



Speech By
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MEMBER FOR MANSFIELD

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**PENALTIES AND SENTENCES (SEXUAL OFFENCES) AND OTHER
LEGISLATION AMENDMENT BILL**

Second Reading

 **Ms McMILLAN** (Mansfield—ALP) (3.56 pm): I rise to speak in support of Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025. The Labor opposition remains committed to justice for victims of rape and sexual assault. The Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025 seeks to implement four recommendations from the Queensland Sentencing Advisory Council's report, *Sentencing of sexual assault and rape: the ripple effect*.

The bill will amend the Penalties and Sentences Act 1992 limiting the use of good-character references in the sentencing of sexual assault and rape perpetrators, expanding the recognition of harm caused to a victim, delivering appropriate sentencing of an offender convicted of sexual assaulting or raping a 16- or 17-year-old child, and clarifying that the absence of a victim impact statement or other details of harm at sentencing does not mean that crime caused little or no harm. These changes to the bill are necessary and correct, but the Labor opposition is committed to ensuring victims receive the support they need sooner. Let's not forget that the government had to be dragged kicking and screaming to implement QSAC recommendations in this bill. It was not until the Labor opposition said we would take action that the government raced to slap something together. What the LNP government pulled together was a bill to address four recommendations from the *Sentencing of sexual assault and rape: the ripple effect* final report. Four! Four recommendations out of 28 handed down in that report. Of course, they are the same four recommendations detailed in the letter the Labor opposition wrote to the Attorney-General on 19 May where we said we would move these amendments.

When the LNP announced their intention to introduce this bill on 20 May, we wrote to them with another proposal: we would give bipartisan support for their bill if we could label this bill as urgent and deliver reform in that same parliamentary sitting week. It would deliver the support victims and victim-survivors deserve and deliver it quicker. But, no, of course the Crisafulli government could not accept that. The people of Queensland deserve more than a government who will talk the talk about putting victims first but will not walk the walk.

Now the report has been sitting on the Attorney-General's desk for almost six months. For six months victims and victim-survivors could have been benefiting from: tougher sentences for perpetrators of rape and sexual assault, particularly against children, as per recommendation 1; the recognition of lived harm to victim-survivors in the sentencing process, as per recommendation 2; the ending of good-character evidence in sentencing, ensuring the process does not add to a victim-survivor's trauma, as per the fifth recommendation in the report; and ensuring the lack of a victim impact statement will not be taken as evidence of little to no harm being done, as per recommendation 23. For reasons unknown, the government is dragging its feet on these reforms and is willing to lump them in with a variety of other unrelated reforms, as if QSAC's recommendations are simply odds and ends that need to be squared away.

Victims and victim-survivors deserve so much better. The Queensland Labor opposition is proposing to remove the delayed commencement clause for part 4 so the amendments are effective from the assent of this bill. With 3,898 rape and attempted rape offences recorded in 2023-24—almost 75 offences a week—delaying the protections in this bill is unconscionable and has been unconscionable. When we delay these reforms, we risk victims having to face their perpetrators in court without the protections delivered by this bill. Victims do not need unnecessary added trauma in their lives, and the proposed amendment is a reasonable method for prioritising victim safety. This must be a priority.

It is extremely odd that a bill that tackles the issues of sexual assault and rape also amends the Queensland Crimes at Sea Act 2001 to align with relevant provisions of the Commonwealth Crimes at Sea Act 2000. Additionally, it also creates a new provision that a person who makes a false representation that they are a government agency or acting on behalf of or with the authority of a government agency is liable for up to three years imprisonment. It seems strange for this to be added to a bill focusing on the protection and safety of victims of rape and sexual assault. I note that the opposition will support the blue card related amendments and other consequential amendments. Protecting our children, of course, is of paramount importance and any enhancements made will be a positive step forward.

The Labor opposition supports this bill, just like we did months ago—the changes are measured and practical; they improve sentencing practices and respond to the needs of sexual assault and rape victims—but we will continue to hold the Crisafulli LNP government to account. We will advocate for these protections to be delivered for victim-survivors sooner and we will ensure this LNP government's rhetoric matches reality, especially when it comes to delivering safety and trauma informed responses for victim-survivors.