




Speech By
Hon. Deb Frecklington

MEMBER FOR NANANGO

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MAKING QUEENSLAND SAFER BILL

 **Hon. DK FRECKLINGTON** (Nanango—LNP) (Attorney-General and Minister for Justice and Minister for Integrity) (4.40 pm), in reply: I thank honourable members for their contributions to the debate on the Making Queensland Safer Bill 2024. Whilst I stand here we are still no clearer on the divided opposition and where it is going to land, so I will take the 20 minutes to sum up this bill and those opposite may consider their position because we on this side of the House are very clear. Earlier today the Premier, Minister Gerber, Minister Purdie and I met with victims of crime. Today this bill is about them. It is about every Queensland victim of crime who has been let down over the last 10 years. At the state election the now Premier promised Queenslanders that tough new laws targeting dangerous youth offenders would be law by Christmas. We promised that it would be the very first bill of the 58th Parliament. I am proud that the Crisafulli government has kept this promise and delivered on its key commitment in the first 100 days.

The Making Queensland Safer Bill delivers on our promise to Queenslanders to restore community safety and to turn the tide on youth crime. I acknowledge the Justice, Integrity and Community Safety Committee, stakeholders and members of the public who contributed throughout the committee process. I make special mention of the many victims of crime who came forward to share their lived experience to contribute to this landmark bill. I make particular mention of the member for Capalaba for his contribution to this bill. Those of us on this side of the House have been calling for stronger action to tackle the youth crime crisis for years. For years we have heard the former Labor government downplay and diminish the lived experience of victims of crime in communities right across Queensland. Let us not forget comments such as those from the former member for Capalaba who said that the youth crime crisis was a 'media beat-up'. No wonder the people of Capalaba put a better member into this House.

It smacks of hypocrisy to hear the contributions from those opposite about what action should be taken to address youth crime in our communities. Members on this side of the House have for years taken calls, we have knocked on doors and spoken to our communities about the impact of Labor's youth crime crisis. I acknowledge the member for Thuringowa's contribution and thank her for her tireless advocacy for her community. She spoke about meeting with local police in Townsville after the election who dared hope for change, who were exhausted from dealing with the same group of repeat hardcore youth offenders. We heard from the member for Glass House who spoke about a 15-year-old boy assaulted at the Beerwah Skate Park by a group of 17-year-olds while he waited for his mum to pick him up from school. His twin found him bleeding and unconscious. This is the reality of Labor's youth crime crisis.

The member for Southern Downs said that the people in Goondiwindi and other places are traumatised and fearful for their lives. The member for Buderim shared the story of Gillian and Kerry Taylor left broken after a terrifying home invasion by three teenagers armed with knives. We heard the story of Emma, a local GP in the member for Townsville's electorate who was dragged out of her car by her hair on a Sunday morning by a youth offender well known to police. The member for Hervey Bay

said a local business owner told him that they sat through three restorative justice agreements with the same youth offender with no outcome. The member for Burdekin spoke of the soldier who said that he was safer in Mogadishu. We heard about the elderly couple from Toowoomba in the Treasurer's electorate who would sleep in shifts so that one could stay awake to stand guard. This is Labor's Queensland. This is the mess Queenslanders have asked us to fix up.

Mr Stevens: And we will.

Mrs FRECKLINGTON: I take that interjection: that is exactly what we are doing. This is the first step today.

I will now address some of the matters raised by members during the course of this debate. I will start by responding to comments made regarding the constrained timeframes. Well, what a joke! Seriously! We took Adult Crime, Adult Time to the state election with a clear promise to Queenslanders that this bill would be introduced as a matter of urgency by Christmas. We told Queenslanders that we would completely remove the principle of detention as a last resort, not just reword it like those opposite. We told Queenslanders that we would put the rights of victims ahead of the rights of offenders. We told Queenslanders that we would allow judges and magistrates to consider a youth offender's full rap sheet, including police cautions, restorative justice agreements and breaches of supervised release orders. We told Queenslanders that we would open up the Childrens Court.

Queenslanders voted and provided the Crisafulli government with a clear mandate to act. The member for Morayfield's contribution, the opposition leader's contribution and so many other contributions from that side on this point are truly remarkable. What short memories those opposite have. It was the member for Morayfield who faced criticism from his own when he introduced and passed the Strengthening Community Safety Bill in just three weeks last year. It was the member for Morayfield who made amendments to the Child Protection and Other Legislation Amendment Bill that overrode the Human Rights Act. They had not been subject to any consultation or committee process, yet he dares come into this chamber this afternoon to lecture us about process. Like I say, short memories indeed!

The committee received over 176 written submissions from stakeholders and members of the community, as well as oral evidence by witnesses in public hearings in both Brisbane and Townsville. The committee was able to consider a comprehensive body of evidence in order to complete its report. We listened to Queenslanders. They told us that Labor's youth crime crisis requires urgent attention. Queenslanders should not have to wait any longer. In his contribution to the debate, the member for Hinchinbrook asked why other offences are not captured under Adult Crime, Adult Time. As the Premier advised this House on the introduction of the bill, a panel of experts will be established early next year to advise our government on further offences which could be included in the future. This panel will include representatives from law enforcement, legal sectors and victim groups.

During this debate we heard from multiple members on the opposition the overblown claims about the impact of the bill on the victims' experience in court. I raised this with the victims whom we met with this morning. There has been some commentary regarding victims being subjected to cross-examination as a result of providing a victim impact statement. I said in my second reading speech that nothing in this bill changes the process relating to the provision and the use of a victim impact statement. Rather, it elevates the existing sentencing consideration about the impact of the offending on a victim and does not change the judiciary's discretion on this impact.

We heard the member for Gaven make, quite frankly, extremely deceptive claims on this issue. I do not know how long it has been since some of those lawyers opposite, including the shadow minister, have been in a courtroom, but this criticism just highlights their lack of knowledge on these practical, important issues.

Let me educate the shadow attorney-general and those in the opposition who have peddled these mistruths. Part 10B of the Penalties and Sentences Act 1992 governs how victim impact statements are given in the court. Under that act, victim impact statements are given for therapeutic benefit and not generally read under oath by the victim. Victim impact statements are provided by prosecutors to defence at sentence or prior to a matter which is already settled. Under the current laws, which we have not changed, shadow attorney-general, there is no mandatory requirement for the court to hear from a victim. The court must only take into account the impact that an offence has had on a victim.

We heard from those opposite a ridiculous argument that those victims who are less articulate than others would be disadvantaged in court. These are blatant mistruths and once again demonstrate the complete lack of understanding of the procedure and the process in these matters. Under the police Operational Procedures Manual, investigating officers assist victims of crime and make referrals to support them with their victim impact statements. This entire process is designed to help victims have their voices heard.

The bill prioritises the rights of victims over offenders. Unlike those opposite, we make no apologies for this. It is acknowledged that there are two aspects of the bill that are incompatible with human rights. Those aspects which have been identified as incompatible with human rights were clearly articulated as part of our Adult Crime, Adult Time policy prior to the state election. Queenslanders voted for these reforms. In this bill and the associated statement of compatibility and override declaration, the government has confronted the choice squarely. I find it somewhat hypocritical from some members, like the member for Cairns and the member for Cooper, having raised concerns about human rights compatibility and the bill's override of the Human Rights Act, when we know it was a Labor government that first overrode the Human Rights Act. In fact, they did that not once but twice.

Mr Purdie: You put kids in watch houses!

Mrs FRECKLINGTON: They did keep kids in watch houses.

Honourable members interjected.

Mr SPEAKER: Member for Nanango, some of your own colleagues are making it very difficult to hear your contribution.

Mrs FRECKLINGTON: There was commentary, including from the shadow attorney-general during the course of this debate, that the tougher penalties may mean that there is less incentive to plead guilty to an offence and that this will in turn lead to more trials. This government has committed to restoring consequences for actions and that includes adult time for adult crimes. We have these penalties in place already for adults and we will implement them for youth offenders as well. We make no apologies for that. With the exception of murder, just as occurs for adults, the court is still able to consider an early plea of guilty as a mitigating factor at sentence for youth offenders convicted of the Adult Crime, Adult Time offences. As is the case for adults convicted of murder, youth offenders convicted of murder will be subject to the mandatory minimum: life in detention. Recently we have seen too many examples of youth offenders being handed sentences that simply do not meet community expectations. We make no apologies for introducing tougher consequences for youth offenders who take Queenslanders' lives. That is what those victims and their families deserve.

I note the member for Gaven's comments about the stakeholders called by the committee during their inquiry, specifically in relation to the Queensland Police Service. Those matters, of course, are entirely a matter for the committee, but I would say to the member for Gaven: if she was so concerned about the stakeholders that the committee was calling to appear, why did she not speak to her colleague the member for Bulimba, who had a role in developing the committee's hearing program? One would think it is pretty simple.

Mrs Gerber: Or turn up to the briefing.

Mrs FRECKLINGTON: She could have turned up to the briefing as well.

Ms FARMER: I rise to a point of order. I take personal offence and I ask the member to withdraw.

Mr SPEAKER: I will take some advice. The member has taken personal offence.

Mrs FRECKLINGTON: I withdraw. I have been working extremely closely with not only the chair of the committee, who is a former serving police officer, but also the police minister, who was a detective. Six former frontline officers sit on this side of the chamber, and I would like to take a moment to acknowledge the service of all former police officers throughout this House. It is important that we acknowledge them, especially today.

The Making Queensland Safer Bill is an important part of our government's plan to restore safety where people live. We know that this is only part of the story, and that is why we are committed to addressing the youth crime crisis in Queensland at every stage: prevention, intervention and rehabilitation—something those opposite have chosen to completely ignore when they have been talking. We have committed to gold standard early intervention and to giving every child a 12-month individual rehabilitation program after detention.

Importantly, the Making Queensland Safer Bill will put victims at the heart of youth justice and ensure their voices are heard and listened to. The bill, together with other aspects of the Making our Community Safer Plan, will work in concert to restore safety where Queenslanders live, reduce victim numbers and reduce youth crime.

The government committed to removing detention as a last resort, and this bill delivers on our promise to Queenslanders. Imprisonment as a last resort remains in the Penalties and Sentences Act for nonviolent offences. That is not changed by this bill. The bill is focused on responding to the youth

crime crisis created by those opposite when they changed the laws 10 years ago, creating a generation of youth offenders running riot across our streets. Today they sit in this chamber or they sit up in their office dithering about whether to keep Queenslanders safe and put victims' rights first or whether to back the offenders. It is a simple question. I thank the 16 members opposite who are considering voting with us on this side. Seriously, those 16 are the only ones who can sleep easy tonight knowing that they have fought the good fight for victims in Queensland—knowing full well that they are on the right side of history, that they came in here and voted with the Crisafulli government to keep Queenslanders safe, that they made sure their communities are kept safe.

Mr Nicholls: Where is the member for Miller?

Mrs FRECKLINGTON: Where is the member for Miller? Who knows? He is probably up there still trying to caucus. There is so much more that I want to say.

Mr SPEAKER: You have three minutes 20 to do it in.

Mrs FRECKLINGTON: Every member in this House has stood up and talked about the pain that their community is going through because of the generation of youth offenders that have grown up in the system over the last 10 years. I can recall standing in this chamber when those opposite changed the laws and we predicted this. I talked about the time when I was representing young kids in the Murgon Courthouse and they would come back and talk about the laws that they had learned in juvie.

It does not make sense that, for 10 years, they have been educating a generation of criminals who now believe that it is okay to commit offences against their fellow Queenslanders. Today we take a stand. Today we say victims are put first. Today we say Queenslanders are put first. Today the Premier delivers on the commitment that he took to the people of Queensland. Today is the day that we can make history for the justice system in Queensland.

I thank the 16 members opposite. Thank you for standing up for the rights of victims. Thank you for standing up for Queenslanders. I plead with you to do the right thing on behalf of your communities. Hold your heads up high because over the Christmas break you can say, 'I stood behind Premier Crisafulli and I am keeping my community safe.' That is exactly right.

The Crisafulli government took this to the election. We pleaded with our communities to keep Queenslanders safe. We have to put victims first. We have to say to the justice system that we need to restore the rights of Queenslanders. I say to the member for Capalaba: thank you for coming to this House. For what you have done and for the time you have taken from your family to be here with us to make this law happen, we all thank you.

Mr de BRENNI: Mr Speaker, I rise to a point of order. I draw your attention to the sessional order. The time allocated for the minister's speech concluded at 5 pm.

Mr SPEAKER: The point of order is valid. It is five o'clock.