




Speech By
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CRIMINAL CODE AND OTHER LEGISLATION AMENDMENT BILL; CRIMINAL CODE AND OTHER LEGISLATION (MASON JETT LEE) AMENDMENT BILL

 **Mr JANETZKI** (Toowoomba South—LNP) (4.51 pm), in reply: As articulated by so many in this House, particularly on the opposition side, the killing of a child is a shameful crime. As I said in my introductory speech to our private members' bill, any parent or carer who has held a child in their arms intimately understands their vulnerability. They are helpless and completely reliant on others. No child deserves to be held in the arms of evil, murderous evil. This evil does not just steal life from these children but from their families and loved ones, thereby inflicting a life sentence of pain and suffering.

I do not intend again to lay down the key aspects of our bill, but I do need to address a number of issues in reply. First, I really need to call out the lack of Labor contributors to the cognate debate. There were not that many of them. To have 12 or 13 speakers in addition to the Attorney-General shows a lack of serious consideration of the matters before this House. Deep down, those opposite—and I join with the member for Nicklin—know that there are severe doubts about the proposals contained in the government's bill and about whether they will make any meaningful difference in the future.

The Labor government made much of the impact of mandatory sentencing as proposed by the private member's bill for these most heinous killers. The opposition does not propose it lightly or without serious consideration. Rather, it is a last resort for a justice system that is not delivering justice for the community. However, it seems that there is a fundamental misunderstanding of mandatory sentencing by the Labor contributors. Indeed, at my public hearing it appeared they had no idea that Queensland already has mandatory life sentences and minimum non-parole periods for murder. I was subjected to a bizarre series of questions from Labor committee members, in particular the member for Macalister, who asked—

Do you believe that a mandatory sentence of 25 years will deter future child murderers? Do you have some evidence that you can point to that indicates that mandatory sentencing whether it be 14 years, 25 years or 100 years will actually protect vulnerable and defenceless children?

I hate to break it to the member for Macalister and a number of Labor contributors, but Queensland already seems to have life sentences and mandatory minimum non-parole periods. It appears that the Palaszczuk Labor government supports them, because it remains the law in Queensland today.

During the second reading debate yesterday when the member for Macalister said, 'My primary concern with this bill is any approach which seeks to introduce mandatory sentencing,' or the member for Bulimba said, 'I do not support mandatory sentencing,' or as we heard from the member for Gaven previously, 'Mandatory sentencing does not deter offenders,' it does seem that they fundamentally misunderstand the law as it stands in Queensland today, that is, the law that is overseen by the Attorney-General, the police minister and Labor governments for 25 of the last 30 years. How can the Labor government fail to support the LNP's proposal for a mandatory 15-year punishment for child killers when Labor oversees a legal system that provides exactly the same thing for murder?

Again, I confirm for those opposite: for adults convicted of murder and repeat serious sex offences, a judge must sentence the offender to life imprisonment or an indefinite sentence under the Criminal Code. The Corrective Services Act 2006 establishes mandatory minimum non-parole periods, including 25 years for the murder of a police officer, 20 years for other murders or repeat serious child sex offences, and 15 years for any other life sentence imposed for another offence such as rape. This is a staggering oversight but, again, as so often with this Labor government, they ought to reflect on their own history.

In 2010 the Bligh government established a sentencing advisory council tasked with examining whether a minimum standard non-parole period should apply to certain offences. I note that then premier Bligh and the then attorney-general, now the member for Woodridge, issued a joint media release from which I will quote. The heading is 'Standard minimum jail terms part of sentencing reform'. That is Labor speak for mandatory sentencing—

The Bligh government will take its tough stance on violent crime to a new level, including introducing standard non-parole periods to ensure jail time fits the crime. Premier Anna Bligh said it was imperative that offenders who committed violent or sexual crimes spent appropriate periods in detention—and enabling the justice system to impose standard non-parole periods would achieve that.

What hypocrisy, what inconsistency, from the Labor government today. They have done it before, but they can support us and do it again today. With this knowledge, it is now imperative that they support the Mason Jett Lee bill to truly ensure that Queensland's child homicide sentencing framework is changed, right here and right now. The Mason Jett Lee bill strikes at the heart of the child killer problem. There is no tricky legal fix and no technicalities—just straightforward lawmaking. This is because the bill includes a new child homicide offence increasing the punishment for the murder of a child and introducing a law that will apply to the violent killing of a child in which the offender does not meet the threshold for a murder conviction. This means that under the bill a person who violently kills a child will be sentenced to a minimum of 15 years imprisonment. This is an absolute guarantee.

While mandatory sentencing may not be favoured by legal bodies, it is supported by many of the families who have lost children at the hands of violent and negligent acts of offenders. I submit that our bill offers suitable defences, and a member of the public will not be caught under the child homicide offence for an accidental death. The court only need turn its mind to the explanatory notes and speeches to grasp the intent of the bill. Let me be clear as I have articulated time and again—the intent of the bill is not to capture scenarios accidental in nature. This is why the child homicide offence was drafted the way it was—to offer a precise definition into what child homicide is and what it is not. The opposition can guarantee families that offenders will be imprisoned for more than double the time they currently receive for child manslaughter; Labor cannot.

It is for Mason Jett Lee and for all the children who lost their lives, including tragically Hemi Goodwin-Burke, and for future generations of children that the opposition introduced this private member's bill into the House. I acknowledge again the presence of Hemi Goodwin-Burke's parents, Shane and Kerri-Ann, and little 'Tee' and Hemi's grandparents. Thank you for your presence in the gallery throughout this debate and for your fierce advocacy over many years. There are other advocates like John and Sue Sandemann who wanted me to remind the Labor government of the law-abiding citizens whose lives have been destroyed by evil people, loved ones left to cope and deal with their future without their murdered loved one. I also acknowledge Katherine, the Act for Mason coordinator of which the member for Mudgeeraba is patron, for her fierce advocacy over the years and for her contribution in getting this bill to the stage it is at today.

If our bill fails today, which I pray it does not, it will not be the end. We will be watching closely, observing the operation of Labor's law, pressuring the government to better reflect the rights of victims and crimes and their loved ones—fighting for them. In honour of the memory of the children who have had their lives stolen from them and for their loved ones who are left with a lifelong grief, I commend the bill to the House.