



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

Second Reading

 **Mr WATTS** (Toowoomba North—LNP) (5.06 pm): I rise to make a brief contribution to the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025. I thank the minister for bringing forward this bill. The Crisafulli government has committed to making sure that we deliver a fair and efficient justice system and, most importantly, one that prioritises the rights of victims over the rights of offenders. This means we have to unwind some of the weak legislation that Labor has put in place over the past decade. It was a decade of decline. Some of my constituents have suffered under that legislation. One of the things we took to the election was a promise to make things safer where you live. This is delivering on that promise. By strengthening these laws we are delivering on that promise.

We on this side of the parliament absolutely acknowledge the harm experienced by victims of crime. That is made harder when they find themselves ignored or, more difficultly, told that evidence does not exist.

There has been a lot of talk about urgency and making sure that things are done in a timely manner. I will relay a brief story from my electorate involving a victim who came forward. She could not believe that the DNA sample that she had provided after a drug affected sexual attack on her was not available and was taking so long. Eventually, after pursuing it, she was told that it did not meet the threshold. This goes to the point of those on the other side who have been talking about things being timely. It took months for the evidence to be prepared and then she was told that the evidence did not meet the threshold.

Following advice from our minister and our side of the parliament, she asked for an alternative test. It turned out that, when that test was done, there was in fact evidence. She was about to be denied justice because of a complete failure—one of the most horrendous failures—of the justice system overseen by several different leaders of the Labor Party over a decade. She was nearly denied the opportunity of being able to hold her perpetrators to account. That was one factor.

Worse than that, it was even to the point where people were saying, 'If there's no evidence, what does that mean? Did it happen?' She was retraumatised by having to go through what the former Labor government put her through. That DNA debacle is now being managed by the Attorney-General, and my community thanks her for all of the efforts that are being made to get the evidence that is required to allow justice to be fair and prompt.

If we reflect more closely on this bill, the key part of it is our unwavering commitment to victims. That is the key part of the bill. We need to create an evidentiary trowel that people can take to court and put into context what happened to make sure the court understands the full extent of the suffering that the victim has endured and the impact that the perpetrator has had on them.

If we look at the Queensland Sentencing Advisory Council's recommendations in its report, the first one included in this bill makes age a statutory aggravating factor when a 16- or 17-year-old has been offended against. This is really important because there is a gap here where age has not been considered an aggravating factor on all occasions. If someone is under 16 years old, it is very clear how the court should treat the impact of the offence on them, but it has not been clear for someone who is 16 or 17 years old. As a father of two daughters, I can only imagine how horrendous it must have been for daughters and their families who have found themselves in the situation where they have been treated as an adult and their age has not been an aggravating circumstance. For that now to be a statutory requirement is critically important and a very good thing to have in place.

I turn now to the restriction on good-character evidence. Courts may only consider a community standing reference or reputation if it is directly relevant to rehabilitation or risk of reoffending. It would be pretty heinous for a victim to be present in a courtroom after their perpetrator has been found guilty and is trying to get their sentence reduced by having a bunch of people say, 'They're a pretty good person. They might have committed this heinous crime, but maybe we should put that behind them and let them move on.' The victim does not get the opportunity to move on. They have been affected for life. Taking that character evidence away and making sure the court cannot take into consideration other people's views of their reputation is a really good move. It is pretty offensive that someone could suggest they do not want the crime they have committed to affect their life too much in sentencing. It is just heinous.

In relation to the recognition of harm to victims, the purpose of sentencing is to expand to include explicit recognition of victim harm. This is not merely restorative in language; it provides a firmer foundation for justifying heavier penalties where the psychological and social damage is severe. This is really important. Victims should be able to have the circumstances that have affected their lives—that have caused them irreparable harm—be considered by the court in sentencing. It is only fair and just, which is exactly what the LNP and the Crisafulli government are about—fair, just, victims first.

The last recommendation is a change to victim impact statements. Courts will be directed not to infer from the absence of a victim impact statement that the harm did not occur. I have a situation which I will talk about in broad terms because the matter is still open. Somebody came to my office totally terrified that they will have to put in a statement to get fair treatment. They do not want to be retraumatised. They do not want to sit down and think about how to word the statement. They do not want to be forced to relive what has been the worst experience of their life. For a court to interpret someone's terror at having to write a statement as that the offending maybe did not have that much of an impact on them so the court should hand down a lighter sentence is, again, heinous. It does not support the women of our community. Ensuring victims do not have to put in a statement shows that the Crisafulli LNP government is on the victims' side as they seek justice.