



Speech by

HARRY BLACK

MEMBER FOR WHITSUNDAY

Hansard 24 March 1999

CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Mr BLACK (Whitsunday—ONP) (10.17 p.m.): I rise to support the Corrective Services and Penalties and Sentences Amendment Bill 1998 introduced by the honourable member for Warwick. I have listened with interest to the debate and to the varying points of view expressed by the members of this House. We have heard about the perpetrators and their victims. We have heard about the anger in the community. We have heard members attack each other over their understanding of the finer points of the Bill, and we have all heard that the Labor Party makes it quite clear that it believes in being soft and that its members will be voting together, as they always do, against this Bill.

Let me illustrate to the House just how contradictory the Labor Party is. I refer to an article in the Townsville Bulletin dated Monday, 22 March about a convicted wife killer in Townsville. The article is about how this killer deserved a much tougher sentence than eight years' imprisonment, with a recommendation for parole in just over three years. The person calling for this tougher sentence was not anyone from this side of the House; rather, it was the Labor member for Mundingburra.

Before I continue with the remainder of this article, let me remind the members of this House of the actions of the member for Mount Gravatt. On Wednesday, 10 March when we debated the Bill in the House, the member for Toowoomba South kindly reminded the member for Mount Gravatt of a question she had asked the Opposition when it was in Government. The question showed great concern over the early release of a convicted paedophile who was sentenced to five years' jail and was released after serving—in the Minister's own words—"just" two years and 11 months of that sentence.

The member seemed quite concerned about the early release of this prisoner and accused the then Minister for Police of being soft on crime. What a turnaround we now see as this Minister, the member for Mount Gravatt, sits on the other side of the House and clearly displays a hypocritical, soft-on-crime attitude.

Not only is the Labor Party hypocritical, but its members also contradict each other. Let us look at the arguments of the Labor member for Archerfield against this Bill. The member for Archerfield asked us to consider some scenarios, the first of which was poor John, an all-around good guy who in a drunken rage assaulted his wife. Unfortunately, she fell over a balcony and ended up in a wheelchair as a paraplegic. As a consequence, poor John was sentenced to 14 years' jail, which means he will probably be out within seven years if he behaves. What about his wife? What about poor Mrs John, sentenced to a wheelchair for the rest of her life? She gets no time off for good behaviour. But let us not be harsh on poor John, because he was drunk and did not really want to hurt her.

What about poor Don, another all-around nice guy who just could not cope with long-term unemployment so decided to break into his neighbour's property, was startled and shot his neighbour dead as a result. Poor Don got sentenced to 14 years' jail. Again, what about poor Don's neighbour—his wife and children, who have been left without a husband, father, breadwinner? Again, this is a life sentence for this family, with no time off for good behaviour. But let us not be harsh on poor Don, because he was depressed and did not really mean to kill his neighbour.

The member for Archerfield asked us to consider one more example: poor Jenny, a good kid who, whilst under the influence of heroin, got involved in a car theft scam. Poor Jenny! While off her face on heroin she drove a stolen car and killed a school-aged child. She also got 14 years' jail. Only 14 years for taking an illegal drug, stealing somebody else's car and then killing a child? What a pathetic

sentence for such acts. But she, too, will be released for good behaviour. Let us not be too harsh on poor Jenny, though, because she was under the influence of heroin when she committed these crimes. She did not really know what she was doing. Tell that to the family of the school-aged child that has been sentenced to life without seeing their child grow up and become an adult.

I do not even have to tell the House how pathetic the excuses for these scenarios are. Another Labor member can do that for me—the member for Mundingburra—through an article in the Townsville Bulletin, which I mentioned earlier. It is quite clear from this article that the member for Mundingburra is upset with the excuses given by the convicted killer for his actions. The member scoffed at Nick's claims in court that his actions could have been caused by mental fragmentation, said that there was no-one to defend the reputation of Maria and said that she believed it was incredibly unfair. Nick, of course, was the killer and Maria is the now-dead wife.

We see one Labor member campaigning in the community for tougher sentencing with no consideration for pathetic excuses for crime, such as mental fragmentation, and with a lot of consideration for the victim who, as the member for Mundingburra quite rightly notes, cannot give her side of the story because she is dead.

We can bet our bottom dollar, though, that the member for Mundingburra and the member for Mount Gravatt will both vote against this Bill, along with the rest of their comrades. It seems strange to me that Labor Party members can change their minds between Opposition and Government and between the electorate and this House.

On a different note, I draw to the attention of members some other factors which should enter this debate. We in this House do not usually see first-hand a lot of the problems legislation is directed at solving. In this case we do not have to deal with the victims battered and bloodied, we do not have to deal with the parents and friends of the victims, and we are not responsible for catching the perpetrators of these violent acts, for preparing the cases and working towards the conviction of these criminals. We rest easy in the security of our offices, leaving others in the firing line. We glean our information from the reports of newspapers on our desks. The Courier-Mail of Friday, 19 March draws attention to the National Party women's section calling for an appeal to be lodged over the inaccuracy of a sentence of one Paul Clark, who killed a 32-year-old woman, tied a block of wood to her abdomen and threw her in the Brisbane River. Spokeswoman Pam Stillman says we would not be outraged if we knew the full details of this woman's death—

Mr DEPUTY SPEAKER (Mr Mickel): Order! This matter is before the courts. I ruled last time and I ruled earlier that if the matter was before the courts the member would be out of order. I ask the member to keep his comments general rather than refer to a specific case.

Mr Reynolds: How about being fair dinkum?

Mr DEPUTY SPEAKER: Order! I ask the member to continue. I will listen very carefully.

Mr BLACK: Thank you, Mr Deputy Speaker, for your ruling. The community knows only part of the story of these offences and it is outraged. Our police force knows the full story and is held responsible by the community for our safety. It is unable to tell us the full story, as it may prejudice a case. It is not even allowed to tell us if there is a paedophile living in our midst. Heaven forbid that the paedophile might cop some flack!

How frustrating it must be to try to protect the majority of decent society when offenders literally get away with murder. How frustrating it must be to put one's own life at risk to catch these offenders, only to later see the system ensure that they are back on the streets in no time at all.

It is also clear that much attention has been paid to initiatives to prevent crime, and rightly so, but these initiatives are useless while we have the likes of the Labor Party making excuses for crime and taking responsibilities away from rights.

The legislators have our police force out there every day working with our children with Adopt-a-Cop programs, with women and some men in the protective behaviour programs, with neighbourhood watch and safety house initiatives, with community consultative programs and with programs to identify drug and alcohol abuse and domestic violence. We have Camp Run Amok for the kids, we have new strategies to beat antisocial behaviour and so on.

The objectives of the crime prevention unit are to reduce the opportunity for property crime, to teach strategies to empower people to prevent their becoming victims of personal crime, and to reduce the fear of crime in the community. It would appear that there is a program to help with almost every known problem out there in the community. Certainly there should be no excuse for not knowing what is right and what is wrong.

The Queensland police force is currently embracing problem oriented policing. This type of policing endeavours to stop crime before it begins and to minimise the effects of crime. It endeavours to assist in the solving of crime through the efficient use of gathered information by cooperating with the community in the development of unified strategies to combat problems. My point is that our police

force, those brave men and women who risk life and limb to protect us, is working daily to prevent crime. There are programs and more programs for offenders and their victims and for the community as a whole.

If after all this the heinous crime is still committed and the criminal convicted and sentenced, our police have to know that the sentence will be served. Our police should not be continually frustrated in their efforts to protect us from violent offenders. The family of the victim has to know that there is a penalty to pay and that the penalty will be paid in full. Our kids have to be safe in the knowledge that, after years of being told by parents, police and teachers what is right and what is wrong, what rights comes with responsibilities and that if a violent crime is committed the offender will be punished, they will be held accountable for their actions.

As the member for Surfers Paradise said, individual responsibility in the community must be acknowledged. We have to know that if, after all these programs and strategies have been implemented and worked through, a person still commits a violent act against another, he will pay the price in full. The person who has taken a life or caused great trauma to another human must be punished for his crime by being removed from the community for the whole period of the sentence. Once he is in prison, there are more programs to rehabilitate and reform him, so he still gets that chance to re-enter the community as a better person. Our police who have to scrape broken bodies into bags and the families and loved ones who look on deserve to know that, after the sentence is imposed on the offender, it will be served in full.

I have shown here tonight that the members of the Government do not all believe this legislation to be negative. I have shown here tonight that some members of the Government think the same way as members on this side of the House do and understand the community outrage at lenient and reduced sentencing. I call then for those members—in fact for all members of this House—to vote upon this Bill according to their conscience, not according to party lines. The victims, the families, the community and the offenders all deserve nothing less. I commend this Bill to the House.
