




Speech by

Seath Holswich

MEMBER FOR PINE RIVERS

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CRIMINAL LAW (TWO STRIKE CHILD SEX OFFENDERS) AMENDMENT BILL

 **Mr HOLSWICH** (Pine Rivers—LNP) (4.26 pm): I rise in support of the Criminal Law (Two Strike Child Sex Offenders) Amendment Bill 2012 and to offer some brief comments in support of this legislation. As a parent of two primary school-aged children and with a third child due into our family exactly five weeks from today, I am acutely conscious of the need for our society and our legislation to afford the highest possible level of protection to our children. I know that I am not alone in this line of thought and it is a theme that has been raised with me numerous times by members of my community in Pine Rivers during the lead-up to this year's election and since. The innocence and growing experience of a child should not be allowed to be interrupted and destroyed by members of our society who act in such abhorrent manners against children, the worst of which display patterns of compulsive, addictive and destructive behaviour.

This legislation fulfils one of the Newman government's pre-election commitments that during our first 100 days we would introduce legislation to toughen sentences for repeat child sex offenders. This legislation will see Queensland with a new mandatory sentence requirement of life imprisonment for certain repeat child sex offenders as well as introducing a minimum non-parole period of 20 years imprisonment for an offender sentenced to mandatory life imprisonment under this new sentencing structure. There will no doubt be those who would argue that increasing sentences and introducing mandatory sentences is nothing more than a bandaid solution on a problem and does not do much to prevent offences occurring or act as a deterrent for potential offenders. The issue of mandatory sentencing and mandatory non-parole periods have certainly been a topic of many debates and I acknowledge that, as has been seen in the committee's report, there are certainly proponents both for and against mandatory sentencing.

Certainly on its own, a mandatory sentence or non-parole period applied in isolation from any other action may not be an entirely effective strategy. But when coupled with strong preventative measures, quality child safety processes and more well-resourced front-line police on the beat to enforce our laws, tougher sentences begin to provide an integral part of the deterrent strategy for such abhorrent crimes. To know that committing a crime will bring a guaranteed lifetime of imprisonment should be an effective deterrent for many—not all but many—potential offenders. This bill in amending the Penalties and Sentences Act 1992 and the Corrective Services Act 2006 will provide a strong message to those considering committing such crimes that our society will not tolerate these actions and they will be dealt with in the harshest manner available should they choose to commit such crimes.

If an offender or potential offender does not reconsider their actions when they have the potential for life imprisonment staring them in the face, then there is a reasonable argument to say that they are not a properly functioning member of our society and, therefore, should be sentenced accordingly. That this new legislation acts with a partial retrospective effect to recognise serious child sex offence convictions recorded before commencement of the bill as the first child sex offence is putting those already convicted of these offences on notice that no further offences will be tolerated. I am a firm believer that everyone deserves a second chance. Everyone deserves a chance to prove that an offence was maybe out of

character or that they have reformed their lives. But in the case of serious child sex offenders, we as a society cannot afford to give more than one chance.

I commend the Attorney-General for this legislation that introduces the two-strike policy. I also commend the mandatory sentencing requirement of life imprisonment with a minimum 20-year non-parole period for repeat offenders. Whilst such extensive sentences could be argued to impact on the rights and liberties of individuals, I refer to my earlier comments and reiterate that, for a person to act in such a way against a child—shattering their innocence and in most instances, if not all, scarring them for life—this necessitates that such rights and liberties of the offending individual be forfeited for an extended period for the safety and protection of the wider society. I appreciate the points raised by the Leader of the Opposition regarding the risks of mandatory sentencing. There are certainly some legitimate concerns there. But at the end of the day I believe that these risks are far outweighed by the benefits to society of imposing significantly increased penalties.

I would also like to raise briefly the committee's recommendation No. 2—that there is always a possibility of unintended consequences in implementing legislation such as this. Therefore, it would be prudent that the legislation be closely monitored. I thank the Attorney-General for his assurances that this monitoring by the department will take place. I would also like to take the opportunity to acknowledge the continual work of organisations and individuals such as Bravehearts who have been championing the causes of children's rights for quite a number of years. This is obviously a very difficult issue for a society to face and tackle. I acknowledge the way in which these organisations seek to bring light to this topic and protect our children.

It is right that people in our community are outraged whenever they hear of a child sex offender committing further crimes against children. Our children deserve protection from individuals who act in such a destructive, antisocial, deranged manner. I believe that, although this legislation on its own will not act as a foolproof deterrent to all child sex offenders and there are obviously potential teething issues that will need to be dealt with, this legislation is another strong step in the right direction towards protecting our children and keeping repeat child sex offenders off our streets and out of our neighbourhoods. I commend the bill to the House.