

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

Submission No: 192
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Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

To the Committee,

RE: Inquiry into Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025

I am writing with unwavering urgency to demand that the Committee and the Queensland Government fully support the [#YourReferenceAintRelevant](#) campaign's call for a **total abolition of good character references in the sentencing of convicted rapists, child sex offenders, and perpetrators of domestic and family violence**.

Allowing these references provides offenders a shield – an unjust mechanism by which they can manipulate and weaponise their social standing to minimise harm. It reinforces the toxic social narrative that the reputation of an abuser carries more weight than the truth and the safety of the victim. Justice must be determined by facts – not by the offender's social network or whether some people believe them to be “a top bloke”.

The 2023 review¹ made this abundantly clear – if we, as a just society, genuinely believe in “*the need to: protect victims; hold those who commit these offences to account; maintain judicial discretion; and promote public confidence in the criminal justice system*”, we must act now. **The total abolition of good character references must be taken seriously and implemented immediately**. This is not merely a recommendation – it is an urgent mandate. We have a moral and social obligation to ensure that our most vulnerable are protected, believed and empowered to seek real justice. There is no justification for permitting 'good character' references and evidence in sexual assault rape offences. The message to perpetrators and society must be unambiguous – these crimes will not be tolerated, and consequences will be serious and unwavering.

We are currently in a time when a recent report from the Australian Institute of Family Studies, titled *Ten to Men*², has announced **1 in 3 Australian men report having used intimate partner violence**. The findings from this research lay bare the scope of this crisis. How can we continue the damaging myth that being a ‘top bloke’ somehow exempts men from ramifications of violence and abusive behaviour? Men and boys in our society are crying out for help and are struggling to find the support they need, yet our justice system, various levels of government and social institutions continuously send the message that male violence is forgivable – that victims will bear the burden while perpetrators evade true accountability. This does not protect men; it fails them. Clear, direct messaging must reinforce that they alone are responsible for their own healing and actions. Until we demand true accountability, the epidemic of gendered violence in this country will persist unchecked.

The idea that an offender's 'character' must be considered in court for matters relating to the use (or threatened use) of violence or physical harm, is an indictment of our so-called justice system. While we are told good character references should not be considered when they facilitated the offence against a child, this limitation is largely unexamined and yet to be formally evaluated, and the fact that these references may still be used is inexcusable. A person's 'otherwise good character' should never be an established mitigating factor. How can we ensure the victim's rights and safety remain paramount, when personal endorsements – opinions on an offender's supposed virtues – are wielded as bargaining chips to soften consequences?

We hear that important principles are to be considered in these matters, including the ‘principle of individualised justice’, where justice must account for the ‘whole person and not solely under the shadow of their crimes’. I ask you, did the perpetrator grant their victim the same considerations when they were abusing, raping, and sexually assaulting them? Was the victim's humanity acknowledged before they were violated, and their sense of self and dignity were diminished? Did the perpetrator have any regard for the victim's experience or were they acting from their own one-dimensional view? Male entitlement and disregard for human suffering fuels perpetrators' actions; their ‘whole person’ is already clear.

¹ [Sentencing sexual violence | Sentencing Advisory Council Queensland](#)

² [The use of intimate partner violence among Australian men | Australian Institute of Family Studies](#)

The justice system must not be a refuge for an offender's reputation or perceived societal contributions. The court should have to consider any other 'dimensions' of the perpetrator, other than the ones that brought them to face the court in the first place. It is only after the perpetrator is **found guilty** that these superfluous accounts are provided, and the court should not be a platform for the perpetrator's ego, or a place for them to receive accolades, image rehabilitation, or justification for their crimes. Sentencing should not permit a guilty verdict to be followed by a pat on the back, reinforcing the delusion that offenders are still "good blokes". What impact is that having on the perpetrator's sense of self, ability to truly rehabilitate and change their belief system towards themselves, women and the way they carry themselves in the world?

As for so-called first-time offenders, the court is permitted to explore the idea that 'the behaviour might be considered exceptional, atypical and out of character'. I challenge you to consider this is a naïve assumption, as these are rarely first-time offences – they are simply the first time the perpetrator has been caught.

The time for change is now. The Committee and the Queensland Government now have the opportunity and obligation to take a stand against the systemic injustice that protects offenders over victims. **Abolish good character references entirely** – because justice, real justice, demands it.

Yours Sincerely,

Tayler Porteiro