




Speech By
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MEMBER FOR SOUTHPORT

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CIVIL LIABILITY AND OTHER LEGISLATION AMENDMENT BILL

 **Mr MOLHOEK** (Southport—LNP) (11.55 am): I rise to also speak in support of the Civil Liability and Other Legislation Amendment Bill 2018. This bill seeks to implement recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse in the *Redress and civil litigation report*. These recommendations were made by the commission to improve the capacity of the justice system to provide fair access and outcomes to survivors of child sexual abuse wishing to pursue a claim for civil damages for personal injury arising from the abuse.

I am particularly passionate about this legislation as a survivor myself and a long-term board member of Bravehearts, which I have spoken about many times in this House. In Queensland, too many survivors have experienced extreme difficulties in seeking redress or damages through civil litigation. Unfortunately, the current system has simply not provided justice for many of these survivors. I will never stop talking about child sexual assault and the amazing work that Bravehearts and so many other organisations do in this state. Awareness is essential to removing stigma, encouraging victims to seek assistance, ensuring vigilance within the community and creating real change in this place in support of victims.

More needs to be done to achieve better outcomes for victims of institutional child abuse and to ensure there are appropriate mechanisms for victims to seek justice. Hetty Johnston and the team at Bravehearts have been advocating for change in this space for some 20 years. For them, changes like what is finally before the House today have been a long time coming. Frankly, I am disappointed that action has not been taken sooner to make these changes. It feels like those on the other side of the House have been dragged kicking and screaming to this point for the last two years. Hetty Johnston said—

These people have carried the burden of the silence, secrecy and the shame, as innocent children to adult life, and have every right to expect governments and institutions to listen to them and demand something is done to ensure organisations and institutions throughout our country are child-safe.

The team at Bravehearts, myself included, want to see real change in the ways that organisations and government agencies prevent and respond to child sexual abuse. We want to see fewer children being harmed, and we want to see real change in the way we support victims when they have been harmed.

I think the most important aspect of this legislation is the definition of child abuse. The proposed statutory duty of institutions is restricted to sexual abuse; however, New South Wales and Victoria include both sexual and physical abuse in the definition of child abuse that applies to the duty of institutions. I am pleased that our shadow Attorney-General and shadow minister for justice and member for Toowoomba South, David Janetzki, has played a very active role in discussions with the government on this. I am pleased that the government will be adopting our proposal to extend the definition of abuse to include physical abuse, not just sexual abuse. I am also pleased to hear that the definition has been extended to include psychological abuse, which has been supported by many of the lobby groups.

I would like to take a moment to share some of the statistics from Bravehearts' position paper on the need for a royal commission of inquiry into the sexual assault of children in Australia. I have spoken about some of these before. Every time I reflect on them, I am truly staggered by some of the information. It is estimated that one in four girls between one and seven, and one in 12 boys, are victims of sexual abuse. I think it is important to remind the House of some of these statistics. Also, 45 per cent of females and 19 per cent of males have been the victim of non-contact inclusive child sexual abuse, and 39 per cent of females and 13 per cent of males have been the victim of non-contact exclusive child sexual abuse.

A University of Queensland study found that 10.5 per cent of males and 20.6 per cent of females reported non-penetrative child sexual assault before the age of 16, and 7.5 per cent of males and 7.9 per cent of females reported penetrative child sexual assault before the age of 16. About half of the victims of child sexual assault never report the assault to another person, and many do not disclose until they reach adulthood. A 1998 study involving 400 clients of Family Planning Queensland found 55 per cent of all women in the sample had experienced childhood sexual assault before the age of 16. Only 36 per cent of those who had experienced assault had ever told anyone of those events prior to their disclosure during the study interview. Only eight victims, or 3.5 per cent, had taken legal action against these offenders.

It has been well documented that the sexual abuse of children has a range of very serious consequences for victims. Depression, post-traumatic stress disorder, antisocial behaviours, suicidality, eating disorders, alcohol and drug misuse, post-partum depression, parenting difficulties, sexual revictimisation and sexual dysfunction are some of the manifestations of child sexual abuse amongst victims. In the wise words of Hetty Johnston—

As a nation we can effect real change through legislation, policy, and resourcing that will provide the support and best response for survivors of this crime, and for the prevention and early intervention of child sexual assault in our communities.

I am pleased that the government has seen fit to adopt the proposed amendments in respect of the definition of abuse. I am pleased to stand in the House in support of this legislation.