



Speech by

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MEMBER FOR IPSWICH

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PENALTIES AND SENTENCES [NON-CONTACT ORDERS] AMENDMENT BILL

Ms NOLAN (Ipswich—ALP) (11.43 a.m.): I rise to speak specifically in support of the Penalties and Sentences (Non-contact Orders) Amendment Bill. I will speak briefly and stick to the point. The bill gives the courts the ability to order that an offender not contact his or her victim or their associates. It is arguable that courts have always had this right at least with respect to victims if not associates, but the bill makes explicit that power.

In focusing on physical acts of crime, the law has in the past failed to recognise adequately the real and devastating effect that intimidation can have. Intimidation can cause a virtually paralysing fear and make it almost impossible for a person to live his or her life freely and with confidence. That is as real as any physical crime. I am pleased to say that, with legislation including that regarding stalking and this legislation today, in Queensland we have made significant moves to prevent people being intimidated by people who have attacked them, by former partners and by stalkers.

This legislation is all about protecting victims. There is a widespread perception in the community that the law protects offenders rather than victims. Any taxi driver will tell us that that is the case. While no doubt there are sometimes imbalances in decisions, I think there are two major reasons for that view. Firstly, there is invariably hysterical media attention on sentences that are on the face of it inadequate. Sentences that the community would consider reasonable or excessive do not raise a peep. Secondly, it is a natural human reaction to seek punishment. But a large part of the focus of the justice system is, and should be, on rehabilitation. Although rehabilitation might leave us a better society, it does little to satisfy the human instinct for vengeance. I commend the Attorney-General for taking seriously his role of defending and protecting the independence of the judiciary.

Having made those points about victims, I note that the justice system should always be actively looking for opportunities to protect and include victims, and that is what this legislation does. I strongly support moves to keep victims informed, to protect victims, as this legislation does, to encourage victims to provide impact statements to courts and to extend community conferencing. Public faith in the justice system must always be built up. There is a need for better integration of victims, but the debate should not be fuelled by some of the ignorant commentary that we have seen. I commend this bill, which protects victims of crime, to the House.
