




Speech By
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MEMBER FOR COOMERA

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

 **Mr CRANDON** (Coomera—LNP) (12.26 pm): I rise to make a short contribution to the cognate debate on the Criminal Code and Other Legislation Amendment Bill 2019, the government bill, and the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill 2019, the private member's bill tabled by the member for Toowoomba South. Both bills are worthy of consideration by the House. Indeed, it could be argued that the bills complement each other. The basic intent of both bills is to provide greater penalties for causing the death of a child.

The policy objectives of the government bill are achieved by expanding the definition of murder in section 302 of the Criminal Code to include reckless indifference to human life; inserting a new aggravating factor into the sentencing principles to provide that, in sentencing an adult offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor; and increasing the maximum penalty for failure to supply necessaries from three years imprisonment to seven years imprisonment and reclassifying the offence as a crime.

The policy objectives of the private member's bill include enforcing stronger penalties for unlawful homicide offences involving the death of a child and ensuring sentencing for homicide offences involving children reflects broader community expectations. Those policy objectives are achieved by introducing a mandatory minimum non-parole period of 25 years imprisonment for the murder of a child under 18 years and introducing a new offence of child homicide which will include a mandatory minimum non-parole period of 15 years imprisonment.

The bill strengthens the punishment imposed for the murder of a child under the age of 18 years by requiring the court sentencing the person to make an order that the person must not be released from imprisonment until the person has served a minimum of 25 years or more specified years of imprisonment. The bill creates a new child homicide offence intended to apply to a person who unlawfully kills a child in circumstances where the person killed was a child at the time the act or omission that caused the person's death was done or made, and the act or omission that caused the person's death involved violence or was an offence of a sexual nature or a breach of duty stated in sections 285 and 286 of the Criminal Code.

In conclusion, whilst the LNP supports the government bill, it should only be passed in conjunction with the LNP private member's bill, the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill. The LNP's child homicide offence will act as a safeguard and enforce strong penalties in the event reckless indifference does not result in a murder conviction. As observed by the non-government members of the committee in their statement of reservation, without the Criminal Code and Other Legislation (Mason Jett Lee) Amendment Bill there is no guarantee that sentences for child killers convicted of murder or manslaughter will increase.