




Speech By
Hon. Shannon Fentiman

MEMBER FOR WATERFORD

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MAKING QUEENSLAND SAFER (ADULT CRIME, ADULT TIME) AMENDMENT BILL

 **Hon. SM FENTIMAN** (Waterford—ALP) (4.50 pm): I rise to speak to the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill. I must say, I was surprised to see the LNP government spruiking their new Adult Crime, Adult Time laws as a great success when we are back here to fix them up. When a law has to be patched with amendments just months following their implementation that is not progress. I would say that is poor planning. Just like the last time, we are here debating a critically important bill formulated without the clear and transparent advice of experts. An overwhelming majority of stakeholders have not been properly consulted.

The LNP hand-picked an expert legal panel because David Crisafulli, the Premier, wants to be a Premier who looks like he takes advice and listens to the experts, but it is unclear with whom this expert panel actually consulted. It certainly was not key stakeholders—the Queensland Council of Social Services, for example—and it certainly was not key advocacy groups like Voice for Victims. We are considering these laws without seeing the expert legal advice they are apparently based on, despite multiple calls by stakeholders and the opposition for this advice to be released.

The Minister for Youth Justice and Victim Support was outside the chamber here yesterday waving around committee papers and claiming that the opposition wants to be open and transparent about the expert panel's advice. I would say to the minister that we are peddling transparency—something those opposite promised they would bring if they were elected. If the laws are so good then it is time to let the sun shine in and show the advice and the submissions to Queenslanders. I note the contribution from the Minister for Youth Justice, who talked about the advice. In her words, it was written advice, it was oral advice, the advice was ongoing and it was in stages. I say to the minister that she can release this advice to this parliament and to communities so people can understand the legal advice these laws were based upon. Maybe the advice is that these laws are not going to work and that is why they do not want to share it. The member for Cook seems to imply that these laws are not even needed. Revealed text messages show he thinks that attempted murder is a non-issue for youth offenders.

I am now going to address the opposition's proposed amendments to the bill that support the recommendations from the Queensland Sentencing Advisory Council to limit the use of good character references in cases of sexual assault. Our very own Queensland Victims' Commissioner referred to the QSAC report *Sentencing of sexual assault and rape: the ripple effect*—which I commissioned as attorney-general—and recommended that various elements be implemented. I am so pleased and proud that Labor has been able to set the agenda and deliver reforms for victim-survivors from opposition, with the Attorney-General introducing a bill today acting on Labor's calls. Limiting good character references is an important step forward, building on the work of the Women's Safety and Justice Taskforce and the voices of victim-survivors. I also thank the shadow attorney-general for her work on this matter. Labor will always work to ensure our justice system reflects modern values and the lived experience of victim-survivors, whether we are in government or not.

While I welcome this bill, I would like to remind the House that the QSAC recommendations landed on the Attorney-General's desk back in December. For six months they were sitting on the Attorney-General's desk and we heard nothing from her about these important amendments. While it is good news that the LNP has used Labor's homework to introduce these changes—

Mrs FRECKLINGTON: Mr Deputy Speaker, I rise to a point of order on relevance to the bill before the House.

Mr DEPUTY SPEAKER (Mr Whiting): As I said before when I was sitting in this chair, there has been fairly wideranging debate. I have been listening to the member and I find it relevant at the moment.

Ms FENTIMAN: Whilst it is disappointing that the LNP used Labor's homework to introduce changes, it is also disappointing that the LNP could not bring themselves to support Labor's proposed amendments to limit good character references and get it done this week. The shadow attorney-general has written to the Attorney-General, saying that we would support the Attorney-General's bill being declared urgent and getting it done this week.

Mrs FRECKLINGTON: Mr Deputy Speaker, I rise to a point of order. The member on her feet is clearly referencing the bill that is before the House and she is anticipating debate. The amendments that the former attorney-general has circulated are outside the long title of the bill to start with.

Mr DEPUTY SPEAKER: Thank you, member for Nanango; please take your seat. I am getting some advice.

Ms FENTIMAN: Mr Deputy Speaker, on that point of order, I am directly referring to amendments that were referenced by the Victims' Commissioner in her submission to this bill. Pages 9 and 10 of the statement of reservation talk about implementing these sentencing reforms from the QSAC report.

Government members interjected.

Mr DEPUTY SPEAKER: Members, I am taking a point of order. Now I have to get the member to explain that again because I could not hear her over the talking I was hearing on my right.

Ms FENTIMAN: With pleasure, Mr Deputy Speaker. I am talking to important sentencing reforms that the Queensland Victims' Commissioner called for in her submission to this bill. Further, it is mentioned in the statement of reservation at pages 9 and 10 about how implementing these sentencing reforms would be very important to give victims a voice. Thirdly, Deputy Speaker Krause has already ruled this was relevant when the shadow attorney-general was on her feet.

Mrs FRECKLINGTON: Mr Deputy Speaker, I rise to a point of order. In relation to the last point that the former attorney-general made, she knows full well that what she was talking about is completely different to the matter that Deputy Speaker Krause just ruled on.

Mr DEPUTY SPEAKER: Thank you very much. Now everyone be quiet while I take some advice. In accordance with those previous rulings, because these are included in that statement of reservation we are still talking about those.

Ms FENTIMAN: As I was saying, it would be really wonderful if we could deliver these reforms for victim-survivors this week. I say to those opposite: let's get it done.

Mr Mickelberg: Created by Labor.

Mr DEPUTY SPEAKER: Order, member for Buderim!

Mr Mickelberg: The youth crime crisis created by Labor.

Mr DEPUTY SPEAKER: Order, member for Buderim!

Ms FENTIMAN: I take the interjection.

Mr Mickelberg: Created by Labor.

Mr DEPUTY SPEAKER: Member for Buderim, you are warned. I called you to order twice.

Ms FENTIMAN: I take the interjection from the member for Buderim, although it is always very hard to be heard over him. I would say to him that when Labor was in government of course we convened the Women's Safety and Justice Taskforce. That taskforce heard from hundreds and hundreds of victim-survivors. They came forward with courage and had their say. That taskforce made a recommendation for the Sentencing Advisory Council to review cases of rape and sexual assault. They reviewed 131 cases in the last 12 months, and do you know what they found? They found that, when it came to rape, sentencing in this state was not meeting community expectations. They made a

range of recommendations which have been sitting on the Attorney-General's desk. That is what we are talking about. That is what Labor wants to get done this week. What we are talking about here is harsher penalties for those perpetrators who commit rape or sexual assault against children. What we are talking about is limiting the use of good character references for those same perpetrators convicted of rape and sexual assault.

We are talking about adding to the purposes of sentencing in section 9 of the Penalties and Sentences Act that harm done to victims should be considered. Why don't we get this done this week? This has been subject to an 18-month review of QSAC. They have spoken to so many victim-survivors, organisations that represent those victim-survivors and the legal community, and they have made these recommendations. Labor gave our amendments to the Attorney-General on Monday. She has turned around today and introduced a bill, and we say, 'Great. Thank you. Let's get it done.' We would support this being made urgent to deliver for victim-survivors who have come forward with courage and shared their story.

Why are we delaying these important reforms? It is simply so that those opposite can somehow claim political points. I am sorry, but this is beyond politics. Let us get this done this week. As the Leader of the Opposition has said, protecting victims should not be partisan. Safety, justice and dignity are not partisan issues. This is about values, not about party lines. I want to thank all of the victim-survivors who have come forward and advocated for change. Of course there is more work to do, but let us actually declare the Attorney-General's bills urgent this week and deliver for those victim-survivors without delay.