




Speech By
Amanda Camm

MEMBER FOR WHITSUNDAY

Record of Proceedings, 10 September 2024

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

 **Ms CAMM** (Whitsunday—LNP) (4.20 pm): I too would like to contribute to this cognate debate. I would like to put on the record, though, that 3¾ hours to debate two significant pieces of legislation, as well as amendments that have been circulated by the Attorney, is not adequate and flies in the face of what this parliament is set up to do, which is to be a place of robust debate and to have the time to carefully consider legislation and to make representations from stakeholders and the communities we represent.

I want to place on the record in particular the *Respect@Work* report and the work of Kate Jenkins in this space, particularly in relation to sexual harassment being a real issue that continues in workplaces all across our state and nation and the important role that a safe, inclusive and respectful workplace should have. I will leave any further comments, though, as outlined by our shadow Attorney-General, with regard to the LNP's position on this bill and the way in which it has been made cognate.

I will move on to my portfolio area as the opposition spokesperson in relation to the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Bill 2024. The bill aims to improve the justice system response to domestic, family and sexual violence as a result of the recommendations made by the Women's Safety and Justice Taskforce. We thank them for their work and for their advocacy for women, in particular victim-survivors of sexual violence which this bill also aims to address.

The existing offence of repeat sexual conduct with a child will now include adults in positions of care, authority or supervision who engage in unlawful sexual behaviour with children aged 16 or 17 years. We note the amendments to the position of authority offences in regard to a health practitioner but also a residential care service and a person associated with a residential care service that provides accommodation where the child resides. The further clarity around those definitions is critical in terms of safeguards, given that we have almost 2,000 children in residential care services in this state. That is an unprecedented number.

We also note the amendments regarding the new provisions concerning tendency evidence and coincidence evidence by ensuring they align with interstate laws. These changes have been advocated by many with lived experience of horrendous court experiences—in particular, victim-survivors of sexual violence who, when in a courtroom, relive their traumatic and violent experiences. Hopefully for them these amendments will go a long way. These amendments will allow for expert evidence to be given in criminal sexual offence trials to dispel what historically have been myths about the experience of a rape victim about their expected behaviour at the time of a criminal act or post a criminal act which many, particularly women, have endured for many, many decades.

However, what is a sad indictment on this government is that currently there are some 420 victims in Queensland, as reported by the *Australian* and the media over the past 24 hours, who have waited more than 12 months for a result from their rape kits—a backlog of current cases 20 times larger than Victoria's. Victims of sexual assault are awaiting those results to see whether there is DNA evidence present. That is critical in the prosecution of any case.

Today we had the announcement by the LNP that, if elected in October, Dr Kirsty Wright will oversee the reform of the DNA lab. That goes to the heart of justice for sexual—

Mrs D'ATH: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER (Mr Hart): Pause the clock. Attorney-General, what is your point of order?

Mrs D'ATH: I appreciate the member's comments are important issues but they are not relevant to the bill. I ask the member to be brought back to the bill.

Mr DEPUTY SPEAKER: Attorney-General, I am listening closely to the member's contribution. I am finding it relevant for the minute, but I will ask the member to speak to the long title of the bill.

Ms CAMM: We are debating the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Bill. We are talking about evidence. We are talking about amendments. I think DNA evidence is critical when we are talking about reform. The government do not get to cherry-pick what they want to own and what they want to disregard. This goes to the heart of victim-survivors. This is the opportunity for members in this House to raise critical issues that go to the heart of our justice system which this government is failing.

Mr KELLY: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER: Pause the clock. Member for Greenslopes, what is your point of order?

Mr KELLY: It may go to the heart of many things but it does not make it relevant to the current debate. I would argue that this is not relevant to the debate.

Mr DEPUTY SPEAKER: Member for Greenslopes, I have been listening closely to the member. I have taken some advice and I find that the member is being relevant to the bill.

Ms CAMM: Once again, those opposite are forming a protection racket to stifle victim-survivors' voices in this House. It is shameful and it is disgraceful.

I would like to move on, if it is okay with government members, to speak about victim-survivors of strangulation. I point to the amendments outlined by the Attorney which have come about after the long-term advocacy, in particular, of the Red Rose Foundation—and I want to pay tribute to Betty Taylor from the Red Rose Foundation and her incoming CEO, Brian Sullivan. The Attorney pointed out that these amendments have come about on the basis of the Court of Appeal but also on the basis of stakeholder advocacy—in particular, the amendment and definition of 'choking, suffocation or strangulation in a domestic setting' for subsection (1). This has been called upon for years—years and years. In the final days of this Labor government, finally they have listened. It is the victims and it is the Red Rose Foundation that own this amendment, and I hope it goes a long way to ensuring those victim-survivors get justice.

I want to highlight the prevalence of strangulation offences that we are seeing and the unintended consequences that have occurred under this government's watch by not clearly defining strangulation. In particular, strangulation offences lodged in the Magistrates Court here in Brisbane have increased in the last 12 months. The number of defendants convicted of strangulation offences is not at a threshold that victim-survivors would expect. With offences lodged in the last 12 months across the state at 1,186 and those convicted with penalties imposed at 423, there is clearly a failing in the legislation because of the lack of clarity around the definition of 'choking, suffocation or strangulation in a domestic setting'. Why is this important? It is important because of the prevalence of these offences and it was highlighted by the Women's Safety and Justice Taskforce as critical that this amendment be made. I will certainly watch with anticipation how this plays out in further cases across the courts.

Once again, I outline that there has not been enough time or consultation. The government is rushing this through without giving the members of this House adequate opportunity to express our views in full on these two very complex bills—not to mention my time being cut down by those opposite. The LNP stands for victims and we will make Queensland safer when everyone gets to show Labor the door in '24.