



Speech by

**Hon. Jarrod Bleijie**


**MEMBER FOR KAWANA**

Hansard Wednesday, 20 June 2012

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## **CRIMINAL LAW (TWO STRIKE CHILD SEX OFFENDERS) AMENDMENT BILL**

### **Introduction**

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (3.37 pm): I present a bill for an act to amend the Corrective Services Act 2006 and the Penalties and Sentences Act 1992 for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Criminal Law (Two Strike Child Sex Offender) Amendment Bill [\[366\]](#).

*Tabled paper:* Criminal Law (Two Strike Child Sex Offender) Amendment Bill, explanatory notes [\[367\]](#).

I am pleased to introduce the Criminal Law (Two Strike Child Sex Offenders) Amendment Bill 2012. Some offending is so heinous and presents such a risk to the safety of the community that the strongest legislative response is called for to ensure that adequate punishments are imposed in any given case. Repeat child sex offending falls into this category. The bill delivers on the Queensland government's pre-election promise to toughen the sentences for repeat child sex offenders within our first 100 days of forming government. This government has listened to the community outrage about the sufficiency of sentences given to those who sexually offend against children, and we have acted.

The bill amends the Penalties and Sentences Act 1992 and the Corrective Services Act 2006 to insert a tough new mandatory sentencing regime of life imprisonment, with a 20-year non-parole period, for serious repeat child sexual offenders. The new sentencing regime will apply to adult offenders convicted of a serious child sex offence where the offender has a prior conviction for another serious child sex offence.

The term 'serious child sex offence' is defined in the bill. It is a reference to one of a number of sexual offences listed in a new schedule to the Penalties and Sentences Act. It encapsulates all sex offences committed against a child under the age of 16 years which carry a maximum penalty of life imprisonment. For example, while the offence of carnal knowledge is listed in the new schedule, the regime will apply in circumstances where the offence is committed against a child under 12 years of age or where the child was under the guardianship or care of the offender, as in such circumstances the offence of unlawful carnal knowledge carries a maximum penalty of life imprisonment. This will ensure against young lovers being captured by the mandatory life regime.

The bill provides that, in sentencing the offender for a second serious child sex offence, the court must impose life imprisonment, which cannot be mitigated or varied. Of course the court retains the discretion to impose an indefinite sentence under part 10 of the Penalties and Sentences Act, but the bill makes it clear that a sentence of life imprisonment must be set as the nominal sentence and the finite sentence under that regime. This government makes no apologies for this tough new sentencing regime. The amendments are necessary to condemn and denounce repeat child sex offenders. The bill aims to deter this cohort of offenders and to enhance community confidence in the sentencing process. The bill

recognises that the criminal justice system must operate to protect the most vulnerable members of our community—our children—from this most abhorrent offending. I commend the bill to the House.

### **First Reading**



**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (3.40 pm): I move—  
That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### **Referral to the Legal Affairs and Community Safety Committee**

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.