




Speech By
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MEMBER FOR HERVEY BAY

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RESPECT AT WORK AND OTHER MATTERS AMENDMENT BILL; CRIMINAL JUSTICE LEGISLATION (SEXUAL VIOLENCE AND OTHER MATTERS) AMENDMENT BILL

 **Mr TANTARI** (Hervey Bay—ALP) (7.18 pm): I rise to contribute to the cognate debate on the Respect at Work and Other Matters Amendment Bill 2024 and the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Bill. I will limit my contribution to the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Bill as I was a part of the committee that reviewed that bill.

The objective of the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Bill is to implement the third major tranche of legislative reform, which shows a clear commitment from this Miles Labor government to make change for the better in this area. It arises from recommendations made by the Women's Safety and Justice Taskforce in its two reports: *Hear her voice—report 1: Addressing coercive control and domestic and family violence in Queensland* and *Hear her voice—report 2: Women and girls' experiences across the criminal justice system*.

More specifically, the bill aims to create a new position-of-authority offence, improve protections to support special witnesses through the court process, extend the maximum duration of non-contact orders, codify the law as it relates to the admissibility of tendency evidence and coincidence evidence, expand the scope for the admission of expert evidence, remove any doubt that participation in a program while on remand in custody cannot be used in evidence in proceedings relating to the offence for which the person has been charged, establish a statutory review of amendments from both taskforce reports and clarify the law as it relates to the admissibility of recorded statements in particular committal proceedings relating to domestic violence offences.

As we know, the taskforce that was established in 2021 to review the experiences of women in the criminal justice system made 89 recommendations in report 1 for reforms to Queensland's domestic and family violence and justice systems, with the Queensland government at the time outlining a commitment to support, or support in principle, all the recommendations. In report 2, a further 188 recommendations were made focusing on the experiences of women and girls in the criminal justice system—both the experiences of victim-survivors of sexual violence and the experiences of accused persons and offenders—with the Queensland government committing to support 103 recommendations in full and 71 in principle and to note the remaining 18.

The bill represents the Queensland government's first tranche of legislative reforms in response to the recommendations of the taskforce and follows the Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Act—that is, the first taskforce act—and the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024, the second taskforce act. The level of consultation undertaken by the Department of Justice and Attorney-General and by the taskforce in the preparation of reports 1 and 2 included over 950

submissions, 125 individual meetings and 79 consultations and engagements across Queensland with the judiciary, legislators, police, the legal profession, policymakers, academics, service providers, offenders and victim-survivors of sexual assaults.

The taskforce also recommended a statutory requirement for the operation of legislative reforms arising from report 1 and report 2 to be reviewed five years from when the amendments commence, with a view to include consideration of the impacts and outcomes achieved for women and girls. While several stakeholders, including the Queensland Family and Child Commission, the North Queensland Women's Legal Service, the Royal Australian and New Zealand College of Psychiatrists and Legal Aid Queensland, were generally supportive of the statutory review provisions within the bill, there were some concerns raised by stakeholders regarding the length of time for ongoing review. The QFCC in particular noted that these reviews would provide ongoing longitudinal data on the effectiveness of the amendments and implemented measures.

As the chair of the Community Support and Services Committee that reviewed the bill, I want to thank the committee for its robust review and considered recommendations that were included in committee report No. 46. I want to acknowledge the government has noted the first recommendation of the committee and supports in principle the remaining recommendations in the committee report. It is also noted that, during consideration in detail, some amendments will be proposed in response to issues raised by the committee inquiry and committee recommendations in the committee report particularly around further clarification of those adults taken to have a child under their care and further consistency and alignment with the uniform evidence law for the new tendency evidence and coincidence evidence framework established by the bill.

I want to congratulate the Attorney-General and her department for the huge undertaking that they undertook to consult and develop this detailed policy that will have a lasting impact on women and girls across our state. I believe that, as a part of a suite of legislation that this 57th Parliament has debated, this bill builds on and strengthens the framework around these difficult societal matters. I want to acknowledge what the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence said when introducing the bill into the parliament. That was—

This bill further reflects the government's unwavering commitment to end all forms of domestic, family and sexual violence in Queensland and to improve the experiences of women and girls across the criminal justice system.

As a member of a Labor government, they are words that reflect entirely on what our party and our movement stands for and will continue to stand for as long as our banner waves. Finally, as the father of a daughter, they are the words that give hope that one day our daughters' homes, family environments, workplaces and experiences when engaging with the criminal justice system will finally be free from the adverse experiences that many endure today. Quite simply, this is the key to what this bill addresses. I support the cognate bills before the House.