



Speech By
Hon. Laura Gerber

MEMBER FOR CURRUMBIN

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

Second Reading

 **Hon. LJ GERBER** (Currumbin—LNP) (Minister for Youth Justice and Victim Support and Minister for Corrective Services) (4.35 pm): For too long victims of rape and sexual violence have been left behind in this state—their voices ignored, their pain minimised and their rights overshadowed. The Crisafulli government is committed to delivering a fair and effective justice system that puts the rights of victims first, delivers consequences for actions and makes Queensland a safer place to live. When it comes to sentencing rapists and sexual predators, those sentences must reflect the seriousness of the crimes they have committed and the lifelong impacts their crimes have on their victims.

The Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025 is a landmark step towards this. It introduces sentencing provisions that reflect community expectations and implements key recommendations from the Queensland Sentencing Advisory Council. First, it makes clear that sexual offences against children are among the most heinous crimes imaginable. Sexual offending against children under the age of 16 is treated at law as heinous and the age of the child is an aggravating factor at sentence, but these same protections are not given to 16- or 17-year-olds. The court will now be required to treat the age of a 16- or 17-year-old victim as an aggravating factor when sentencing the perpetrator for rape or sexual assault, closing a gap in the law.

Second, it reforms how courts deal with so-called good-character evidence of sexual predators. For too long offenders have been allowed to stand behind character references at sentencing. These are offenders who have been found guilty of rape or sexual assault, yet they are allowed to hide behind glowing references claiming they are a 'good bloke', while victims' experiences are pushed aside. Those days are over. Under our laws, submissions about character are only relevant in relation to rehabilitation or risk of reoffending and they should not ever be a shield to minimise or mitigate the sentence or the harm that a rapist or sexual predator has inflicted.

Let's take a moment to observe the farce we are seeing on the Labor side of the House. The very same Labor members who now claim to support our new reforms limiting the 'good bloke' shield have time and again used the 'good bloke' defence to suit their own purposes. We all remember the member for Greenslopes. He stood up in this place and delivered a long list of glowing personal references to defend his colleague the member for Stafford, who was accused of domestic violence. Labor trotted out character references, spoke glowingly of union records and painted him as a good bloke who simply made mistakes. That is the culture this bill is stamping out, a culture where excuses are made for men in power while women are left to suffer in silence. Labor's defence—making excuses, protecting and promoting their mate—is a betrayal of every victim who has been told to speak up, and it does not stop there.

I listened to the member for Springwood's contribution just now. He forgets about the member for Cairns. When he was exposed for endorsing disgusting jokes about sexual violence against women, Labor's own frontbenchers rushed to his defence. The members for Jordan, McConnel, Bulimba and Waterford all lined up in this chamber to make excuses for him and to urge everyone to move on. The member for Bulimba even held a press conference to defend him, standing in front of cameras in Cairns declaring that she supported her colleague. I listened to the member for Springwood say that when men stand by when other men make disparaging comments about women and endorse sexual violence they open the door to rape. That is exactly what members of the Labor Party did with the member for Cairns. They have stood by and defended him and they have defended his conduct when he shared disgusting and vile jokes about sexual violence.

Labor members cannot have it both ways. They cannot tell Queenslanders that 'good bloke' evidence has no place in court while using those exact defences to excuse and minimise or explain away the behaviour of their colleagues. What message does that send to survivors of domestic and sexual violence? When it is one of Labor's own, character references are okay. When Labor's own members are under siege, character references suddenly matter. Reputations and factional loyalties matter more than the voices of women.

This bill draws a line under Labor's hypocrisy. It says once and for all that a rapist or abuser does not get a discount because they are popular in their community, well connected in their caucus or a so-called 'good bloke' in the eyes of their mates. It is a clear contrast. While Labor reaches for excuses, our Crisafulli government is delivering real reform that puts victims first and ensures justice reflects the seriousness of sexual violence.

What is more, Labor is trying to criticise the proper process we undertook to get these reforms right. We opened the process up to public scrutiny and through the Justice, Integrity and Community Safety Committee we have listened to the voices of victims and advocates—victims like Kelly Humphries, a child sexual abuse survivor and former Queensland police officer with almost two decades of service. She had the opportunity to have her voice heard by the committee. Kelly wrote—

Perpetrators do not just groom children they groom entire communities. Families. Institutions ... It is a calculated betrayal ...

When a convicted offender is defended in court by letters praising their 'good nature,' it sends a cruel and devastating message to victims and survivors: What happened to you matters less than how well they played their part in public.

These individuals infiltrate families, schools, and sports teams. They prey on the vulnerable. Yet they are still described as 'good people.' But they are not, not when their so-called goodness is used to excuse, shield, justify, or minimise abuse.

I know this because I lived it.

...

This is an institutional loophole that enables abuse. It must be closed. No survivor should sit in a courtroom and watch their abuser be praised for being 'a good person.'

If Labor had its way, survivors like Kelly would not have had the opportunity to share their experience, to have their voice heard, to have their views on character references for rapists heard by the committee. Then there is the Gold Coast Centre Against Sexual Violence, which very rightly stated—

A person of genuinely good character would not commit a sexual offence ...

...

Rape is a choice, not an irresistible urge.

The Queensland Sexual Assault Network said—

Victim-survivors must prove their case to the highest evidentiary level, and it is then galling for them to see how easily a convicted rapist/sex offender can rely on the ... opinion evidence of family and friends ... and that these references can influence sentencing outcome.

This bill draws a line in the sand in relation to that conduct. It says 'good bloke' evidence cannot be used at sentencing, it cannot be a mitigating factor and it cannot be a shield that rapists and sexual predators hide behind, yet members of the Labor Party used that very same shield to shield the member for Cairns and the member for Stafford. They stand up in this House and they claim that the conduct you walk past is the conduct you endorse, yet they walked past the member for Cairns and they walked past the member for Stafford. They continue to support those members in this House, even though the member for Cairns shared vile commentary endorsing sexual violence against women and joking about sexual violence against women. All the Labor frontbenchers stood up and endorsed it, made excuses for him, walked past it and said that Queenslanders should move on. It is a slap in the face to all victim-survivors and they have zero credibility in this space.

This bill also expands the purpose of sentencing to recognise the harm suffered by victims. We know that this harm is profound, it is lifelong and it is devastating, particularly if the victim-survivor is a child. This reform ensures sentences can expressly recognise that reality and it puts the rights of victims before the rights of rapists and sexual predators. This bill also protects the dignity of victims by clarifying that a court cannot infer from the absence of a victim impact statement that no impact was caused. Under no circumstance should a victim-survivor's silence be a suggestion that they are okay. These are victims of rape and sexual assault and if they choose not to provide a statement that should not be a mitigating factor. Their silence must never be used to diminish the seriousness of what they endured.

This bill is not the end of the reform; it is just the beginning. The remaining QSAC recommendations are currently being carefully considered by the Attorney-General and she has already announced some of the next stages of this reform such as a holistic review and a comprehensive review of the victim impact statement regime. These reviews will ensure our sentencing framework evolves to meet the expectations of Queenslanders and continues the work we are doing to prioritise the rights of victims.

With regard to the rights of victims, we are also developing a nation-leading victim advocate service to put the rights of victims before the rights of offenders and ensure all victims are supported throughout the justice process. We have expanded the victims of crime community response so that it is statewide to support all Queenslanders after major incidences no matter where they live. This is what a government committed to victims and community safety looks like. We are delivering a justice system that reflects the seriousness of sexual violence, that recognises the harm to victims and that strengthens protections for children, community and victim-survivors of rape and sexual assault.