

Justice and Other Legislation Amendment Bill 2023

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Sophie's Law Submission

Attention of the Law Committee

I am Sophie's mother and always will be, on the 29 August 2014 she was taken away from us, we were simply going to the shop to get a few things we needed but when we were almost home at 7.45pm we had just turned into the street and a man we later discovered, was drunk, high on drugs with the main one being methamphetamine. He decided to drag race another vehicle. We were told during the long police investigation that he was travelling in excess of 140km per hour in a 70 zone but because he didn't break there was little road evidence so he was only charged with 29km over the speed limit.

Sophie's Injuries were so severe she was no longer compatible with life, she had significant internal organ damage along with brain damage. She suffered pain in utero before her heart finally stopped.

It took 2 hours to extract me from the vehicle while being in labor the whole time I was 39 weeks and 6 days pregnant. We were ready to welcome Sophie at any moment, the family heirloom cradle was set up her, her cloths washed and hospital bags packed and car seat in the car. But on the 29th of August that all changed. She was taken from us. It was close to midnight when they confirmed she had passed but as her mother I knew she was gone I had no more movement she wasn't kicking anymore she was gone all because someone committed an offence that cost us the life of our child. He hit us with such force that my uterus ruptured and she was no longer in my womb but was in my abdomen. He took away my right to bare more children I lost 2 more pregnancies following the crash, I was lucky to carry one more child to 33 weeks she is a happy and healthy 7 year old now but following this I was told I was not allowed to carry anymore children due to the significant risk to my life and that of a unborn child, we had already had so much loss that another would have been more pain then I could handle.

The loss of a child is like no other loss nothing compares the pain and grief that happens this is because you loose your future, we will never hear her cry, or see her walk or her first day of school or her dad walking Sophie down the Isle.

My husband, myself and our children that survived the crash will never be the same, we all have ptsd, I almost died myself.

No parent should ever have to plan their unborn child's funeral because of a criminal act, the court at the time acknowledged that he caused the Death of Sophie Ella. But there was no law that he could be charged under. The Bill will allow the cost of the funeral to be covered up to \$8500.00 this is a significant change.

We tried to tend evidence of our victim impact statements and photos to the court but we were denied. Apart of the Bill modification will allow not only the parents but also family to tend their statements to the court.

There is not a day that goes by that we don't think of her, each year we find a cause to support in her honor, some years its memory boxes another year we donated my wedding dresses to be made into gowns for babies that pass to soon.

All we have left is her ashes the clothes she wore and photos of her injured body. We were gifted professional photos from heartfelt that we treasure each and everyday.

The impact on a family that loses a child because of someone else actions adds another layer of grief, there was no justice for us. He lost his licence for 5 months and a \$950.00 fine for the cost of a life, this law reform while it doesn't bring your child back at least you know that your baby counted. She received a birth Certificate, death certificate and was count as a death on the road toll, the only place she wasn't counted was in a court, how can we say she mattered when the court can not recognize your child.

The loss of Sophie has changed me. I am not the person I was before. Nor will I ever be the same person. The loss of Sophie has had a devastating impact on my whole family. I knew the law prior to the loss of our child I knew an unborn child had to take a breath in order for a person to be charged with the death of a child.

The public and community agree this criminal code needs to change. 121000 signatures in 4 weeks saying we need this reform. This is Sophies Legacy, she can never have the opportunity of life, she could of held the answer to cure cancer we will never know.

Over the past 8 years and since we started this campaign, I have had 15 women in Queensland alone come forward and speak to me to say it happened to them also, the most traumatic one that was so similar to us was baby miles the only difference is his parents didn't survive.

Families need to know that their baby mattered their child meant something to them they wanted their future. Sophies law means that there is some justice in the devastation of losing a child.

Having justice supports healing. It is almost sophies 9th Birthday 9 years of missing her 9 years of not having birthday photos, 9 years of not having her here for Christmas, 9 years of not being able to watch her grow, 9 years of missing her so much. But also 9 years of fighting for her rights and the rights of unborn children. This is her legacy because that is all that is left. Nothing more nothing less.

If Sophies Law was in place and passed when we first brought this to the government in 2016 then at least 15 more families would have had justices.

Kind Regards

Sophie Mum and Dad