




Speech By
Fiona Simpson

MEMBER FOR MAROOCHYDORE

Record of Proceedings, 8 November 2016

**LIMITATIONS OF ACTIONS (INSTITUTIONAL CHILD SEXUAL ABUSE) AND
OTHER LEGISLATION AMENDMENT BILL; LIMITATION OF ACTIONS AND
OTHER LEGISLATION (CHILD ABUSE CIVIL PROCEEDINGS) AMENDMENT
BILL**

 **Ms SIMPSON** (Maroochydore—LNP) (4.52 pm): There is a principle that what is done in secret will be shouted from the rooftops. As we have seen, crimes buried by time come to light eventually. All crimes are a tragedy, but particularly those against children who depend on adults for their safety, succour and wellbeing. The greater the period of time to see justice reached makes that tragedy a greater burden. Even if the person is no longer a child they still carry the wounds of that horrible abuse into adulthood. I doubt there is one person in this chamber who does not know someone who was subjected to child abuse and knows how this has impacted their lives. Many who have had that experience have shared bravely through their submissions and through their advocacy.

This legislation cannot undo the harm, but it can provide avenues of redress that were previously denied due to the passage of time. This bill promises to remove the civil statutory time limits for personal injury arising from child abuse in institutions. It is a step in the right direction. The government's bill does not deal with abuse outside of institutions. We are saying it should. That is the substance of the amendments put forward by my colleague, the member for Mansfield and shadow Attorney-General, who will seek to move to make it possible to sue for civil redress for non-institutional abuse.

We are also saying that if a person has entered to a deed of settlement outside of the time limit there should be a power to apply to the court, if it was not a just and fair settlement, to have the case reopened. This is not lightly suggested and I note the concerns of the Attorney-General. However, I believe that there are safeguards in that it is not an automatic reopening. It recognises that sometimes these deeds may not have been entered into fairly and that the substance of the issues that are now brought to light would mean that they would be cast in a very different circumstance. For many victims it can take years before they are able to speak—some still cannot speak—about their personal experiences. It was not their fault that they felt shame or that they wore the damaging impact of the original crime that made their suffering and vulnerability even greater. That is why the statute of limitation for civil actions was so unfair. Paedophilia and child abuse in general are some of the most heinous crimes as they are committed against those who are powerless: children in the care of others. Children are not the chattels of adults, subject to an adults' personal whims or wants. Children are precious and deserve the protection of law. They deserve the protection of adults and recognition that their experiences in childhood last well into adulthood.

This legislation is a step in the right direction. I hope that the amendments help in the journey to justice. These changes in law cannot heal all hurts, but they can provide avenues for redress. I acknowledge the bravery of those who have advocated for what we believe are fair and just amendments to legislation.