



**Protecting Children Today (PACT) Conference**  
**Welcome reception**  
**Wednesday, 6 September 2006, 7pm**  
**Rare Books Precinct**

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**The Hon P de Jersey AC,  
Chief Justice**

In welcoming you, ladies and gentlemen, to this important conference, I at once applaud your commitment to the protection of children, and the admirable work of the host of the conference, PACT. Any abuse of vulnerable children, physical or emotional, is a monstrous wrong, and your commitment to its eradication is reassuring.

As a father of three children – now well and truly adult, and in March this year a first time grandfather, I have recently been reminded vividly of the utter dependence of infants and young children on the support of others. The notion that dependence might not be satisfied, or that it be abused, is as I say monstrous.

The substantial extent to which the District Court and the Court of Appeal in this jurisdiction entertain proceedings alleging sexual abuse of children is frankly sickening.

Probably because based in unnatural passion, this sort of crime shows no sign of abating. In the year to 30 June 2006 in Queensland, 614 convictions were entered in the Supreme and District Courts (including some in the Magistrates Court) for sexual offences where the victim was a child. They included 385 convictions for indecent treatment of a child under 16, 108 of carnal knowledge of children under 16, and 63 of maintaining a sexual relationship with a child. In just four months preceding the commencement of that 2005-6 year, as many as 220 convictions were entered in that category. An important measure of the effect of this crime is the number of children whose evidence was pre-recorded due to their vulnerability; as many as 298 this year, and 268 in the year 2004-5.

I fear these days the realistic goal for highly motivated and dedicated people like yourselves must rest principally in identifying these child victims, ensuring they are separated from the risk, and assisting their own rehabilitation.



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So far as this species of crime may be deterred, it rests, in theory and one hopes with some success in practice, in public education and the penalties imposed by the courts. But the insidious nature of this crime, especially in terms of its motivation and the modus operandi of those who perpetrate it, means that securing deterrence, both generally and especially to the individual offender, is not easy. And so I enthusiastically commend you for your commitment.

The revelations of the extent of the abusive treatment of children in indigenous communities which have emerged this year should provoke re-evaluation of approaches in all jurisdictions. Primarily, this crime must be reported, investigated and prosecuted through the courts, with appropriately deterrent penalties imposed. Prosecution is essential in the interests of victims and potential victims, but also to help recover the esteem of indigenous communities. So far as cultural justifications were invoked, while they may tenably be raised in relation to the hunting of animals and so on, to raise such justifications for the sexual exploitation of defenceless children is fatuous and abhorrent. If those justifications are seriously raised, then there is an urgent need for education. But how could they seriously be raised in the context of such obviously unacceptable conduct? These problems are of course complex: alcohol and substance abuse, lack of employment, aimlessness, all have an impact. But an essential first step, acknowledging the primacy of the rule of law, is the reporting, investigation and prosecution of this crime in the interests of victims and potential victims. The effectiveness of the first of those matters, reporting, and the second, investigation, of course assumes an adequate police presence locally.

In relation to court process, great advances have in recent years been secured, with the prerecording of children's evidence, for example, and the establishment of facilities for the giving of evidence by children remotely from the accused person. We are proud of our own fairly new facility in Brisbane, and I look forward to your inspecting it. Executive government in Queensland is alive to the need to have such facilities available State-wide, which you will realize is no small undertaking, in this vast State, where Magistrates sit in



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more than 100 centres, District Court Judges in more than 40 and the Supreme Court in 12.

One especially insidious example of the perverse exploitation of children has been thrown up by the Internet. It is grotesque that a facility with such immense capacity for good should be blighted by this dreadful misuse. And more fundamentally, there is the feature which some supposedly mature adults choose to ignore, that the rather detached aura of this technology cannot obscure the reality that children are damaged by sexually explicit discussions with strangers in so-called chat rooms, and that child pornography could not exist but for the participation of children inveigled into the medium by predatory adults, including adults who in some cases no doubt elevate their own commercial advancement above the depredation of their “resource”, the child victim. The legislature is to be commended for proceeding expeditiously to outlaw this dreadful, novel species of 21<sup>st</sup> century crime, and likewise the police service for using covert means to uncover and deter it. In the year to 30 June 2006 in Queensland, 30 convictions were entered for the offence of adult’s using the internet to procure a child under 16 for sexual purposes. In the four months preceding the commencement of that 2005-6 year, there were six such convictions.

That your goals, ladies and gentlemen, are not susceptible of ready fulfilment no doubt serves to increase the tenacity of your personal commitment. I warmly wish you well in your greatly important endeavour, and hope it will be advanced, in real measure, by the deliberations in which you will be engaged through this significant conference. I have one quibble, and that concerns the name of your host organization. I respectfully suggest it should be: “Protect all children today, tomorrow and forever”.