




Speech By
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MEMBER FOR COOPER

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

 **Ms BUSH** (Cooper—ALP) (4.49 pm): Sorry, I was a little bit slow to rise there as I was a bit taken aback by the previous speaker's sweeping criticisms of the Queensland Human Rights Commission. I think certainly people in my electorate will be very interested to look at *Hansard* today at 4.40 pm to review those comments, and I will be directing them to those comments.

I rise to contribute to the cognate debate on the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Bill and the Respect at Work and Other Matters Amendment Bill. I will start my contribution on the criminal justice part of this cognate debate. The objective of the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Bill is to implement the third major suite of legislative reforms that arise from the recommendations that were made by Queensland's Women's Safety and Justice Taskforce across its two reports.

The Women's Safety and Justice Taskforce has absolutely advanced the discussion of women's experiences in the criminal justice system in Queensland. As this is the last speech I will give on a bill in this term of parliament, I want to acknowledge what an important piece of work this was for Queensland. I would not go a week without referencing that work in my electorate or with stakeholders in terms of how significant that was for women interacting with the criminal justice system. I thank the Attorney-General and the Minister for Health for their work on this groundbreaking reform.

This bill represents the Queensland government's third suite of legislative reforms in response to those recommendations. It gives effect to nine taskforce recommendations. This report was a continuation of the work of the taskforce, which examined the barriers faced by Queensland women and girls in accessing the criminal justice system—both as victims and as offenders. The report recognised the difficulty that women and girls face in the system—that they often withdraw complaints of sexual violence at almost every stage of the criminal justice system. The report considered how to provide greater support to victim-survivors who not only have a right to see justice served but also play a really key role in keeping our community safe when they come forward to report these crimes.

The taskforce was told that women and girls who have lived experience of the system were, quite frankly, exhausted from trying to interact with it. They were often being retraumatised, they felt violated, they were angry and they wanted change. This government has listened and this bill represents continuation along a path to improve the experiences of all victim-survivors of domestic, family and sexual violence.

The bill proposes a number of key reforms including: to create a new position-of-authority offence; to improve protections to support special witnesses through the court process; to extend the maximum duration of non-contact orders; to codify the law as it relates to the admissibility of tendency evidence and coincidence evidence; to expand the scope for the admission of expert evidence; to 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; to establish a statutory review; and to clarify the law as it relates to the admissibility of recorded statements, in particular committal proceedings relating to domestic and family violence offences. Amendments moved during consideration in detail will clarify the scope of the offence of choking, suffocation and strangulation in a domestic setting to clarify the intention to capture acts that prohibit either the oxygen or the blood flow of the victim.

This cognate debate also includes the respect at work bill, which proposes to reform Queensland's statutory anti-discrimination scheme to reflect recommendations from various reports including the Queensland Human Rights Commission's *Building belonging* report and the earlier report from our parliamentary Legal Affairs and Safety Committee. This bill will expand and update the attributes protected from discrimination under the Anti-Discrimination Act. This bill will introduce a positive duty to eliminate all forms of unlawful discrimination, sexual harassment, vilification and other associated objectionable conduct as far as possible.

The Queensland that I know and love and want to contribute to is one that is greater through our difference. It is a Queensland that celebrates identity and an individual's or a collective's rights to express that identity. Actions that create stigma or shame, hostility and hate have no place in the Queensland that I want for our future, so I am very proud to have been part of the committee that scrutinised this bill.

This bill also responds to the findings of the *Respect@Work: national inquiry into sexual harassment in Australian workplaces* report, prepared by the Australian Human Rights Commission. I have spoken to many vulnerable workers—many women, many young people and migrants—who have been subjected to workplace cultures that have not met the threshold of direct discrimination but have absolutely been hostile and psychologically unsafe. I am particularly supportive of the proposal to introduce new prohibitions against subjecting a person to a work environment that is hostile on the basis of sex. Amendments are being moved during consideration in detail that will respond to some of the recommendations that were made across the committee reports, including to clarify the availability of existing protections in the Anti-Discrimination Act for attributes other than sex with respect to subjecting a person to a hostile work environment and harassment. The amendments will create a single time limit for bringing a complaint to within two years of an alleged contravention of the act rather than having two separate complaint time limits. It will also provide additional powers to the Queensland Human Rights Commission including powers to conduct investigations and to publish reports.

Finally, as this is the last bill I am speaking on in this term of government, I want to thank my committee colleagues. On most occasions I think we have worked really well as a team. We have challenged each other, we have found common ground and, ultimately, I think we have completed some great work together. I thank them. I particularly acknowledge the member for Caloundra, Jason Hunt, who in every speech finds something nice to say about each one of us. His comments are always very creative and new. I do not know how he comes up with them all but he has done a fantastic job—even today. He has consistently sung our praises now for four years. He is like that in the committee process also. I want to thank our chair, the member for Toohey, who has a strong dedication to preserving and upholding human rights in Queensland. Both of these members have become great allies and I thank them for their friendship.

Both of these bills advance the safety, the rights and the dignity of vulnerable Queenslanders. They are important bills to debate and to progress. I am proud to support them. I commend the bills to the House.