

Queensland Parliament Hansard Green

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SUBJECT: (no subject found)

MEMBER: Mrs LAUGA

 **Mrs LAUGA** (Keppel—ALP) (3.40 pm): I rise to speak in support of the Criminal Code and Other Legislation Amendment Bill. I can only imagine the absolute heartbreak that a parent or relative would go through when a child dies. Unfortunately, in my family we have experienced two children dying when two of my cousin's children died in a car accident. It was earth-shattering for us all but none more so than for my cousin Melinda who survived the accident. Two little beautiful, smart and gorgeous children's lives were cut too short and we miss them terribly every day. If my child died I do not think I could go on. It would absolutely break me. It would shatter my heart and every bit of my being into a thousand pieces.

Like me, most parents want the best for their children. We want to raise happy, healthy, strong and confident children. However, children are so incredibly vulnerable. They rely on us for their every need from the day they are born and for many years afterwards. Someone said to me once that being a parent is the hardest job you will ever do, but it is also the most rewarding. I think it is a privilege to be Odette's mum and I will always do everything to protect her.

Child killers in Queensland must receive the tough punishments they truly deserve. It is absolutely unacceptable that the average sentence for adult manslaughter is 8½ years and yet the average sentence for offenders convicted of child manslaughter is 6.8 years. This is why I support these amendments which make clear the expectation that higher sentences should be imposed.

The bill gives effect to recommendation 1 of the Queensland Sentencing Advisory Council's report by amending the Penalties and Sentences Act 1992 to introduce a new statutory aggravating factor for manslaughter of a child under 12 years. The new statutory aggravating factor will require that when determining the appropriate sentence for an offender convicted of the manslaughter of a child under 12 years, a court must treat the child's defencelessness and vulnerability having regard to the child's age as an aggravating factor. This reform will ensure the community can have confidence that courts are focusing on defencelessness and vulnerability of the child victim when sentencing an offender for child manslaughter. Such an approach will still allow courts to impose a sentence that is just in the individual circumstances of the case while making clear the expectation that higher sentences should be imposed. Higher sentences must be imposed.

The Palaszczuk government wants justice to be done—justice for the victims and justice for those left behind: their families and friends. We want to see strong sentences imposed when people take the lives of our most vulnerable: our children, the elderly and the disabled. The community must have confidence that this state has a criminal justice system that is robust in its protection of the most vulnerable members of our community. Some of the most vulnerable members of our community are, of course, our children. Every child has the right to be safe and to live in a home free from violence. Every adult needs to remember that being a parent and a carer is not a right; it is a responsibility, and it is a big one.

People convicted of child manslaughter have in many cases escaped murder convictions because intent is inherently difficult to prove in these types of cases. This bill will expand the definition of murder to include the unlawful killing of another if the death is caused by an act or omission with reckless indifference to human life.

I would like to take this opportunity to thank the committee for its timely and detailed consideration of the government's bill. I have no doubt it was a really difficult process and I want to thank all of those family members of victims who came forward to give their personal stories. I thank the individuals and organisations who provided submissions and also those who gave evidence before the committee. I commend the government's bill to the House.