

Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025

Submission No:	16
Submitted by:	Kelly-Anne Humphries
Publication:	Making the submission and your name public
Attachments:	See attachment
Submitter Comments:	

Re: Ending the Use of 'Good Character' References in Sexual Offence Cases

To:

The Honourable Deb Frecklington
Attorney-General, Minister for Justice and Minister for Integrity, The
Chair and Members of the Parliamentary Committee

From:

Kelly Humphries
Advocate | Author | Lived Experience Leader | Former QPS Officer

Minister, the chair, and members of the Parliamentary Committee,

Thank you for the opportunity to provide this submission in relation to the use of Good Character References under the Penalties and Sentences Act 1992 (Qld).

My name is Kelly Humphries. I am a survivor of child sexual abuse, a former Queensland Police Officer, a published author and academic within the field of sexual abuse and exploitation, and a long-standing advocate for victim-survivors of sexual violence.

Purpose of Submission

In this submission, I am calling for urgent reform to prevent the use of 'good character' references in sentencing for sexual offences. The continued use of such references causes real and lasting harm. It undermines the justice process and retraumatizes those who bravely come forward to speak their truth.

Lived Experience and Context

Perpetrators do not just groom children they groom entire communities. Families. Institutions. Even courts. It is a calculated betrayal, often cloaked in charm and respectability. It is a glitter bomb shiny, attention-grabbing, impossible to ignore and once it explodes, the damage lingers, clinging to everything, and, is impossible to clean up.

When a convicted offender is defended in court by letters praising their "good nature," it sends a cruel and devastating message to victims and survivors: What happened to you matters less than how well they played their part in public.

These individuals infiltrate families, schools, and sports teams. They prey on the vulnerable. Yet they are still described as "good people." But they are not, not when their so-called goodness is used to excuse, shield, justify, or minimise abuse.

I know this because I lived it.

My uncle the man who abused me was described as a “good bloke.” A respected family man. His character references were submitted to the court. Even after his conviction, the sentencing remarks downplayed his actions. They dismissed the behaviour. Made it feel like it was just a mistake. That he did not mean it.

Reading those sentencing remarks still makes me sick.

I am a former police officer with 16 years of service. An author. An academic. A strong and resilient woman. Yet I was left questioning myself, and still, I feel shame for speaking up. For telling the truth which I know serves no purpose, but it is comments made from the trusted spaces of our justice system which reinforce shame, self-loathing and blame which does not, should not and will not ever belong to me.

Systemic Impact

If I feel this way, what happens to those who are even more vulnerable? What message are we sending if the very system meant to protect survivors instead validates the reputations of abusers? The courtroom has become a place not of justice, but of gaslighting. My perpetrator’s reputation was weighed against my trauma, and as a practice, continues to be this way for so many other victim-survivors.

- It makes our experience feel small.
- It makes our voices feel shameful.
- It makes us wonder if we did something wrong.

This is not justice. It is the continuation of harm, upheld by the very system meant to stop it.

Call for Legislative Change

Queensland Victims Commissioner Beck O’Connor has rightly commented and issued a position statement that ***Section 9 of the Penalties and Sentences Act 1992 (Qld) should be amended to ensure that courts must not consider good character evidence in any case where a person is convicted of sexual offending.***

Let us be clear:

- Being polite or respected does not erase abuse and certainly cannot excuse it.
- Charm and status are tools offenders use to hide in plain sight and should be considered part of their offending methodology not as mitigating factors.

- Allowing these references in court gives power back to the abuser and relentlessly continues to strip it from the victim-survivor.

This is an institutional loophole that enables abuse. It must be closed. No survivor should sit in a courtroom and watch their abuser be praised for being “a good person.” That praise rewrites the story, and the cost is borne by those already harmed.

This is not about revenge. This is about truth, safety, and accountability.

Minister, Committee Members, I urge you:

Please be courageous, as we must be every time we speak up. Please be the voice we cannot always be for ourselves in matters such as this. Close this door. Reform the legislation. Remove the ability for good character references to be used in sexual offence matters, entirely.

Let the justice system be what it is meant to be: a place where survivors are heard, believed, and protected, not retraumatised.

Thank you for your consideration,

Sincerely,

Kelly Humphries

Advocate | Author | Lived Experience Leader | Former QPS Officer