

## Guy Barnett MP

Attorney General  
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Tasmanian Government **Media Release**

Guy Barnett, Minister for Health

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### **Tough new sentencing Bill for child sex offenders is one step closer after Labor's Bec-flip**

New sentencing legislation to ensure child sexual offenders receive the punishments Tasmanians expect is set to pass the House of Assembly today with the Labor Party reversing its ten-year-long opposition to the Tasmanian Liberal Government's policy to strengthen our sentencing laws.

The *Sentencing Amendment (Presumption of Mandatory Sentences) Bill 2023* introduces a minimum sentencing presumption for child sexual offenders.

This means the sentences imposed for those who commit serious sexual crimes against children will have an absolute floor which cannot be breached without very strong reasons why.

Attorney-General and Minister for Justice, Guy Barnett, said the Bill recognises the voices of victim-survivors and the Tasmanian community more broadly.

"In drafting this Bill, we have listened to the voices of victim-survivors who far too often have despaired at some of the sentences handed out to child sexual offenders in the past," said the Attorney-General.

"We have listened to the people of Tasmania who have given us a strong mandate since 2014 to demand child sexual offenders be given the strongest possible sentences.

"Nothing is more important than protecting our most vulnerable."

The Bill is set to pass with the support of the Labor Party, backflipping on their opposition to earlier iterations of the Bill, in 2017, 2020, and 2022.

"I welcome the Labor Party's backflip. Labor has campaigned against our mandatory sentencing Bill for ten years, ignoring the pleas of victim-survivors and the Tasmanian community.

"It seems the penny has finally dropped for the Labor Party and they've realised they can no longer callously ignore our community's clear expectations when it comes to protecting our children and young people".

"Now late in the day they've backflipped. Labor stand for nothing. They are wishy washy and Tasmanians don't believe anything they say."

The Bill provides for the presumption of following minimum sentencing terms:

1. 4 years' imprisonment for the crime of rape (section 185 of the Criminal Code) where a victim is under 18 years at the time of the offence;
2. 4 years' imprisonment for the crime of persistent sexual abuse of a child or young person (section 125A of the Criminal Code) where at least one of the unlawful sexual acts is an offence of rape;
3. 3 years' imprisonment for the crime of persistent sexual abuse of a child or young person (section 125A of the Criminal Code) where there are circumstances of aggravation and none of the unlawful sexual acts is an offence of rape; and
4. 2 years' imprisonment for the crime of penetrative sexual abuse of a child or young person (section 124 of the Criminal Code) where there are circumstances of aggravation; and
5. 2 years' imprisonment for the new crime of penetrative sexual abuse of a child or young person by a person in authority (section 124A of the Criminal Code).

Tasmania will be the first jurisdiction to introduce a minimum sentencing presumption of this kind.