



Queensland

Child Protection (Further Reportable Obligations) and Another Act Amendment Bill 2014



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2014

A Bill

for

An Act to amend the *Child Protection (Offender Reporting) Act 2004* to provide for risk assessment orders and further reporting obligations to reduce the likelihood of reportable offenders re-offending and the Criminal Code to amend s 207A, definition *material*

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Child Protection (Further Reportable Obligations) and Another Act Amendment Act 2014*. 4
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Part 2 Amendment of *Child Protection (Offender Reporting) Act 2004* 7
8

Clause 2 Act amended 9

This part amends the *Child Protection (Offender Reporting) Act 2004*. 10
11

Clause 3 Insertion of new pt 4, div 11 12

Part 4— 13

insert— 14

Division 11 Police commissioner may apply for risk assessment order 15
16
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67FA What this division is about 18

(1) This division is about risk assessment orders. 19

(2) A *risk assessment order* is an order for an assessment of whether either or both of the 20
21

following (*further treatment*) is necessary to
reduce the likelihood that a reportable offender
will re-offend and to protect the sexual safety of
children—

- (a) treatment for the reportable offender;
- (b) extending the reporting period for the
reportable offender for a period of up to 5
years.

- (3) In this section—
treatment includes—
 - (a) cognitive behaviour therapy; and
 - (b) a program for the prevention of sexual
re-offending.

67FB Risk assessment order

- (1) A court may make a risk assessment order for a
reportable offender on an application made by
the police commissioner.
- (2) The police commissioner may apply at any time
before the end of the reporting period for the
reportable offender, including the reporting
period as extended under this section.
- (3) The application must be accompanied by
information about the likelihood of the reportable
offender re-offending.
- (4) If the court makes the risk assessment order, the
order—
 - (a) authorises a government psychiatrist to—
 - (i) examine the reportable offender to
assess whether further treatment is
necessary to reduce the likelihood that
the reportable offender will re-offend

[s 3]

- and to protect the sexual safety of children; and 1
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- (ii) prepare a written report including the making of a recommendation for treatment; and 3
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- (b) imposes on the reportable offender an obligation to participate in the examination mentioned in paragraph (a)(i). 6
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- (5) The report must— 9
 - (a) state whether further treatment is necessary; and 10
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 - (b) if further treatment is necessary, state— 12
 - (i) the further treatment recommended for the reportable offender; or 13
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 - (ii) the extended reporting period for the reportable offender; and 15
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 - (c) be given to— 17
 - (i) the reportable offender; and 18
 - (ii) the court; and 19
 - (iii) the police commissioner. 20
- (6) The court may, having regard to the report, order the reportable offender to comply with the following reportable obligations— 21
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23
 - (a) an obligation to comply with any treatment recommendation stated in the report; 24
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 - (b) an obligation to report for an extended reporting period. 26
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- (7) The police commissioner must give the reportable offender written notice in relation to— 28
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 - (a) the offender’s reporting obligations under this section; and 30
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- (b) the consequences if the offender fails to comply with the obligations. 1
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- (8) In this section— 3
- government psychiatrist*** means a person— 4
- (a) registered under the Health Practitioner Regulation National Law to practise in the medical profession as a specialist registrant in the specialty of psychiatry, other than as a student; and 5
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- (b) employed by the government in that capacity. 10
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Part 3 Amendment of Criminal Code 12

Clause 4 Code amended 13
This part amends the Criminal Code. 14

Clause 5 Amendment of s 207A (Definitions for this chapter) 15
Section 207A, definition *material*— 16
omit, insert— 17

material includes— 18

(a) anything that contains data from which text, images or sound can be generated; and 19
20

(b) an inanimate object. 21

Example for paragraph (b)— 22
a child-like sex doll 23