




Speech By
Hon. Di Farmer

MEMBER FOR BULIMBA

Record of Proceedings, 13 September 2023

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. DE FARMER** (Bulimba—ALP) (Minister for Employment and Small Business, Minister for Training and Skills Development and Minister for Youth Justice) (12.06 pm): I acknowledge the member for Lockyer for his beautiful and heartfelt speech and for the work that he has done to bring this legislation into this place. I did not know that the member for Lockyer was also the police officer investigating the matter. I pay tribute to him and also to the former member for Lockyer. I also pay tribute to Peter and Sarah Milosevic who are in the gallery today. I do not know how strong I would be going through the experience that the Milosevics have gone through. For all of us, it is an honour to stand up in this chamber and to be part of passing legislation that can make a difference. I cannot thank the Milosevics enough for their bravery in the face of what must be unfathomable grief; to keep on with this over such a period of time and to have faith that it would happen if they just kept on going. I thank them for that. What amazing human beings they are for reaching out to other people who have suffered in the same circumstances.

A number of members have read out some of Sarah's words to the committee. I would like to read those out again because I believe that people in my community would like to know the context of these particular amendments. I want to read two statements that Sarah made to the committee. This amendment is about the death of an unborn child as an aggravating factor. Sarah and Peter said in their submission—

The court at the time acknowledged that he caused the Death of Sophie Ella. But there was no law that he could be charged under.

...

The impact on a family that loses a child because of someone else's actions adds another layer of grief, there was no justice for us. He lost his licence for 5 months and a \$950.00 fine for the cost of a life, this law reform while it doesn't bring your child back at least you know that your baby counted. She received a birth Certificate, death certificate and was counted as a death on the road toll, the only place she wasn't counted was in a court,

Sarah said—

... having your child acknowledged as an unborn child and not a fetus, which is not a very nice term when you are going through what we have been through, gives a sense of healing. I talk to a lot of women who have lost children ... having that acknowledgement of your child helps in the healing process. It helps you to heal and grieve and to know that your child mattered, just as much as they mattered to you.

I thank Sarah for so clearly articulating that. I acknowledge the former and current attorneys-general for their work in making sure that this bill is now before the House.

The bill deals with a range of different issues and I do not wish to speak to each of them. I will speak to the change that removes the restrictions that prohibit the identification of an adult defendant charged with a prescribed sexual offence prior to the finalisation of committal proceedings. Currently, only defendants charged with rape, attempted rape, assault with intent to rape and sexual assault have

their identity protected before committal. As we know, in this country Queensland is only one of two jurisdictions to offer that protection. Even alleged murderers and others accused of serious crimes can be identified before committal. Of course, that does not make sense to any of us.

As the former minister for the prevention of domestic and family violence, I am pleased to be able to speak to this bill and to be a part of its passing through this House. It implements a recommendation of report 2 of the Women's Safety and Justice Taskforce. We hear that those previous protections for rapists were based in part on the false assumption that women maliciously make up complaints to damage reputations. Even though some have not had the experiences that others of us have had from many interactions with people who have been raped or sexually assaulted, as human beings we can all see the senselessness of that and would support the recommendation.

Having gone through periods when I was meeting hundreds and hundreds of women who talked about their experiences, I know of their grief. I know that for many years many of them have not been able to speak aloud of their experiences. For many, their experience in the criminal justice system caused even more grief than the experience itself. To know that was quite confronting and I am so pleased to see that the recommendations of the Women's Safety and Justice Taskforce have brought that to light. There is much work to be done. We are steadfastly working through those recommendations to make sure that those women, in particular, are treated right, that they are respected, that they are able to speak of what happened and that justice is done. This is part of that process.

I note some of the concerns that were raised by stakeholders. For example, DVConnect talked about identifying defendants and supporting other victim-survivors in coming forward to report sexual offences. The amendment can only be effective if the identity of the victim-survivor remains protected unless that person chooses to be identified. The use of a sexual violence media guide was raised by a number of stakeholders. It comes from recommendation 84 in the Women's Safety and Justice Taskforce *Hear her voice* report 2. This is really critical in the process of ensuring safe and effective reporting about sexual violence matters.

These are very significant amendments that are being made. I congratulate the committee for the excellent work that they did to reflect the feedback of stakeholders. This is where the committee system is so critical because we do not want to inadvertently create other problems. I congratulate them for so effectively canvassing all of those issues.

I want to mention justices of the peace and I do so to acknowledge the really amazing work that they do. I particularly congratulate the justices of the peace who work in the community. We have all seen those people operating in our local shopping centres and other community centres such as libraries. They make a selfless contribution to the community. Sometimes they shepherd people through the most significant and impactful periods of their lives. I know how proud my local JPs are of the work that they do. They have a real sense of responsibility to do the right thing. They support the idea that we always uphold their role as being of the highest quality and the greatest integrity. This amendment will assist us to maintain that integrity. It will send a strong message to the community that their role is serious and will always be performed to the greatest standards, and I acknowledge that. I commend the bill to the House.