serious offences as well as sexual assaults against children. I will touch on those matters later. In considering the issue of sex offences against children, it is undoubted that a wealth of research shows that the incidence of reoffending by sex offenders is very high; that is, the degree of recidivism is very high indeed. One study in the United States of America showed that around 53 per cent of cases of child abduction and murder involved offenders who had previously offended and had previously committed sex crimes against children. It is an awful statistic and horrific fact to bear in mind. No-one disputes that there is a high rate of recidivism by sex offenders who prey on children. That is the main reason the Liberal-National coalition will support the establishment of a register of sex offenders. We hope to work constructively with the Government to improve and strengthen this legislation as it passes through both Houses of Parliament.

In a nutshell, the Bill requires convicted paedophiles, other serious sex offenders and people who have committed a number of other serious crimes to report routinely to the police and advise them of a range of personal information. It will enable the police to monitor the movements of people on the register and, if necessary, to take action to resolve any untoward situations involving previous offenders.

The first thing that stands out in the legislation is the degree of retrospectivity whereby a person's name can be put on the register if he has committed an offence previously - in other words, before the commencement of the legislation - and if he is currently subject to some justice procedures. However, the legislation will not draw in offenders who committed offences some time ago. Perhaps in consideration in detail we can find out why there is a limit on the degree to which this legislation will apply to offenders who committed offences a long time ago.

Offenders' names will be added to the register according to various classes of offences from class 1 to class 3. A person's name will be added to the register under a class depending on the extent of the offence. Very broadly, class 1 covers what are considered to be the most heinous crimes against children, such as facilitating sexual offences against children, murder, infanticide and a range of other quite terrible crimes, including sexual intercourse with children under 16, sexual coercion and so forth. Class 2 offences are also very serious and cover, for example, an offence as an occupier or owner allowing a child to be on premises for unlawful carnal knowledge, conducting business involving sexual servitude if the person against whom the offence is committed is a child, deceptive recruiting for commercial sexual services, indecent recording of a child of or over 13 and under 16, indecent recording of a child under 13 and so forth. They are also very serious offences. They also include offences involving child pornography and objectionable material, obviously a fairly topical point. They also include the employment of a child to perform in an indecent manner, and sexual conduct involving a child under 16 years of age. Schedule 3 offences are more general, and involve murder, sexual penetration without consent if the person against whom the offence is committed is not a child, aggravated sexual penetration without consent, sexual coercion and aggravated sexual coercion. They too are very serious offences, although they do not involve children. They are in this Bill because they are among the most serious crimes an offender can commit and have a similar theme. Generally speaking, those classes appear to categorise the offences in the right order. We will talk about the detail later.

The legislation provides that anyone who commits a class 1 or class 2 offence under different circumstances will be added to this register, which will be kept by the Commissioner of Police or his nominee. It also provides that the court may order that an offender must comply with the reporting obligations of the Bill; in other words put his name on the register if he commits a class 3 offence. In those cases, the court can make the order only if it is satisfied that the offender poses a risk to the lives or sexual safety of one or more people.

Another key aspect of this legislation relates to the details to be recorded of each offender. They are quite extensive and include not only the current name of an offender but also any name by which he is generally known or any previous names he might have had, his date of birth or address and whether he moves around a lot, which I am advised sex offenders do quite a bit. The details include the location in which the person generally resides and a range of other matters, such as even the make, model, colour and registration of his vehicle. It

covers a range of matters to clearly identify offenders and to ensure that the police are aware of their location at any time. Offenders whose names are on the list must report annually and provide updated information so that the list is kept as current as possible. Their name stays on the list and they must report for various periods, depending on the class of offence they have committed. Someone who commits a class 2 offence will remain on the register for eight years, and the name of a class 1 offender can stay on it for 15 years. The periods will vary according to the circumstances. Young offenders will be treated somewhat more leniently.

The legislation provides that other agencies can be parties to proceedings in which it is determined whether someone should have his name put on a register. However, it is interesting that not all agencies will have access to the information. We will touch on that later. The legislation provides a range of penalties, including a fine of \$12 000 and imprisonment for two years for failure to comply with the reporting obligations. If someone does not update his details or gives false information, he will be subject to extensive penalties.

The Commissioner of Police will have the responsibility of establishing and maintaining the register, formally known as the Community Protection Offender Register and, under the legislation, will be able to delegate certain responsibilities. One of the main areas of concern that the coalition has about this legislation is that access to the register will be restricted quite deliberately and extensively. We look forward to the minister's advice later. It is interesting that one of the ministerial colleagues of the Minister for Police and Emergency Services gave notice today that she would be introducing some legislation particularly concerning the area of children and family services. I suspect that that Bill will complement the legislation we are looking at now in much the same way as the New South Wales Government legislation that was introduced four years ago complemented legislation. That legislation gave the police the power to maintain a register, and provided a limited number of other agencies with the authority to make use of the register to prevent inappropriate people being employed in schools, day care centres and so forth. We look forward to receiving further information on that. Given that this is such a fundamentally important issue, it would have made sense for the two Bills to be considered at the same time. We were given no notice of what would happen this morning with the introduction of that Bill and we still do not have a copy of it. It is very difficult to compare the Bills. I hope that when our shadow minister is available, we will have the opportunity to do that.

This Bill provides for other law enforcement agencies, whether they be the Australian Federal Police, police in other States or overseas agencies, to have access to the information on the register. However, the legislation specifically states that the Commissioner of Police in Western Australia must develop guidelines on access to and disclosure of personal information in the register that attempt to ensure that access is restricted to the greatest extent possible, but without interfering with the purposes of the legislation. It will be very important to see what other agencies will have access to this information, because experience elsewhere has shown that other agencies must be allowed to have access to the register if it is to work effectively. As I mentioned earlier, New South Wales has ensured that its legislation, through the Child Protection (Prohibited Employment) Act and Commission for Children and Young People Act, authorises approved agencies to check, for employment purposes, whether a person with whom they have or may have dealings has a history of interfering with children. I suspect that that is what the Government will do here. However, we need to know how much further the Government will go to provide access to the register. For example, will the Registry of Births, Deaths and Marriages have access to it? One problem is that people might choose to change their name to try to evade the prospect of being covered indefinitely by the register. It would make sense for the Registry of Births, Deaths and Marriages to have a system that would automatically bring to its attention anybody on the community protection register who made any attempt to change his name or alter his personal details in any significant way. That is just one example of when other agencies need to be given the authority and jurisdiction to have access to the offenders register that we are considering.

The legislation enables the Commissioner of Police to apply to a court for a prohibition order to prohibit an offender on this register from engaging in particular conduct. The question must again be asked: why should the police commissioner be the only one who could apply to a court? Why could that not include a number of other agencies? Another question is: why is it not made more automatic or somewhat easier to obtain a prohibition order of this type? The legislation provides a fairly complicated process for the commissioner to go through. There are some very tight stipulations on the provisions that must be complied with before a prohibition order will be given. The only exemption to these very tight provisions is if the offender consents to having a prohibition order applied to him. I suggest that the chances of that in some cases would be nil and Buckley's. The terms of the prohibition orders are quite broad, but again one weakness of this legislation is that it states that the term of a prohibition order cannot be for more than five years or for more than two years for an order made against a young reportable offender. According to the way I read this legislation, that means that if other legislation that the Government will ultimately bring into the Parliament links with this legislation and provides, for example, for a former sex offender to be prohibited from working in a school or kindergarten, the term of that

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prohibition could not be for more than five years. Again, I think a lot of people in the community would ask why there should be such a short prohibition time.

A range of conduct can be the subject of prohibition orders; for example, association with other people, being in specified locations or types of locations, engaging in specified behaviour or being in specified employment or employment of a specified kind. Again, if a number of other agencies do not have access to the register, how will people know whether previous offenders are carrying out conduct that is in contravention of this legislation?

[Leave granted for the member's time to be extended.]

Mr D.F. BARRON-SULLIVAN: The legislation provides that there should be no publicity of the register whatsoever. Indeed, it provides that it will be an offence for anyone to provide information about this register or to make it public knowledge. This is something on which I would very much appreciate the minister's advice, because generally speaking there are two broad models for the effective follow-up of sex offenders when they leave the justice system. One model obviously revolves around the notion of direct supervision. It is my understanding that there is a fair amount of research to show that direct supervision has a very strong deterrent effect. The chief inspector of probation for England found in 1998 that post-release supervision of sex offenders significantly reduced their rate of reoffending. The report on this research states that about 93 per cent of offenders in the sample showed no evidence of being reconvicted for sexual or other violent offences during the course of supervision. I am interested in the Government's thinking on the issue of putting greater emphasis on a registration model rather than on direct supervision of sex offenders after they leave prison or the justice system. The other model, of course, is the registration and notification model, which is what this legislation is based on. Broadly speaking, a couple of approaches can be taken. One is the approach that we see here, in which the information is maintained by the police and not made public. It might be made available to other agencies, but we are yet to find out which other agencies will have access to the information. The other sort of registration or notification process is what became known in America as Megan's Law. It was given that name because some time ago in New Jersey a quite horrific crime was committed against a young, seven-year-old girl called Megan Kanka, who was killed by her neighbour. It turned out that the offender had been convicted twice for sex offences. Since then, the principle of having a public register, as it has grown throughout the United States, has become known as Megan's Law. California is currently considering a statute that would provide for the publication of lists of sex offenders on the Internet. It could not be more publicly available than that. We will wait for the minister to provide an explanation of why greater emphasis was not put on direct supervision of sex offenders once they leave the justice system. We also ask for her train of thought on the principle of Megan's Law; in other words, the notion of having a publicly available sex offenders register. We look forward to her advice in due course on how those matters were examined.

In a nutshell, the Opposition will support this legislation. However, we need to determine to what extent appropriate agencies other than the police will have access to information on the register. For example, will the Department of Education and Training have access to it? Not only that, but will an automatic process be in place to ensure that previous child sex offenders do not have access to jobs in the Department of Education and Training that bring them into contact with children? There is no way that a child sex offender should be able to be employed in a school. There is no way that a former child sex offender should be able to be employed in any area that brings him into contact with children. We will also look at the sort of automatic provisions that will be in place to prevent people who have committed sex offences and other serious offences against children from living in areas in which a lot of other children reside or within proximity to schools. Put bluntly, one of the reasons for this register is to keep people who have committed offences against children away from children for as long as possible. The other matter that I alluded to earlier indicates our concern that this Bill provides only for the application of prohibition conditions for a maximum of five years in the case of an adult or just two years in the case of a young offender. I think a lot of people in the community would agree that if a person has committed a heinous crime against children, he should have the toughest conditions imposed on him and that the courts should be able to impose those conditions for as long as is deemed necessary. I do not see why there should be an arbitrary five-year limit on the application of those sorts of prohibition arrangements.

The other matter to which I alluded is the need for other agencies to have access to information on the register. A recent example that received a fair amount of publicity concerned somebody who had been a sex offender and ended up caring for other children - being a foster carer. Most people would be horrified to think that something like that could happen. We want to ensure that previous sex offenders do not work in our schools or in other areas that bring them into close contact with children, or even in places in which they have the potential for close contact with children. That is another reason for this legislation being totally retrospective. In other words, it does not matter when people have committed a serious offence against a child: we believe those people should go on the register so that the police and other agencies can monitor their whereabouts and can ensure that they are not in a position in which they could offend again.

At the outset I said that there is a very high degree of recidivism amongst sex offenders, especially those who offend against children. For that reason the five-year limit is not appropriate, and the very limited degree of retrospectivity in this legislation needs to be strengthened as well. Any person who has committed any of the offences set out in schedules 1 and 2, and who in other respects would be placed on the register, should be placed on that register regardless of how long ago he committed those offences. Somewhere the legislation states that if somebody has a spent conviction for any of those offences he should still go on the register. The argument follows that people should go on that register regardless of when they committed the offence. This legislation is primarily about protecting children. I know that the legislation contains other aspects, and that the class 3 offences go beyond offences against children, but I have concentrated my comments on people who have committed offences against children in this State. I do not think any member would have any compunction about toughening up this legislation to make sure that in every respect possible sex offenders are put on that register so that the police and other relevant agencies can monitor their movements and their whereabouts and can also impose appropriate prohibitions on their activities, their employment and their place of abode. There should be no limit on those prohibitions.

I have had a quick look at the media in recent times to see just how prevalent offences against children have been. I only had to go back to June of this year to find reference to a number of very serious cases in Western Australia. On 20 June the front page of the *Sunday Times* carried a headline "Eight years ago authorities knew this man was a child molester. But he was never placed on a register of offenders. Now he has been charged again IT'S A SCANDAL". It is one thing to put people on a register; it is another to do something with that information. This legislation goes part of the way, but as we go through the debate we will see that it needs toughening up.

In August an article appeared in the newspaper titled "Horried parents in porn nightmare", which indicated that the mother of an eight-year-old Perth girl told of her devastation and despair after learning that the family's next-door neighbour had secretly filmed her daughter undressing in her bedroom from over the backyard fence. That person has pleaded guilty. The report indicated that he possessed approximately 1 500 child pornography images on CD. I can imagine - I can try to imagine, anyway - how horrible that must have been for the family affected. We need to make sure that this register not only includes people such as this particular offender but also that they remain on the register forever. A person should not fall off the register after a period of time. If a prohibition order is put in place, that particular person must comply with the prohibition requirements for as long as a court considers necessary - not for some arbitrary five-year limit.

In June this year another article appeared in the newspaper indicating that a former Western Australian foster carer who was responsible for 10 children over six years was charged with 23 counts of sexually abusing two girls in his care. The article stated that the girls, who were wards of the State and in care as a result of abuse and neglect, were aged 15 and 16 when the offences allegedly occurred in 2002 and 2003. That indicates why other agencies really need to be privy to the details on the register.

Another example that appeared in the Press concerned Ellenbrook residents who were horrified by revelations that Homeswest had placed a convicted child rapist in a street that is home to young children. The obvious question is: will Homeswest have access to that information?

Ms M.M. Quirk: No.

Mr D.F. BARRON-SULLIVAN: The answer is no, is it?

Ms M.M. Quirk: Yes.

Mr D.F. BARRON-SULLIVAN: In that case, the situation would not have been preventable. What about the Registry of Births, Deaths and Marriages? Again, that is another weakness. We will work with the Government in a very constructive way. We will point out the weaknesses, but we want to hear an explanation about why the Government has taken this approach - not exclusively, but there could still be a registration process. The legislation could have opted for tighter, direct supervision of offenders. The other question we want answered is: what is the Government's position on Megan's Law for having public access to the details on this register so that families in the community will know where sex offenders are living, working and so forth?

**MR P.B. WATSON** (Albany) [5.18 pm]: I fully support the Community Protection (Offender Reporting) Bill 2004. I have been living in Albany since becoming the local member. A paedophile who was living in the community had the opportunity to become a schoolteacher. He became a schoolteacher and reoffended. That not only ruined the life of the young boy whom he offended, but also caused a lot of trauma in the school at which he was teaching. He probably wrecked the family life of the mother and father as well. This person got into the system. I think a Bill like this will go a long way towards preventing that happening in the future. Had

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a register been in place when this person was out in the community, alarm bells would have gone off a lot sooner.

Most people who are sex offenders do reoffend, and the civil libertarians who say that these people should not be put on registers because they have already done their time should take into account the victims of paedophilia and sexual offences against women.

The offenders will have to report to the police once they have come out of jail or when they have been found guilty. They will have their fingerprints taken, they will have to provide their current and former names, date of birth, address and employment details, motor vehicles owned or driven and affiliations with any club or organisation with child membership or child participation.

The Bill also requires the court to provide the report to the police when someone has been charged over an incident such as I mentioned. It will make it much safer for people who have been victims of crime. If they know that such a person is in their neighbourhood, or if one of these paedophiles moves to a place near a school, the police will know straightaway, and they will be able to alert the appropriate authorities.

One of the good parts of this legislation is that in Western Australia offenders must report within a seven-day period. In other Australian jurisdictions the period is 28 days. In 28 days a lot of damage can be done. The fact is that the offender will have to report within seven days. That will give people in the community access to information about what is going on, and it will not give the offender a chance to reoffend. An offender who fails to report can be imprisoned for up to two years or fined up to \$12 000, or both. In New South Wales, where child sex offenders currently register, the compliance rate is more than 90 per cent. Since this provision has been introduced in New South Wales, apparently most of the paedophiles have gone to Queensland. I do not know whether that is a good thing for Queensland. However, the fact is that the register is flushing out the paedophiles, and the community is becoming well aware of them.

I fully support this Bill. It will be great for community safety and community protection. It will make paedophiles think twice before they reoffend, because they will be on a register and people will know who they are. I believe this legislation is long overdue, and I fully support it.

**MS S.E. WALKER** (Nedlands) [5.21 pm]: The member for Albany could not be more wrong that this Bill will be great for community safety and community protection, and he could not be more wrong that it will make paedophiles think twice before they reoffend. He could not be more wrong, because I know from my prosecuting experience that many intrafamilial paedophiles go on abusing for years and stay undisclosed until they are in their fifties. Why? It is because they abuse the children and tell them things like this: "If you tell your mother what I'm doing, I'm going to kill her and I'll kill you." That is what they say to them. Those children suffer abuse behind closed doors, and this Government condones it because it will not bring in mandatory reporting. The only way in which those children who are being abused can possibly be accessed is usually through people who see what they are suffering. Why does the Government not support mandatory reporting of child abuse?

Mr P.B. Watson: If they are on a register, we know where they are. Don't be ridiculous!

Ms S.E. WALKER: Rubbish! We might know where the convicted ones are, but I want to know where the ones who are abusing children quietly behind closed doors are. The member does not understand. He should go down to the courts this week and see how many child sex offenders are there for sentencing, remand or status conferences. He might get a glimpse of what is happening in this community. That is why the Liberal-National Party coalition is strong on mandatory reporting of child abuse. The member should go down to the courts in St Georges Terrace. The member for Innaloo should be able to tell the member for Albany. He knows. I am very surprised that the Government is so weak on this legislation.

Ms M.M. Quirk: Are you supporting the legislation?

Ms S.E. WALKER: Does the member for Girrawheen know something? When I speak in this House, she constantly carps, but when have I ever seen her stand and speak passionately about something? She goes along with the party line and the caucus line. That is what she does. I am here and I will say what I believe in for children in this State. This legislation is weak. I would like to see members opposite extend it further. I would like to see them make it -

The ACTING SPEAKER (Mr A.J. Dean): Order! Will the member for Nedlands address her comments to the Chair, please.

Ms S.E. WALKER: I would like to see the member for Albany -

Mr P.B. Watson: Are you going to cross the floor?

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The ACTING SPEAKER: Order, member for Albany!

Ms S.E. WALKER: I would like to see him support amendments to make this legislation stronger. Why has the Government introduced a Bill under which only the police can look at the details of offenders? Since I have been in this Parliament, we have had stoushes with the Government over the personal-private information about victims of crime. If they report an offence tonight, their personal details are sent into cyberspace by the police; they are sent to people who are not even public officers. There are thousands of such victims in this State. The Government does not mind sending the victims' information to every department, but it wants to protect offenders. It is beyond belief. We have had legislation in this place that allows psychological reports and medical reports about wards of state - everything about wards of state - to be broadcast to all agencies. In the last session we have had legislation in this place under which juvenile information is allowed to go from police to all and sundry; yet when it comes to the offenders, the Government wants to protect them. It is beyond belief.

I have raised many times the number of known paedophiles who go to SafeCare and who roam in the community at large; yet those names are not recorded by the department or by the police, and they will not go on the register. How can the member for Albany stand in this place and say that this legislation will be great for community safety and community protection? Get real! He has left the Chamber. I am not surprised. He has left in disgrace, I would say. It will not make paedophiles think twice if people know who they are. The victims know who they are, and often the family knows who they are. Those paedophiles are often abusing several children. They are often abusing nephews and nieces. Other people know who they are. They may have many victims all at once. Lots of people know who they are. The member for Innaloo can tell the House that. He knows because he has defended some of them. I am not having a shot at him for that. I am saying that he knows the extent, the full range and the gamut of victims that one paedophile can have. If the member for Albany thinks this register will be great for community safety, he should think again.

I am wondering why this legislation does not extend to children as classified in legislation; that is, 18 years and under. This legislation goes only part of the way so that we, as parliamentarians, can seek to protect children in this State from sexual abuse and protect other victims - young men and women and young boys and girls - who are raped by paedophiles. It could protect women - it is usually women - who are subject to rape by serial rapists and to other serious offences. I do not know where the eight-year retrospectivity comes in because, on the criminal record, that information to the police stays in perpetuity. If this information stays with the police, I am not sure why it is only eight years if the person goes on the register. I do not and cannot see the logic in that, given the high recidivism rate. The Minister for Police said in the budget estimates hearings how much it sickened and disgusted her and that paedophiles have a high recidivism rate. The Minister for Health and Attorney General came into this Parliament when he knew about the petrol sniffing at Warburton and knew that young girls and boys there were being given intoxicants in exchange for sexual favours. However, what did he do? Did he take the police up there? No. He came into this Chamber and said that he would bring in some legislation - not this legislation. That legislation is contained in the Criminal Law Amendment (Simple Offences) Bill that is before this Parliament, and the period is 12 months - not for supplying a child with those substances in return for sexual favours and making it an aggravating circumstance, but just for giving the child the substance. He forgot to mention the sexual abuse bit. That is what this Government does in relation to children. It is a disgrace. The Government should be ashamed of itself. I will be glad when it is out of office and our policies are in place. We will support this Bill, which is only a tiny bit of what is needed. However, I make my views known in this Chamber on how weak and ineffectual this legislation really is.

**MR A.J. DEAN** (Bunbury) [5.29 pm]: I will speak very briefly on the Bill. Obviously, members who know my past know that I was a teacher for 23 years. As the deputy principal and then principal of a senior high school of 1 400 kids and approximately 120 staff, occasionally it came across my desk that the education department was employing paedophiles. I can probably count two or three such cases in my career. The last paedophile I ran into was in about 1994. After a year 8 summer camp, a group of year 8 students told me that they had basically been sexually assaulted by this man. He was a middle-aged man who had been moving around the countryside for quite a while. Half a dozen children came forward and disclosed this information to me and the female deputy principal at the time, Anne McPherson, and we were able to investigate. The children obviously were distressed at the time. We were able to piece together a case and I am happy to say that the teacher was eventually jailed. That was 10 years ago and that was my last experience in that area.

The other night I attended a football wind-up and the people at my table had an interesting discussion about paedophiles, and not because this legislation is on the agenda. A group of students from a well-known school in the south west utilised the services of one of the Catholic brothers, whose favourite treat was to take them down to the beach to play nude football. The man who related this story was my age and thought it was a bit of a hoot; he was not overly stressed by it. The concept of the process by which that was carried out showed me the particular methodologies that some paedophiles use to fulfil their desires.

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I am very pleased that this Bill has been introduced. This subject was a topic of conversation at the Bunbury City Council about 18 months or two years ago. Unfortunately, Bunbury has had one or two very bad paedophile cases over the past 20-odd years. About 10 or 15 years ago there was a very bad case that involved one of the local churches. The man had interfered with a number of children in his care. I must point out that this man had limited intelligence. That is not an excuse or a defence, but certainly when this was brought to light, it explained some of his actions. This person was released from Bunbury Regional Prison about two years ago and he turned up in a quiet street in Bunbury. Quite rightly, the people living in that street recognised his face, because he was a well-known local identity. They were particularly upset and they brought to the Bunbury City Council a proposition along the lines of what we are discussing today, whereby a register would be established and kept. They suggested - I think it was particularly Councillor Wayne Major - that the councillors be the keeper of the register of paedophiles. There was some media discussion on the issue and it eventually went away. However, we fleshed that out and the concept of a register stuck firmly in the minds of the people of Bunbury. There have been two or three bad cases in which the offenders have been readmitted to the community of Bunbury. The community of Bunbury, with great justification, did not feel all that safe when those people were released.

I am pleased that the register will be controlled by the police. I take the point of the member for Nedlands that it will catch only convicted paedophiles. However, the mood in Australia and in Western Australia has changed significantly, and children in particular are well aware of their rights and of what is right and wrong. The days of covering up for paedophiles, whether they be uncles, older siblings and so forth, are gone. I cannot say that they are totally gone, but hopefully those of the next generation are putting that behind them. The days of the recidivist paedophile who is not caught are numbered. As I have said, I am very glad that the police will have control of the register. When this issue was discussed in Bunbury, the issue of access to the register created a few problems; for example, it was thought that every person who lived in the same street as the paedophile should be informed. In a small country town such as Bunbury, people know there is an offender in their street anyway.

This is a fairly all-empowering Bill. As has been stated several times, the Bill will lead the way in Australian law reform. On behalf of the people of Bunbury, and particularly those in certain streets in Bunbury, I am happy to endorse this Bill. I am happy to support it, given that in my past experience as an educator these people do exist and in numbers that are not acceptable in our community. I commend the Bill to the House.

**MS M.M. QUIRK** (Girrawheen - Parliamentary Secretary) [5.36 pm]: I, too, support the Bill wholeheartedly. Its drafting has had a fairly long gestation. When the minister first committed to introduce legislation such as this, it was initially thought that we would replicate the legislation that had been operating in New South Wales for some time; that is, the Child Protection (Offenders Registration) Act 2000. However, since that time the legislation has evolved, partially through the commitment made at the Australasian Police Ministers Council to effectively bring in uniform laws throughout the States and to make some arrangements for information sharing through the computer networks of the respective Police Services. Uniform legislation was contemplated for some time. However, I am pleased to say that since that time the minister has strengthened that model even further so that it includes recidivist sex offenders, and not only paedophiles.

As members will appreciate, this is a very complex, but also very comprehensive, piece of legislation. We have not reached this stage without some considerable hard work by a number of people. I mention particularly Sergeant Kelli Williams and Chris Clarke from the legal services branch of the WA Police Service, Detective Senior Sergeant John Adams from the child abuse unit, Detective Senior Sergeant Martin Voyez of the domestic violence unit of the WA Police Service, Mr Chris Drewe from parliamentary counsel's office and Rachel Sackville-Minchin, the principal policy officer in the minister's office. They should all be commended for their commitment to and hard work on what was a significant and, at times, trying project.

This legislation is important in a number of contexts. As has been said, recidivism rates among paedophiles are very high; therefore, this can be effective legislation to monitor the movements of those persons upon release from prison. Intelligence from New South Wales, for example, has proved that when the legislation was introduced in that State, a number of convicted paedophiles moved to Queensland so that they would not be subject to the same level of scrutiny.

Ms S.E. Walker interjected.

Ms M.M. QUIRK: Unlike the member for Nedlands, I have been to New South Wales and I have talked to police officers who administer the legislation. The legislation that has been brought into this Parliament has a number of improvements.

Ms S.E. Walker interjected.

Mr Dan Barron-Sullivan; Mr Peter Watson; Ms Sue Walker; Acting Speaker; Mr Tony Dean; Ms Margaret Quirk; Mr Tony O'Gorman

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Ms M.M. QUIRK: Mr Acting Speaker, I am not prepared to countenance interjections from anyone, including the member for Nedlands.

Ms S.E. Walker: I do with you; I am very gracious.

The ACTING SPEAKER: Order, members!

Ms M.M. QUIRK: I did not know that the member for Nedlands had a sense of humour, but apparently she does.

This legislation has a number of modifications, which are based on discussions with the New South Wales authorities about areas in which they thought that they could do better. In that context, we are very conscious not to have a system that effectively monitors offenders without creating vigilante actions in the community. We believe there are sufficient checks and balances, and that vigilance and scrutiny will be made by the appropriate authorities without necessarily seeing the sorts of outcomes that have occurred in the United Kingdom in which some communities have felt powerless and have taken matters into their own hands.

This legislation is part of a broader regime in which the Gallop Labor Government is putting children first. A range of administrative and legislative changes have flowed from the findings of the Gordon inquiry. Next week, or shortly thereafter, screening laws will be introduced. Those who work with children will be subject to scrutiny. That is popularly known as the children's card. We have recently announced the creation of an office of a children's commissioner. We have also announced - this is particularly timely given the events of recent weeks - amendments to the Criminal Code so that paedophiles who seek to groom children online are apprehended. This will also permit some covert police activity to trap those miscreants. To further protect children, we have indicated that we will amend the Criminal Code as it applies to supplying intoxicants and inhalants to young children. We are introducing a range of measures that show that we are serious about these matters. They are concerned with ensuring that child protection is of paramount importance. The measures are practical and can be administered in a way that will make a difference to the lives of many children in the State.

**MR A.P. O'GORMAN** (Joondalup) [5.43 pm]: Once again the Gallop Government is embarking on historic legislation. We are getting tough on crime in this State. We have to demonstrate, unequivocally, that we will not tolerate crimes against young people, particularly of a sexual nature. This Bill intends -

Ms S.E. Walker: What a lot of rubbish!

Mr A.P. O'GORMAN: The member for Nedlands stands up all the time and sprouts off her upper middle-class attitudes. As soon as we get up, she pulls out her silver spoon. She cannot stop her lips from flapping. Can she be quiet for once in her life? God Almighty!

Ms S.E. Walker: Make up your mind.

Mr A.P. O'GORMAN: Our minds are well made up on this side of the House. We are tough on crime. We did not help the Opposition reduce the effect of hoon laws in the upper House so that hooners can get away with their behaviour in the streets. We have to readdress that issue because the Opposition stuffed it up for us. We want good tough laws. This is another one of our good tough laws. We will put repeat sex offenders on a register so that they cannot move freely around this State or country. Some of the clauses in this Bill also refer to offenders' names being transmitted overseas so that other countries are warned that perpetrators may be coming to their shores. I congratulate the Minister for Police and Emergency Services. This is a great piece of legislation. It follows closely other pieces of legislation that the Gallop Government has introduced to support young people. It supports other legislation that we have introduced in response to the Gordon inquiry. The Minister for Community Development, Women's Interests, Seniors and Youth will introduce legislation that will further enforce the Gallop Government's commitment to protecting young people and those in our community who are most vulnerable. This legislation does not stop with children or people who have a mental incapacity. It also seeks to protect women, and males in some instances, who have been attacked by repeat sexual offenders. I congratulate the minister and the Government for taking a strong stance against perversion in our community.

Debate adjourned, on motion by Mrs C.L. Edwardes.