

Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025

Explanatory Notes

FOR

Amendments to be moved during consideration in detail by The Honourable Meaghan Scanlon MP – Shadow Attorney-General and Shadow Minister for Justice

Short title

The short title of the Bill is the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025.

Policy objectives and the reasons for them

The Queensland Labor Opposition raised important issues raised in the Queensland Sentencing Advisory Council (QSAC) report, *Sentencing of sexual Assault and Rape: The Ripple Effect* and called on the Crisafulli LNP Government to act on the recommendations which were provided to the LNP Attorney-General and Minister for Justice and Minister for Integrity in December 2024.

After the Queensland Labor Opposition called for the recommendations in the QSAC report to be implemented and circulated amendments relating to recommendations 1, 2, 5 and 23, the LNP Attorney-General and Minister for Justice and Minister for Integrity introduced a bill into the Legislative Assembly of the Queensland Parliament dealing with the very same recommendations.

As the implementation of these recommendations (1, 2, 5 and 23) clearly have bipartisan support of the Queensland Labor Opposition and the Queensland Government, and because they have been subjected to a rigorous 18 month review undertaken by QSAC, then they should be implemented without delay.

As such, the legislation tabled by the LNP Attorney-General and Minister for Justice and Minister for Integrity in respect of the QSAC amendments should be implemented without delay and as such, these amendments reflect the same clauses that the LNP Attorney-General and Minister for Justice and Minister for Integrity introduced in the Queensland Parliament.

Except for the commencement clause which is earlier than that proposed by the Crisafulli LNP Government.

In the interests of not delaying the protections for victims in Queensland the amendments and information contained in this document is generally consistent with the documents circulated by the LNP Attorney-General and Minister for Justice and Minister for Integrity.

As such the objectives of the amendments are to implement four recommendations from the QSAC report. QSAC recently conducted a review of the sentencing practices for rape and sexual assault, including whether sentences for these offences adequately reflect community views. QSAC made 28 recommendations in the Report, including four recommendations for specific legislative amendments to the *Penalties and Sentences Act 1992* (PS Act) to:

- require the court to treat the fact that an offence of rape or sexual assault was committed in relation to a child as an aggravating factor in sentencing (recommendation 1);
- include recognition of the harm done to a victim in the sentencing purposes (recommendation 2);
- qualify the treatment of good character evidence in sentencing offenders convicted of sexual offences (recommendation 5); and
- ensure the court does not draw any inference about whether the offending caused little or no harm to a victim from the fact a victim impact statement was not given (recommendation 23).

Achievement of policy objectives

As the amendments circulated have bipartisan support and are consistent with the clauses in the bill already tabled, the achievement of policy objectives in respect of the QSAC amendments is outlined here:

[https://documents.parliament.qld.gov.au/bills/2025/3252/Penalties-and-Sentences-\(Sexual-Offences\)-and-Other-Legislation-Amendment-Bill-2025---Explanatory-notes-a5a1.pdf](https://documents.parliament.qld.gov.au/bills/2025/3252/Penalties-and-Sentences-(Sexual-Offences)-and-Other-Legislation-Amendment-Bill-2025---Explanatory-notes-a5a1.pdf)

Alternative ways of achieving policy objectives

There are no alternative ways of achieving the policy objectives other than by legislative amendment.

Estimated cost for government implementation

The amendments in the Bill are not expected to present any significant additional administrative or capital costs for government. Any implementation costs will be absorbed from existing agency resources.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles and any breach of fundamental legislative principles associated with the Bill are outlined here: [https://documents.parliament.qld.gov.au/bills/2025/3252/Penalties-and-Sentences-\(Sexual-Offences\)-and-Other-Legislation-Amendment-Bill-2025---Explanatory-notes-a5a1.pdf](https://documents.parliament.qld.gov.au/bills/2025/3252/Penalties-and-Sentences-(Sexual-Offences)-and-Other-Legislation-Amendment-Bill-2025---Explanatory-notes-a5a1.pdf)

Consultation

The legislation is drafted specifically for Queensland legislation, however, takes into consideration other jurisdictions, as outlined in the Queensland Sentencing report entitled “*Sentencing of Sexual Assault and Rape: The Ripple Effect*”.

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Notes on provisions

Part 1 Preliminary

Amendment 1 deals with implementation of the Queensland Sentencing report entitled “*Sentencing of Sexual Assault and Rape: The Ripple Effect*” and the details of the amendments are consistent with the LNP Attorney-General and Minister for Justice and Minister for Integrity bill circulated and as such the relevant elements are outlined here:

[https://documents.parliament.qld.gov.au/bills/2025/3252/Penalties-and-Sentences-\(Sexual-Offences\)-and-Other-Legislation-Amendment-Bill-2025---Explanatory-notes-a5a1.pdf](https://documents.parliament.qld.gov.au/bills/2025/3252/Penalties-and-Sentences-(Sexual-Offences)-and-Other-Legislation-Amendment-Bill-2025---Explanatory-notes-a5a1.pdf)

However, one main change is that the laws commence on assent, not delayed to 1 November 2025 as outlined in the current bill tabled by the LNP Attorney-General and Minister for Justice and Minister for Integrity.