




Speech By
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PENALTIES AND SENTENCES (SEXUAL OFFENCES) AND OTHER LEGISLATION AMENDMENT BILL 2025

Second Reading

 **Ms ASIF** (Sandgate—ALP) (3.48 pm): I rise to speak on the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025. The Labor opposition supports meaningful reform to better protect victims and survivors of sexual assault and rape. However, we cannot stand by without pushing for this bill to deliver for victims sooner rather than later.

We support reforms that strengthen protections for victim-survivors. We support measures that ensure courts recognise the seriousness of these offences and the serious harm they cause, but this LNP government continues to put politics before victims at every turn. Despite campaigning on a platform of putting victims first, this LNP government has done quite the opposite when it comes to victims of sexual offences. The LNP government is in fact doing the opposite of a victim-centric approach by waiting and not prioritising victims' safety, dignity and wellbeing. This bill demonstrates missed opportunities and further delay by this government.

In 2023 the former Labor attorney-general, the member for Waterford, tasked the Queensland Sentencing Advisory Council with reviewing how sexual assault and rape offences are sentenced in Queensland. For 18 months QSAC conducted extensive consultation with survivors, legal experts, frontline workers and our broader community. Over this period we listened to the lived experiences of victims and survivors, using their stories to directly inform decision-making.

In December last year QSAC delivered their report *Sentencing of sexual assault and rape: the ripple effect* to the Attorney-General. It contained 28 detailed recommendations for reform. At this point the LNP government had the opportunity to put victims' needs first and apply these recommendations promptly. Instead, for nearly six months they collected dust on the Attorney-General's desk. Coincidentally, it was not until May—at the same time Labor raised alarm bells—that the government began to take action by introducing this bill. That is why when the bill was introduced Labor immediately wrote to the Attorney-General offering bipartisan support to deliver these amendments sooner rather than later for victim-survivors by declaring the bill urgent and passing it in the same sitting week. That approach was rejected by the government.

The pattern we have seen from this government continues; that is, they sit on their hands until political pressure forces them to take action. We have offered bipartisan cooperation to deliver outcomes faster for victims but they have chosen not to take that seriously. Victims need leadership, not political games. They have faced nine months of delay, during which time the government held press conferences about how they were championing victims' rights but failed to act on the expert recommendations already in their hands. Now victim-survivors have been told to wait even longer. Every day that the government chooses to play politics with these important reforms, victim-survivors

continue to face court without crucial protections. They face a system that fails to adequately acknowledge their trauma and fails to adequately punish their assaulters. Queenslanders deserve to be protected.

The court system often retraumatizes victim-survivors. Under the current law victims have to endure hearing accounts of what of a 'good bloke' their assaulter is while at the same time facing questions like, 'What were you wearing?' and, 'How much did you have to drink?'—especially if they are women. The current system is one that treats perpetrators like good people who have just made a mistake while at the same time blaming and shaming victims for the actions of the person who has assaulted them.

Rape and sexual assault are deeply traumatising and have a lasting impact on victims' lives, their mental health and their sense of safety within our community. I understand just how isolated many feel when going through the court system. This year we have seen multiple bills declared urgent, yet, when it comes to delivering protections for victim-survivors of sexual assault and rape, according to the Crisafulli government their protection is not urgent. Now, when they have a chance to push the reforms through, the government has decided that victims can just wait until November. That is another 165 days where victims will go without these changes, despite Labor's offer of bipartisan support to bring them in sooner.

With almost 75 rape and attempted rape offences per week reported in Queensland in 2023-24, every day this is delayed means that victims are at risk of facing perpetrators in court without these crucial protections. Every day of delay means that more victim-survivors are subjected to inappropriate character references that minimise and discredit their trauma. Every day of delay means courts cannot properly recognise the aggravated nature of offences against children. On this side of the House we mean it when we say that we put victims first. That is why we are moving an amendment for this bill to take effect on assent. There is no excuse to not afford Queensland's victim-survivors the steps towards human dignity the legislation provides. It is the responsibility of this chamber to protect the dignity of victims and Queenslanders. If this government fails to pass these laws as soon as possible then it is failing them.

Many members on both sides of the chamber have acknowledged the importance of the reforms contained in this bill. The four QSAC recommendations being implemented are significant and necessary to preserve victims' dignity. The bill creates an aggravating factor for offences against children, requiring courts to impose tougher sentences for rape or sexual assault against children under 18 and acknowledges both the inherent vulnerability and the profound harm that offences cause children aged 16 and 17.

These reforms also mean that the explicit recognition of victim harm in sentencing ensures courts must acknowledge the lived experience of the victim-survivor. This strengthens trust in our justice system and ensures the human impacts of these crimes are properly considered, allowing victims a stronger sense of justice. It also reforms good-character evidence, finally addressing what advocates have long described as the 'good bloke' defence. Good-character evidence undermines the experience of victims. The QSAC report found that 91.6 per cent of cases referred to such evidence. That is far too many.

We know that for victim-survivors who want justice the court process can be retraumatizing. The sickening irony is that often offenders use their perceived good character or status to groom or coercively control victims and then use the same perceived character reference to try to mitigate their sentence. It is beyond comprehension. As a community, we have a moral obligation to minimise this where we can. After going through a gruelling court process, victim-survivors should not have to suffer further harm by having to listen to good-character references for the convicted person. The simple fact is that any person who rapes or assaults someone is not a good person, regardless of what their family, friends and colleagues say. Finally, the amendments in relation to victim impact statements ensure that the absence of a statement can never be interpreted as evidence of little or no harm.

We must also acknowledge that the bill fails to address the remaining recommendations. There were 28 recommendations made in total; the bill addresses only four. I would urge the government to address the remaining recommendations. This is only the first step towards protecting victims of sexual assault. Given how long the Attorney-General has spent drafting this bill, you would think the government may have addressed more of the recommendations. I really hope this is only the first step and that there is more to come on this.

Justice for victims should not be political, which is why we are going to support the bill and move the amendment I have mentioned. Victim-survivors deserve a justice system that recognises their trauma, protects their dignity and holds offenders properly accountable. This bill represents a step towards that goal, and every day it is delayed inflicts further unnecessary harm on victim-survivors. I

would urge the government to ensure these laws are enacted immediately. Many victim-survivors in our community already face trauma and the shame that comes with coming forward. This bill will hopefully address that and make it a little bit easier for victim-survivors. We know this can be a really difficult time for victim-survivors and their families and friends, and they can be assured that the government and the Labor opposition will do what we can to voice that and make sure they have protections when it comes to offences like this.