



Speech By
Hon. Daniel Purdie

MEMBER FOR NINDERRY

Record of Proceedings, 17 September 2025

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

Second Reading

 **Hon. DG PURDIE** (Ninderry—LNP) (Minister for Police and Emergency Services) (5.23 pm): This bill is another step on the way to achieving the primary policy objective of this government—the prioritisation of the rights of victims over criminals. This was a key policy we took to the last election and one which was prosecuted throughout the four years in opposition. It was the basis for the clear distinction between the policies and practices of the then government and the ambitious agenda we championed to restore the primacy of victims' rights. We are determined to strike the right balance so that those who have been the victim of criminal behaviour have their voices heard and do not have to take second place in the queue behind criminals.

All our legislative reforms have been designed to put victims first. Had things been allowed to proceed as they were, victims of crime would have fallen even further behind. Their interests would have drifted into the background and their legitimate rights would have been ignored. That had to stop.

I wish to confine my remarks to the amendments proposed to the Penalties and Sentences Act and its relationship to the sentencing for sexual offences. The centrepiece of this bill is to change the sentencing provisions to ensure they better reflect community expectations and draw on the December 2024 report of the Sentencing Advisory Council, *Sentencing of sexual assault and rape: the ripple effect*.

Existing laws can act to discourage complainants from coming forward. The investigative and trial processes can throw up their own unique barriers and complainants may conclude that the sentencing process is designed to lessen the impact of the offence, can lessen their suffering and conversely limit the possibility of the defendant paying the appropriate penalty using misguided good-character evidence. The report makes the critical point—

There are also some aspects of the sentencing process that we consider in urgent need of reform with respect to the use of 'good character' evidence and to improve victim survivors' experiences.

It can be particularly galling to a victim survivor to hear at the time of sentence that the person who perpetrated sexual harm on them is otherwise a 'good guy', a 'great father' or a model employee or citizen. It is even more upsetting when these statements are referred to uncritically by the sentencing judge and magistrate—even if in practice they may be given little weight.

This bill will correct this inappropriate application of the law. Defendants will no longer be able to seek a reduction in their sentence by relying on friends and associates attesting to their good character. It is self-evident that the likelihood of a convicted rapist being a person of good character is virtually nil. An offender will have to make sure any restricted evidence directly relates to their prospect of rehabilitation or risks of reoffending. No longer will they be able to draw a veil over their reprehensible and despicable behaviour.

This reform is long overdue and I wonder why those opposite took so long to initiate a change in the law. The shadow police minister said that the introduction of these reforms was too slow. Labor had a decade to introduce them but did nothing. We have acted within six months while Labor sat staring like a rabbit caught in the headlights. Those opposite sat around the cabinet table for nearly 10 years but could not be bothered to do anything. Like so much of what Labor does now in opposition, their response has been reduced to pure politics. Why am I not surprised. I was equally unsurprised to hear the shadow attorney-general give an accurate description of what I assume was Labor's policy-making process. The shadow minister said—

They talk tough and they hold press conferences, but when it comes to doing the work that actually helps victim-survivors they vanish.

Clearly, the shadow minister was an astute observer of the *modus operandi* of the Palaszczuk-Miles government in their approach to pretending to be tough on criminals. For a decade, Labor shirked their responsibilities. They pretended to care, but in reality they only cared about themselves. Labor failed to acknowledge the position of the victims of crime. Their hands-off approach always put victims last and they only acted when they were dragged kicking and screaming into doing something to change. Labor's entire contribution to this debate is a pathetic attempt to remain relevant and reveals their claims of sincerity are about as genuine as a \$3 note.

I wish to address further remarks to the importance of victims' rights, in particular the use of victim impact statements. The bill ensures that no inference can be drawn that the absence of a victim impact statement implies the victim was not harmed by the offender. Such inferences are perverse and twist the truth. The bill will correct any intentional or inadvertent use of this device to avoid responsibility on the part of the offender.

I now refer to further intentions regarding section 9 of Penalties and Sentences Act. The Sentencing Advisory Council has recommended additional reform, and I am keen to see this pursued. Section 9 of the Penalties and Sentences Act is the core piece of legislation that addresses mitigating and aggravating factors at sentence of an offender. This legislation was written in 1992 and is not in step with contemporary community expectations. It is well overdue to be overhauled. Our goal is not only to strike the correct balance for victims of offending but to put the rights of victims ahead of offenders. I am mindful of the time. These are long-awaited changes and they deserve the support of all members.

Debate, on motion of Mr Purdie, adjourned.