



Speech by

CHRIS CUMMINS

MEMBER FOR KAWANA

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SEXUAL OFFENCES [PROTECTION OF CHILDREN] AMENDMENT BILL

Mr CUMMINS (Kawana—ALP) (2.30 p.m.): The sexual abuse of a child is the most vile of crimes. Queensland is no place for child abusers or paedophiles, nor should Australia be. One of the most important and significant duties we have is to ensure the protection of children. Our children are our future. While I am not an expert in psychology or understanding aspects of the human mind, I believe most of us have heard far too many tragic stories, and child abuse, unfortunately, I believe, can be a vicious cycle in that innocent people who are abused can grow up, on occasions, to be abusers. Those who suffer and sometimes go on in later life to become a predator obviously have severe mental and psychological issues that they must deal with. But those who have been abused, I believe, would also have a fear that they may become an abuser. Often we hear of drugs, alcohol, violence and suicide as the tragic road ahead that too many people take. I, like many in our society, have very strong feelings on this issue. I feel the future may see further investigation into chemical castration and other methods that could protect our innocent.

The Beattie government makes no apologies for the legislation before us. As I have said, Queensland is no place for paedophiles. This bill will ensure that, when judges sentence child rapists and paedophiles, they will no longer follow the general principle that prison is the last resort. Sexual abuse of a young child can inflict as much or more harm as an attack of violence, and we believe sentences should reflect that philosophy. We are introducing tougher penalties for sexual offences and a new provision that clarifies that young children do not have the capacity to consent to sexual penetration. The maximum penalty for indecent treatment of a child under 12 will be increased to 20 years imprisonment; for under 16 years of age, a maximum of 14 years imprisonment. A change will be made to section 348 of the Queensland Criminal Code, the rape offence, to make it clear that a child under 12 does not have the capacity to consent to sexual penetration. Any sexual penetration of a child under 12 should now be charged as rape rather than unlawful carnal knowledge or indecent dealing and will carry a penalty of life imprisonment. Any sexual penetration of a child under 12 should be charged as rape and will carry a maximum jail term of life imprisonment.

The Sexual Offences (Child Protection) Bill 2002 will be followed by legislation to improve judicial processes for children who are victims or witnesses. We need to make the court system more sympathetic to children involved in sexual abuse cases to improve their protection and limit trauma and distress. The package of reforms represents a substantial shift in the way our criminal justice system deals with child sexual abuse at all levels. I believe it is very important that the criminal justice system fulfils its responsibility in providing both a deterrent and ongoing supervision to stop the cycle of abuse.

We often hear an outcry over whether people should or should not be released and whether it should be mandatory that they undergo some form of counselling or whatever. Unfortunately, this does not always cure their problems. If, like an alcoholic or a drug addict, they want to be cured of their affliction, they have to undertake treatment voluntarily. Making people undertake certain courses will not, in my opinion, make them better. Indeed, many people who have reoffended have gone through these courses within the judicial system.

I commend the Attorney-General and his department, as the toughest laws are necessary, as is parental and adult vigilance. We must all be aware of the rock spiders, the lowest form of life that exist, and we must protect the innocent children. I commend the bill to the House.