



Speech By
James Lister

MEMBER FOR SOUTHERN DOWNS

Record of Proceedings, 16 September 2025

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

Second Reading

 **Mr LISTER** (Southern Downs—LNP) (4.50 pm): I rise to speak to the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill. One of the things that I have found as an MP sitting in this place—and I am sure we have all found this—is that I learn a lot of things. We see different perspectives in the course of our committee work and when we are getting around the community as MPs. We are exposed to things that we might never otherwise come across. This is one of those times for me.

I heard the member for Waterford say this should not be a matter of partisanship. I have to ask then: why have I heard Labor speaker after Labor speaker falsely characterise this as being either something that the government were goaded into doing against their will or something which was held up interminably for no good reason? The QSAC report was only delivered to the government in December 2024 and the Attorney-General introduced this bill in May. I do not think that seems to be—

Ms Scanlon interjected.

Mr LISTER: I take the interjection from the member—I always remember her as the former housing minister. The lack of housing in my electorate is the most memorable part of my experience here.

Mr Head: What houses did she build?

Mr LISTER: What was that interjection from the member for Callide?

Mr Head: I don't think she built any houses.

Mr LISTER: Certainly none in my electorate.

Mr DEPUTY SPEAKER (Mr Whiting): Order! Members will address their comments through the chair.

Mr LISTER: I do not think that that is an unreasonable amount of time to take to have the bill drafted, following the recommendations from QSAC and taking into account the recommendations of the committee. The bill obviously deals with a number of other matters. There is the new offence relating to impersonating a government agency. I am sure we could all consider cases where our constituents had been disadvantaged by that kind of fraud, so that new offence is a good thing. This bill also realigns the state's Crimes at Sea Act with the current Commonwealth act, which is great, and makes changes to the blue card system, as indicated by the Queensland Family and Child Commission.

As we all know, the most important aspect of this bill is the implementation of QSAC's recommendations following the *Sentencing of sexual assault and rape: the ripple effect* report. The recommendations that were necessary to implement will: require the court to treat the fact that an offence of rape or sexual assault was committed in relation to a child as an aggravating factor in

sentencing; include recognition of the harm done to a victim in the sentencing purposes; qualify the treatment of good-character evidence in sentencing offenders convicted of sexual offences; and ensure the court does not draw any inference about whether the offending caused little or no harm to a victim from the fact a victim impact statement was not given, which is very important.

A lot of our discussions have dwelt on the matter of character evidence. I would like to join with all the members of the House here, who have said that sexual assault and rape is totally unacceptable. Any mechanism which alters the culture of society by taking away the assumption that somebody is an upstanding citizen or that because someone has made a contribution to society that somehow lessens their culpability or reduces the sentence to which they should be subjected is a good thing. We all agree on that.

I cannot put myself in the shoes of a sexual assault victim, but I have observed judicial processes involving youth offenders in the communities that I represent. I have heard laid on the table a lot of mitigating circumstances—the offender came from a bad home, they have been away for a while, they did not go to school, they do not have many opportunities, they have suffered trauma and so forth. The victim does not care about any of that; they just know that their home has been invaded for the third time. I imagine you could multiply that level of insult by 10 for victims of sexual assault. I am all for restricting the use of character references in mitigating the culpability of an offender who has committed a sexual assault.

Importantly, however, the Labor opposition should not be criticising our handling of this matter. The Attorney-General has been quite clear about the necessity for the implementation date to be specified rather than upon assent. It will be proclaimed in November. There are definite reasons for this. It is about: drawing the court's attention to the new statutory aggravating factor applying to offenders convicted of rape or sexual assault against a child; ensuring Crown prosecutors and legal practitioners are aware of the changes and able to provide accurate and appropriate advice to the court on the use of good-character evidence; and ensuring victims of sexual offences are aware of and understand the changes, particularly as the council's report found that victims of rape and sexual assault want better information sharing.

I heard members opposite say we managed to expeditiously push through measures to try to contain the youth crime crisis that we have in this state, suggesting that somehow there is an equivalency here and that, therefore, this could be rushed through. In layman's terms, this is proposing to significantly disadvantage those who are convicted of sexual assault and sexual crimes, which I think is a good thing; it is not eliminating an impediment to properly sentence youth offenders who come before the courts over and over again, like taking away some unnecessary obstacles in the sentencing principles for youth offenders. They are not the same thing. I only wish that we had the same commitment to expediting the course of justice from the Labor Party when they were office that they seem to be espousing now. Many of my constituents, particularly in Goondiwindi, have experienced significant crime, trauma and financial loss as a result of crime that has been perpetrated upon them over and over again.

I reject what the Labor opposition have been saying. Their talk of months stands uneasily beside the decade for which they were in power and during which these measures were not implemented. I congratulate the Attorney-General on this bill and I commend to it the House.