



Speech by

KEN TURNER

MEMBER FOR THURINGOWA

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CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Mr TURNER (Thuringowa—IND) (10.09 p.m.): I draw the attention of the House to the case of a four-year-old girl who lives in my electorate. I will refer to her as Robyn, although that is not her real name.

Robyn was sleeping soundly in the bedroom that she shared with her sister. At 4.50 a.m., X, who was 19 years old, broke into this little girl's bedroom and violently raped her as her sister watched and her parents slept. X pleaded guilty to the charge of rape and was sentenced to 15 years' jail. X is now appealing the severity of his sentence.

It is my opinion that 15 years is not a long enough jail term for such an animal as X. His sentence is comparatively mild compared with the life sentence that he dished out so cruelly to Robyn. In the year 2012, X is due to be released. Robyn will turn 19 in that same year—the age when most young women will be planning their lives, with husbands and children.

Mr DEPUTY SPEAKER (Mr Mickel): Order! I warn the honourable gentleman that if this matter is being appealed before the court, what he is now saying is sub judice.

Mr TURNER: We have heard of this matter before.

Mr DEPUTY SPEAKER: There is some doubt as to the exact nature of the appeal. In view of that doubt, I ask the member for Thuringowa not to proceed with this case.

Mr TURNER: Yes, Mr Deputy Speaker.

...

Mr TURNER (Thuringowa—IND) (10.22 p.m.), continuing: The year 2012 is the year that the person who perpetrated this crime against this young lady is due to be released. That same young—

Mr FOLEY: I rise to a point of order. I accept the spirit of what the Leader of the Opposition said previously, that is, that one does not necessarily want to fetter unreasonably members in this House. But the honourable member is going to the very point of the appeal, namely, the length of sentence of this person. In my respectful submission to the Chair, that is the very point to be determined by the court, and as such is sub judice.

Mr DEPUTY SPEAKER: Order! I will seek advice. For the benefit of the House, I will read out the sub judice convention that has been time-honoured in this House. It states—

"Matters awaiting or under adjudication in all courts exercising a criminal jurisdiction should not be referred to (in motions, debates or questions) from the moment a charge is made. The provision shall cease to have effect when the verdict and sentence have been announced or judgment given, but shall again have effect should a Court of Criminal Appeal order a new trial, when this would be regarded in the same light as an initial hearing."

Again, I will call the member for Thuringowa. Again, if he persists with the matter covered by the sub judice convention, I will sit him down and that will be the end of it.

Mr TURNER: I will leave out that page. Robyn will have to spend much of her life attending counselling and therapy sessions. This is what happens to rape victims. This is their sentence. If Robyn lives to be 80, that will mean that Robyn has received a 76-year sentence. Tell me, please, what was her crime? This heinous crime against an innocent little girl should carry a life sentence—the same as

little Robyn's. We have no guarantee that if this person is released early the same thing would not occur to other young ladies.

A few minutes of this person's violations against Robyn have sentenced Robyn and her family to a life of pain and suffering. No signs of remorse have been shown. How could we consider reducing his sentence? After the incident, Robyn and her family could no longer live in the populated suburbs of X. The whole family lived in fear of a repeat occurrence of the disgusting crime committed against their daughter. Robyn and her family now live at X, a small country area north of X—the area where my own children grew up and went to school. I know little Robyn and her family and I find it hard to imagine what kind of animal would commit such a cruel violation against such an innocent child.

I ask those members contemplating rejecting this Bill to take the time to think of Robyn as their own four-year-old daughter or granddaughter or niece. How can we allow anybody to be released early? Fifteen years is 15 years. I commend this Bill to the House.
