



Sean Dillon MP

Member for Gregory

Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill

An important body of work has been done by the Sentencing Advisory Council. This was work where they methodically listened, analysed and tested. They listened to the voice of victim-survivors. They had the experience of frontline workers put forward. They had the evidence of judges and lawyers. It was work that delivered 28 recommendations. It went on for quite a period of time. There were 20 key findings—not four findings, not four things to legislate on, but 20 key findings and 28 recommendations. If this government were fair dinkum about this then they would be acting on it.

I have listened tonight and this afternoon with intent to the debate on this bill, the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill. My last contribution in this chamber was to speak in support of the domestic and family violence bill. As then, I highlight that this bill continues the Crisafulli government's swift yet methodical approach to arresting the crime slide in Queensland: Labor's crime crisis. Despite the protestations of those opposite, who have one after another lined up to defend their report, it is plainly simple that these reforms have been required due to the failures and inaction of those opposite during their 10 years of neglect.

In contrast to those opposite who have, over 10 years, held numerous inquiries regarding victims yet not enacted real, meaningful change, we have here in this bill reform that will not only categorically change circumstances but also act to defer potential future perpetrators. The Attorney-General and Minister for Justice and Minister for Integrity is to be thanked on behalf of Queenslanders for drafting and introducing this bill with due regard to the thoughts and experiences of victims. Perpetrators of sexual violence in this state should know that the Attorney-General and the Crisafulli government as a whole will not stand for your vile, reprehensible, destructive and disgusting actions against vulnerable people.

I also acknowledge the diligence and excellent work of the Justice, Integrity and Community Safety Committee, especially its chair, the member for Nicklin, who is capably supported by the members for Capalaba and Thuringowa. They received and considered 197 written submissions along with a public hearing and other briefings by the Department of Justice. Ensuring this committee has considered the submissions and given due regard to the legislative process gives us and Queenslanders everywhere confidence that this bill will stand up to not only legal scrutiny but also public expectations as well.

Emerald Electorate Office

📍 Shop 1, 93 Clermont Street, Emerald QLD 4720
📞 (07) 4913 1000
✉️ Gregory@parliament.qld.gov.au

Longreach Electorate Office

📍 Shop 2, Studio Exclusive Arcade, 120A Eagle street, Longreach QLD 4730
📞 (07) 4521 5700
✉️ Gregory@parliament.qld.gov.au



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At the heart of this bill is recognition that rape is rape and children are children, whether 14 or 17. We live in a society where children have too many unfair expectations placed upon them to grow up so quickly without due regard to the fact that they are still developing both physically and emotionally. Provision within this bill to recognise the statutory aggravating factor for rape and sexual assault of 16- and 17-year-olds is a recognition of this fact and the fact that the perpetrator is a particularly vile and sick individual.

Not allowing convicted perpetrators of sexual violence to seek and receive lighter sentences due to the current and historical allowance of good character references is another key element to the legislation. How on earth anyone could consider a convicted rapist or perpetrator of sexual violence to be a 'good bloke' or a 'person of good standing' is completely beyond me, and it is especially galling to see this being used for a person of good standing or for their previous contributions to the community. I am pleased to see the Attorney has seen fit to include this recommendation as a key element of the bill.

I also note from the committee's report and the written briefing from the Department of Justice that the new qualifications to a court's treatment of good character must not apply as a mitigating factor if it assisted the perpetrator to commit the offence. I believe this is an important inclusion, both from a punitive perspective but also as a deterrence against people misusing their standing or position of trust to commit these vile acts against minors.

I also wish to highlight in my contribution the significance in the reforms of the clarification that the absence of a victim impact statement cannot allow the court to infer that a victim has not been harmed. This important reform allows the victim choice whether to relive the pain or not. This is once again a demonstration of how Queensland, through the actions of the Crisafulli government, is delivering for Queenslanders, in particular victims of crime, by putting them first and working hard to improve the sentencing process for them.

I could not help but hear in several contributions from those opposite, but especially the members for Toohey and Gladstone, references or quotes to this bill or its provisions being 'long overdue', 'critical protections' and 'do more to centre the voice of victims'. Members opposite are also calling for a faster timetable. I say if this bill is 'long overdue' and contains 'critical protections', then why did it take the LNP under Premier Crisafulli to actually deliver it? There have been 10 years of their failure to act.

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Sure, there has been an inquiry or two, but there has been nothing that actually strengthens the provisions to ensure real justice for victims. It is disingenuous to the people of Queensland for Labor to come in here and line up to attack this government for the speed with which it has moved, yet not tell the story of how they deferred or delayed and in general did nothing to enshrine in law real protections for victims and to act in any meaningful way to deter potential future perpetrators.

I also note criticism from opposition members to the inclusion of other amendments in this bill. This is evidence of a government getting on with the job of cleaning up Labor's mess. There are some legislative areas that require a broom and a tidy up and a lot that require complete renovation, to be honest, but the other provisions included are important pieces of reform, and inclusion with this bill is, as I said, evidence of a government getting on with the job of governing.

The amendments to the working with children act are technical in nature and in response to recommendations made by the Queensland Family and Child Commission. They are also largely required as a correction mechanism for Labor's drafting errors—once again the Crisafulli government cleaning up a Labor mess.

This bill also introduces tough penalties for those who seek to confuse or harm Queenslanders by impersonating a government agency. This is to ensure that legitimate government communications are not undermined and will act as a strong deterrent against this, with a penalty of up to three years imprisonment.

This is a good bill. Members from all sides seem to acknowledge that and I fundamentally believe it. It does good things to protect vulnerable victims and punish criminals. I wish that Labor for once could have put aside politics and that this parliament could have spoken with one voice on this topic. But no, they have nitpicked and sought to score points they could have scored for 10 years had they truly wanted to. The LNP has been swift yet methodical to ensure that vulnerable Queenslanders are protected through criminal justice system reforms, cleaning up the DNA debacle, providing extra frontline policing capacity, and generally ensuring our legislative reforms with the rights of victims first and criminals last.

Only the LNP will deliver a safer Queensland, and this legislation is a continuation of this government's strong stance against perpetrators or criminals and our unwavering support for victims. On behalf of the people of Gregory, I strongly recommend support for this bill.

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