

Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025

Explanatory Notes

FOR

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

Short title

The short title of the Bill is the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025 (the Bill).

Policy objectives and the reasons for them

The Queensland Labor Opposition raised important issues from the Queensland Sentencing Advisory Council (QSAC) report, *Sentencing of sexual Assault and Rape: The Ripple Effect - Final Report* and called on the Crisafulli LNP Government to act on the recommendations 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 this Bill into the Legislative Assembly of the Queensland Parliament, responding exclusively to the same four recommendations identified by the Queensland Labor Opposition, in addition to other unrelated amendments to other pieces of legislation.

As the implementation of these recommendations (1, 2, 5 and 23) have clear bipartisan support from both the Queensland Labor Opposition and the Crisafulli LNP Government, and following the significant public consultation undertaken during QSAC's 18-month review these recommendations should have been implemented without delay.

The Queensland Labor Opposition proposes an amendment to omit a commencement clause relevant to Part 4 of the Bill. This is a reasonable amendment that should be supported by all

Members of the Queensland Parliament and to not do so would delay further protections for victims and victim-survivors across Queensland.

Achievement of policy objectives

To achieve these objectives, amendments are proposed to various clauses as outlined below.

Alternative ways of achieving policy objectives

There are no known alternate ways of achieving the same policy objective.

Estimated cost for government implementation

There are no cost implications for the amendments as it will be achieved through existing budget arrangements.

Consistency with fundamental legislative principles

Any interference or limitation with the fundamental legislative principles contained within the amendments is justified in a fair and democratic society based on the rule of law.

Consultation

The Queensland Sentencing Advisory Council undertook significant consultation in developing the recommendations for the *Sentencing of Sexual Assault and Rape: The Ripple Effect Final Report*, which is recognised as the grounds for the proposed amendments to the *Penalties and Sentences Act 1992*.

Further, the Queensland Labor Opposition talks to Queenslanders each and every day and consultation regarding this matter has occurred through discussions with Queenslanders.

Consistency with legislation of other jurisdictions

The amendment is specific to the legislative framework of the State of Queensland.

Notes on provisions

Part 1 Preliminary

Amendment 1 omits section two of clause 2 of the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025 so that proposed Part 4 amendments commence on assent, consistent with the *Acts Interpretation Act 1954*.