




Speech By
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MEMBER FOR COOPER

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JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Ms BUSH** (Cooper—ALP) (5.34 pm): I rise to support the Justice and Other Legislation Amendment Bill. I would like to begin by saying how proud I am to be on the Legal Affairs and Community Safety Committee which considered this bill. I would like to thank our committee members, the member for Toohey, our secretariat and all those who made submissions in the public hearings. I thought that was a tremendous effort, so thank you to those submitters.

The bill provides for two really important outcomes for victims of two separate crimes: victims of sexual assault and victims who experience the tragic loss of an unborn child as a result of criminal acts. I am also really proud to be part of a government that does listen to the voices of victims. Something I often talk about is that victims of crime are not homogenous. Our needs are not the same. They are quite distinct, they are different and they are constantly evolving as society evolves. I am really proud to be part of a government that listens to that, responds to that and meets that head on. I think it is important to acknowledge that as one step forward is taken in the victim space we are looking up and looking at what is that next step. That is a conversation that is forever evolving, and it is important that we as a government are able, ready and willing to take that step head on. I am really proud to be part of a government that can do that.

We have had a tremendous amount of reform in the victims of crime space over the number of years I have been involved in this area but also obviously in the last week. Last week I was happy to join with the Attorney-General and Deputy Premier to announce the interim Victims' Commissioner Jon Rouse. For those who are unaware, Jon is a fantastic individual who has had a really long, positive and recognised career in policing, particularly in the provision of supports and the investigation and prosecution of child sexual assault offenders, so the appointment of the interim Victims' Commissioner is fantastic. Today it was announced that a select committee chaired by the independent member for Noosa will consider the impacts of crime on victims. I know that the member for Noosa will do a fantastic job in that role. These announcements come off the back of a range of reforms, most notably in the *Hear her voice* reports, which contained over 200 recommendations to better respond to women's experiences of justice. This bill and the recommendations that were made by our committee and in our report uphold some of those recommendations.

The committee report did make seven recommendations. I am pleased that the government has supported those. I will speak to those recommendations shortly, but I will briefly outline the intention of the bill. The bill amends a broad range of legislation relating to the administration of justice, including the operation of courts and tribunals, the regulation of the legal profession, and the conduct of civil proceedings and electoral matters. Importantly, the bill includes amendments to the Criminal Law (Sexual Offences) Act to remove restrictions prohibiting 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 and attempted rape, assault with the intent to rape and sexual assault have their identity protected before committal. As we know, Queensland is one of two remaining jurisdictions in this country which offers this protection. When I speak to people about this, most people are stunned to learn that accused rapists have these protections. While victims are identified and their

life and experiences are rolled out in the public domain, those accused of these crimes have that protection. Even alleged murderers and people accused of serious crimes do not have that level of protection. These amendments implement recommendation 83 of report 2 of the Women's Safety and Justice Taskforce.

The minister has already touched on the use of rape myths to defend this practice. I would like to commend all of the women and men involved across the nation in the Let Her Speak movement which has powerfully and appropriately debunked these myths and advocated for the voices of victims to be heard. The committee recommended that the Queensland government prioritise the development of a guide for the media to support the responsible reporting of sexual violence in accordance with recommendation 84 of *Hear her voice* report 2. I would like to congratulate and thank the minister on her decisive action on this. The publishing and circulation of this guideline, along with the expedient introduction of these reforms, will be welcomed by victims of sexual violence in Queensland.

The committee also recommended that proposed reforms introduced by the bill relating to victims are accompanied with trauma informed training for those interacting with victims in the criminal justice system, including legal services, victims services and the investigating and prosecuting bodies. Like I said, I was really pleased to join with the Deputy Premier and Attorney-General to announce the appointment of Jon Rouse to the role of the interim Victims' Commissioner. One of the functions for this interim Victims' Commissioner will be to work with the sector to ensure that agencies are increasing their professional development and responding to victims in a trauma informed way. I acknowledge that the victims sector continues to face resourcing impacts, and the committee recommended that the Queensland government continue to monitor those impacts. I think it is really important that we do this. If we are to have a robust and responsive service sector, we need to be alive to their resourcing impacts here in Queensland.

The bill also delivers on the Palaszczuk government's commitment to consider reforms to better recognise the deaths of unborn children as a result of criminal conduct. We would all acknowledge that the loss of an unborn child is devastating. To lose a child as a result of another person's criminal conduct is profoundly distressing for the parents, their families and the whole community. We know from listening to victims that there are two assaults that can occur on this occasion for all victims of crime. The first is the initial act of violence which is so damaging to people. The lesser known assault to victims is that systemic trauma—the trauma that they experience when they try to navigate a criminal justice system that simply was not designed with victims in mind. We can all imagine what it is like to lose an unborn child through a criminal act, but to then be told that that child cannot be named on the indictment and cannot be recognised is just beyond belief.

I would like to take the opportunity to acknowledge all of the families and the broader community who have advocated for reform to better recognise the death of an unborn child as a result of criminal conduct, particularly Sarah and Peter Milosevic. I acknowledge the member for Scenic Rim in his support of the family and his advocacy for the family, as well as his support of our committee.

Mr Krause: It was the member for Lockyer.

Ms BUSH: I am sorry. It was the member for Lockyer. The member for Scenic Rim was fantastic on the committee. Member for Lockyer, I apologise.

These amendments in relation to the loss of an unborn child due to criminal conduct go to allowing the name or description of an unborn child to be stated in relevant indictments and requires the court to treat ending an unborn child's life as an aggravating factor in sentencing for relevant serious offences. It is important to acknowledge what those serious offences are under the Criminal Code. We are looking at charges relating to murder, manslaughter, grievous bodily harm, wounding, dangerous operation of a vehicle and assault occasioning bodily harm. In addition, the careless driving of a motor vehicle under the transport operations act will be included as a serious offence so that the aggravating factor can be applied to those offences at sentencing. The bill will expand the definition of 'victim' to include family members of an unborn child, allowing those family members, including siblings, to have a voice in the court proceedings and to articulate to the court the impact of the crime on them through a victim impact statement. It will also expand eligibility for funeral financial assistance for unborn children.

The committee did make a recommendation in relation to these aspects of the bill. The recommendation was that the Queensland government consider changing 'woman' to 'pregnant person' in the Criminal Code to better reflect the diversity and modern community expectations of Queensland. That recommendation came through submissions received and aligns with previous commitments from our government through the Births, Deaths and Marriages Registration Bill to update the language throughout all Queensland legislation. These amendments will certainly progress victims' rights and victims' voices here in Queensland. I commend the bill to the House.