



Speech by

RONAN LEE

MEMBER FOR INDOOROOPILLY

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PENALTIES AND SENTENCES [NON-CONTACT ORDERS] AMENDMENT BILL

Mr LEE (Indooroopilly—ALP) (12.08 p.m.): In rising to speak briefly in support of the Penalties and Sentences (Non-Contact Orders) Amendment Bill 2001, I echo the welcome that the House gave to the Spanish Ambassador earlier today and say to him and his wife: *bienvenido a nos pais*.

This is a bill that presents another fine example of the realistic attitude our government is taking to matters of justice. I commend the honourable minister for his work in preparing this bill. I feel that this bill is indicative of what can be achieved through extensive consultation and research and is a credit to the work that the Department of Justice is doing in this area to ensure not only that Queenslanders are protected from crime but also that the causes of crime are taken into account.

The Penalties and Sentences (Non-Contact Orders) Amendment Bill gives courts a novel sentencing option by allowing them to make an order in certain circumstances that an adult offender not have any contact with a victim or an associate of a victim. An associate of a victim is someone who was with a victim at the time an offence was committed. This is an extremely important point and one that I am grateful has been addressed. We often forget that victims themselves are not the only ones affected by crime. Spouses, parents, children and family are frequently also affected, and the department has addressed their predicament by including this sentencing option in the bill.

This bill legislates so that offenders cannot come near their victim or a person who was there at the time of the crime. The offender can also be stopped from going to a particular place. Also, the offender is not allowed to begin contact by such means as telephone, facsimile or e-mail. These are very necessary steps, because often victims live in fear that the offender might try to intimidate them, harass them or damage their property in some form. Offenders would be sentenced for even going near the victim without committing any further crime.

It is very easy to overlook the spouses, parents and children of victims, who also feel the effects of the crime that has taken place. This bill is consistent with our government's humane, family focused approach to the law and to justice issues, because it looks at the broader picture—something that is extremely important due to the physical and emotional effects that crime has on people.

There is a very important exception in this legislation that I must point out; that is, when an order is made under the Domestic Violence Act 1989. The order starts from when it was made or when the offender leaves prison and is for a period of two years. Application for variation or revocation can be made six months after the order is made, but an appeal against the sentence can be made right after the order is made. The court can exercise its discretion to make an order where it is satisfied that unless such an order is made there is unacceptable risk that the offender may injure the victim or associate, harass the victim or associate, behave in a way which could reasonably be expected to cause detriment to the victim or associate, or damage the victim's or associate's property. I believe that the bill is quite sensible, and I am very happy to support it.
