




Speech By
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MEMBER FOR BONNEY

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

 **Mr O'CONNOR** (Bonney—LNP) (4.15 pm): I rise to speak in support of the Criminal Code and Other Legislation Amendment Bill 2019 and sincerely hope that the government supports our extra tougher proposals. Many members will be familiar with the story of young Tyrell Cobb, who died in unimaginable circumstances at the hand of his mother and her partner a decade ago this month in their Biggera Waters unit. He suffered 81 injuries, including 70 bruises and abrasions. He had cigarette lighter burns on his ankle. He suffered blunt force traumas that cut open his abdomen and small intestine. He was just four years old when he went through such a painful death.

This case was complex and saw blame shifting between Tyrell's mum and her partner. What we do know is that on his last weekend alive they were more interested in finding drugs than caring for their son. His first major injury happened 24 to 48 hours before he died. Neither of them got any help. The second major trauma occurred hours before his death and it was only when vomit was coming out of his nose that the partner called triple 0. The case was heard in 2017. The partner was sentenced to four years jail for manslaughter for not getting medical help for Tyrell. He was released immediately after serving nearly three years on remand. Tyrell's mum was sentenced to nine years. She lost an appeal against her sentence last year but will be eligible for parole in 2021.

Cases like this get under our skin because of the vulnerability of the victim. It is horrific to think of what Tyrell went through during his last weekend alive, let alone to think what his little four-year-old brain thought throughout his short life—that he was unwanted, that he had been bad and wondering why the people he loved did not love him. He is unfortunately one of many stories like many others raised in this House by members and these stories are reminders that we need to do everything to stop them from repeating. This bill is important in communicating that violent crimes like these against children will not be tolerated. I have concerns over the expansion of the definition of murder in this bill but am supportive of the introduction of the aggravating factor. In sentencing an offender for an offence resulting in the death of a child under 12 years, the court will have to treat the vulnerability and defencelessness of the victim as an aggravating factor.

In supporting this bill, I also call on those opposite to support the LNP's bill to further strengthen our child homicide framework. Our bill will create a new child homicide offence that will apply for both murder and manslaughter but, importantly, does not apply for accidental deaths. Importantly, our bill calls for harsher sentencing and, in the case of Tyrell, his mother would have had to serve a minimum 15 years for manslaughter. Court data shows that offenders convicted of the manslaughter of a child are sentenced to less time in prison than offenders convicted of manslaughter of an adult. One would think this would be the reverse. Do we value children's lives so little that we are willing for this to be the case? Case law binds Queensland judges to the lower penalties that we are seeing. We cannot wait for decades of precedents to change. We need change now and we need to send a clear message from this parliament. We value the lives of children. If we go after them, they will face the toughest possible penalties.