



Speech By

Joseph Kelly

MEMBER FOR GREENSLOPES

Record of Proceedings, 16 September 2025

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

Second Reading

 **Mr JKELLY** (Greenslopes—ALP) (4.12 pm): I am going to have to mark down the LNP spin bot who wrote that speech because we just did not hear the words ‘green shoots’ once, and members know how much I love the words ‘green shoots’. I guess they are having to take that out of their terminology because when it comes to ambulance ramping, there are no green shoots; there are zero green shoots.

Let me get back to this bill because like the members on this side of the House, I support the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025. Can I say it is offensive and distressing that anybody in this chamber who is a member of this House would try to gain some sort of political advantage around victims. The reality is every single member of this House, current and former, will have had victims of some sort in their electorate and they will have supported those people and done the best for those constituents. I know that has been my experience. So for people to try to claim the moral high ground around this subject is just nonsense and it is offensive. What I thought might have worked would be to take a bipartisan approach to this bill to try to get it through a little bit quicker. That is what the Labor team has tried to do here. However, that has been knocked on the head on every single occasion and it has been rejected previously. Now they have come in here at the last moment and declared this bill urgent.

Let’s have a look. Last sitting week we declared another bill urgent. The Nature Conservation and Other Legislation Amendment Bill was declared urgent and passed in one sitting. It was a bill that contained exactly two provisions of a fairly technical nature and it had sat on the *Notice Paper* for five months. Just to compare that bill with this one, I recall that in that bill the minister said in his explanatory speech—

For some years, authorities for low-risk activities have been issued via an automatic process where non-discretionary criteria are met. This process is not being changed for the ... majority of authorities.

A bill that was dealing with something that was not being changed for the majority of situations was declared urgent, but we had to drag the government kicking and screaming to declare this bill urgent. Then when we put forward an amendment to try to get these provisions in place even faster, it looks like they will be rejected as well.

Let’s have a look at what is contained in this bill. Let’s look at what the LNP does not consider important enough to support our amendment to get this through: introducing a statutory aggravating factor for rape and sexual assault against children aged 16 and 17 years of age; expanding the sentencing purposes to include recognition of harm caused to a victim of an offence; qualifying the court’s treatment of good character as a mitigating factor in sentencing persons convicted of offences of a sexual nature; and clarifying that no inference may be drawn from the absence of details of harm caused to victims. All of these provisions will put victims first. The LNP say they want to put victims first, but their actions in relation to this bill show that this is just false rhetoric.

These provisions arose because the Labor government tasked the Queensland Sentencing Advisory Council to review the sentencing of sexual assault and rape offences in Queensland and to consider if any changes needed to be made. That happened in 2023. In December 2024 the *Sentencing of sexual assault and rape: the ripple effect* final report was handed to the Crisafulli LNP government. The LNP Crisafulli government that was elected on a platform of putting victims first then seemingly did nothing—absolutely nothing—with this report for five months until the Labor opposition pressured them to do so. Even after they started to move, the LNP refused to declare this bill urgent, which means victims of sexual assault and rape will wait longer for the changes this bill is bringing to be enacted and the ‘good bloke’ defence will continue to be rolled out. Despite all of this obfuscation and delay, Labor has again offered an amendment to speed up the implementation of this bill’s provisions. I would encourage members to support this amendment.

I know David Crisafulli does what he says, he means what he says, he walks the talk blah, blah, blah—and there are a lot of other things he says. However, by supporting the amendment, he can actually not just say it; he can do it. He can do what he says; he can put victims first and maybe truly get some green shoots going on this one. Sadly, I think those opposite will play politics before they put victims first by opposing the amendment. That means that the almost 75 people who each week are victims of sexual assault and rape are having these protections delayed and that is unacceptable. It means that every day of delay risks victims facing perpetrators in court without the protections delivered by this bill and it means every member who opposes the amendment is choosing to delay over victim safety. I would urge all members to actually put victims first and support Labor’s amendment.