



Speech By
Martin Hunt

MEMBER FOR NICKLIN

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

Second Reading

 **Mr HUNT** (Nicklin—LNP) (12.48 pm): With your indulgence, Mr Deputy Speaker, I will begin by acknowledging Nicholas Tatham, who is in the gallery today. Nicholas is the current youth member for Nicklin and he joins me today. G'day, Nicholas!

It is breathtaking to sit here and listen to those opposite lecture us on urgency for supporting victims. I was absolutely gobsmacked listening to that—'Get on with it,' 'Get urgent'—after we have had a decade of decline. For 30 of the last 33 years I have been a police officer on the front line with victims while this mob here have done nothing. They have watered down the laws. It is absolutely breathtaking.

I rise today proudly as chair of the Justice, Integrity and Community Safety Committee in strong support of the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025. The committee's report made one recommendation—that the bill be passed—and it reflects the balance this bill strikes between the sometimes competing rights of offenders, the protection of the community and, most importantly, the recognition of victims.

Before I turn to the detail of the bill, I want to reflect for a moment on my time as a detective in the Queensland Police Service. Over many years, I investigated sexual offences and sat with victims—often in the immediate hours after their trauma—while they gave harrowing statements. I stood beside them in courtrooms where they were cross-examined, where their accounts were challenged and where sometimes their credibility was doubted. I saw the impact on them as they gave evidence. I saw disappointment and sometimes devastation when verdicts did not go their way. All too often I saw how deeply the court process itself compounded the trauma, particularly when dealing with children.

It is easy in this chamber to speak of 'aggravating factors' and 'mitigating factors', but behind the clauses in this bill are real people—victims who live with lifelong impacts, families who feel justice was never served, and police, prosecutors and advocates who carry the weight of seeing that cycle repeat. That is why this bill matters. It represents a significant step forward in recognising harm to victims, in ensuring sentencing better reflects community expectations and in restoring faith in a system that too often feels stacked against survivors.

This bill arises from the Queensland Sentencing Advisory Council's report *Sentencing of sexual assault and rape: the ripple effect*. That report, which was tabled in 2024, contained 28 recommendations. The government has taken a staged approach, implementing four of those recommendations now while committing to a broader review of section 9 of the Penalties and Sentences Act and the victim impact statement regime. In addition, the bill makes amendments to the Crimes Act and the working with children act and creates a new offence of impersonating a government agency. I will not deal with those areas yet; I will stick with this one.

I want to comment on the aggravating factor for child victims aged 16 and 17 in the bill. Currently, courts must consider aggravating factors in sentencing but the law has not expressly required them to treat the age of 16- and 17-year-old victims as aggravating. This bill changes that. It makes clear that rape or sexual assault committed against a child of 16 or 17 years must be treated as more serious, unless truly exceptional circumstances apply. This is an important recognition. Our community rightly expects that older children, while nearing adulthood, remain vulnerable and impressionable and offending against them is a grave breach of trust and deserves stronger penalties.

I move to the recognition of harm done to victims as a sentencing purpose. Until now, sentencing purposes under section 9 of the act focused on punishment, rehabilitation, deterrence, denunciation and protection. What was missing was an explicit recognition of the harm caused to victims. This bill fixes that. Courts will now be able to impose a sentence for the purpose of recognising the harm done to a victim. This is not symbolic; it matters to survivors to know that the law acknowledges what was done to them, not what was done against the state. It shifts the sentencing closer to where victims have always asked it to be: recognising their pain and holding offenders directly accountable for that harm.

Perhaps the most debated element of this bill during the committee process was the restriction on good-character evidence in sentencing for sexual offences. For too long, courts have heard glowing references about convicted offenders being good blokes, pillars of the community or dedicated family men. For survivors sitting in the courtroom, hearing those words after enduring the trauma of a court hearing is devastating. It minimises their experiences and risks diminishing the seriousness of the offence.

The bill does not abolish good-character evidence outright, but it qualifies its use. From now on, character references, evidence of community standing or contributions to society can only be taken into account if directly relevant to rehabilitation or the risk of reoffending. Even then, the court retains discretion not to reduce the sentence, especially where the harm to the victim was severe or the victim was particularly vulnerable. This reform ensures irrelevant, subjective references no longer undermine justice. At the same time, it keeps judicial discretion where it belongs: focused on legitimate sentencing considerations, not sentiment.

Another significant amendment relates to victim impact statements. Some victims choose not to provide one—often because reliving the trauma is too painful or because they wish to keep their suffering private—yet there has been a perception that if no victim impact statement is provided the court may assume little or no harm was suffered. This bill makes it clear that that inference cannot be drawn. Silence will not be taken as an absence of harm. This is about dignity, choice and respect for victims. It removes pressure on survivors to relive their experiences simply to justify the legal process.

Beyond the four QSAC reforms, the bill creates a new offence of falsely representing a government agency, punishable by up to three years imprisonment. This ensures Queenslanders are protected from fraudsters and scammers misusing the credibility of government. The bill updates the Crimes at Sea Act so Queensland remains aligned with Commonwealth legislation and the national cooperative scheme. It makes technical amendments to the working with children act. Each of these provisions strengthens community safety and builds confidence in the justice system.

The committee heard from almost 200 submitters. Some argued that the bill did not go far enough, particularly on abolishing good-character evidence altogether. Others warned against eroding judicial discretion. That divergence tells us two things: first, there is no single view of justice in this space; and, second, the bill has indeed found that right balance. It avoids extremes and instead delivers a measured, practical reform that advances victims' rights while respecting fundamental principles of justice.

As someone who has walked with victims of sexual offences, I know the trauma that they carry does not end with the crime itself; it is compounded in interviews, in courtrooms and in appeals. No legislation can undo that, but legislation can and must make the process less brutal, more respectful and more just. I thank everyone who shared their story or views with the committee. I thank the Department of Justice, my fellow committee members and the stakeholders who contributed. I particularly thank the Attorney-General and her wonderful staff—I see Eloise over there—who did a great job by introducing this bill. I commend the bill to the House.