



Speech by

**CHRIS CUMMINS**

**MEMBER FOR KAWANA**

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Hansard 10 September 2003

**EVIDENCE [PROTECTION OF CHILDREN] AMENDMENT BILL**

**Mr CUMMINS** (Kawana—ALP) (12.56 p.m.): We all agree that sexual abuse of a child is the most abhorrent of crimes. In my opinion it is unforgivable. On occasions these rock spiders are unrepentant and some will never be properly rehabilitated. The Beattie state government has responded to the growing community concerns about these horrific crimes and has begun a major overhaul of Queensland's laws against child sex offenders.

This bill before us deals with the way the criminal justice system treats children in the legal process, which can often be described as harrowing to say the least. This bill will make our courts more sensitive when dealing with children who are victims or witnesses to ensure that the legal process does not add to their stress or suffering. At the same time, by limiting the trauma and the stress for a child appearing in court we will improve the reliability of evidence. We all must recognise that a witness giving evidence in court, particularly a child witness, is entitled to be treated with dignity and respect.

Less than three years ago I was required to appear in court to give evidence in a land resumption appeal proceeding. While I had nothing to hide, and the judge reported just that, I did find it a very daunting process. We must acknowledge that, yes, anyone who has been accused of committing a crime has a right under our democracy to be deemed innocent until proven guilty. Although the accused has the right to proper legal representation, I strongly support the right of the victim.

I mentioned previously that the low-life and scum who harm our children often have no remorse. They have no guilt. They do not believe that what they have done is wrong. Once they have been found guilty beyond any reasonable doubt, if they cannot understand how a proper society acts and has judged them: why should we segregate them within our prison system?

If the scum of the world who destroy the innocence of the young deny that they require rehabilitation, we cannot rehabilitate them. Like an alcoholic or a drug addict, the individual must recognise their weakness, their sickness. The cyclic repetitiveness of child sexual abuse can be broken by someone wanting rehabilitation. It can also be broken by chemical castration. One member suggested castration by a blunt pocketknife. I do not agree. I believe that if any of these compulsive repetitive paedophiles do not accept the judgment of our civilised community once incarcerated, they should not be protected from others serving at Her Majesty's pleasure.

The bill also gives rights to the victims of crime. The bill allows a judge in a criminal proceeding conducted in the Children's Court the power to permit persons with proper interest in the matter, that is victims of crime, to be present provided that the child's interest is not prejudiced. That provision is contained in section 20(2)(d) of the Children's Court Act 1992. The bill makes a range of procedural changes to criminal justice processes to ensure the effective operation of trials and appeals. I commend the minister, the cabinet and the Beattie government by commending this bill to the House.