



Speech by

Mr L. SPRINGBORG

MEMBER FOR WARWICK

Hansard 23 March 1999

DRUG COURT TRIAL

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (6 p.m.): I move—

"That this House calls on the State Government to establish a Drug Court Trial in Brisbane by the end of the 1999 calendar year; and

That the trial and all rehabilitation and counselling services be funded by the more than \$20m annually saved by removing fine defaulters from Queensland jails."

Tonight we have the opportunity to do something positive—something very positive— about the devastating drug problem that has the potential to ruin so many individual lives, so many families and so many communities. Drugs is not an issue that should ever be politicised and that is why the State Opposition has been dealing with this issue in a most positive way, by bringing forward suggestions and solutions for all sides of the political spectrum to consider. There is no doubt that drug addiction has a devastating social impact on Queensland. Equally, there is no doubt that drug addiction has a devastating impact on the levels of crime in Queensland. A drug addiction is a health problem, but it is a health problem that leads to criminality, to social breakdown and to family breakdown. Drug addiction has no social bounds, it has no occupational bounds, it has no ethnic bounds and it has no geographic bounds. Similarly, it has no political bounds.

Tonight's motion is about being positive. It is about taking action. It is about finding the funding and it is about demonstrating a genuine commitment to tackling the problems of drugs in our community. It is also about tackling the social, economic and criminal consequences of drugs. Tonight's motion is not about finding ways to stall. It is not about trying to attack Canberra. It is not about using the victims of drugs and the victims of drug-related crimes as some sort of political pawns. Nor is this a motion about rhetoric and costly conferences. Instead, tonight's motion is pure and simple: it says, let us do something about the drug problem now.

When the State coalition first proposed a trial of the drug court program at the beginning of February, I was delighted by the widespread support it received. There was support from the Victims of Crime Association, the Queensland Civil Liberties Council and various drug support groups. Even the Attorney-General went on radio to say that the concept had some merit, but he cautioned that Queensland should wait until the results of the New South Wales trial were known. One month later, the Premier gave the concept his thumbs up and I welcome his belated support for the initiative. However, the Premier then tried to turn the issue into a political one by attacking Canberra.

By contrast, the State Opposition has continued to demonstrate that it is at the forefront of law reform in this very important area. It has continued to demonstrate that it is the main agenda setter when it comes to tackling the very serious issue of drugs in our community. The Opposition is not here to turn this into a debate between Queensland and Canberra as to who should fund this major initiative. We are here to come up with models. We are here to come up with solutions as to how these proposals can be funded.

Last financial year, taxpayers forked out over \$23m to imprison over 2,700 fine defaulters. Prisons are not there for fine defaulters. They are there to keep serious violent offenders off our streets and to rehabilitate them, and to protect the community from vicious predators. That is why the former Borbidge Government and, more particularly, my colleague Denver Beanland introduced the Fines Bill into State Parliament in April of last year. That Bill was specifically designed to prevent fine defaulters from clogging our jails by providing various options for those who refused to pay their fines. Those

options included a proposal to pay fines in instalments, to undertake community service, to face the prospect of asset confiscation or to face the threat of having one's driver's licence suspended. The Fines Bill was introduced to State Parliament, but it lapsed when the Parliament was prorogued for the State election in 1998. Since then, this Government has dithered and refused to reintroduce the Bill. It is estimated that since the last State election at least 2,000 fine defaulters have been incarcerated at a cost to Queensland taxpayers of over \$17m. This does not include the collection of a potential \$62m in outstanding fines.

Following a recent report from the Criminal Justice Commission that confirmed the extent of incarceration of fine defaulters, the coalition decided that Queensland could not wait any longer for the Beattie Government to stir itself into action on this matter. That is why I announced that later this week I shall be introducing a private member's Bill to deal with the issue once and for all. Of course, as reported in today's paper, the Beattie Government has now been pressured into action. It has taken nine months for the Government to announce that it will be doing something in three months' time. That is not necessarily a good recommendation for a can-do Government.

No matter whose legislation is ultimately adopted in the Parliament, there will be significant savings. Tonight, we have an opportunity to direct those savings to something very worth while. We have an opportunity to direct those savings to the first trial of a drug court in Queensland. Honourable members should forget the arguments about who should be funding this proposal. We cannot delay these things and play political games. We have to take action. We have to be a can-do Parliament.

Courts have traditionally been the province of the State and the State Government must assume responsibility for finding the funding for this trial. If the Federal Government wants to chip in and assist, that is great. However, a trial of a drug court should not be determined solely on whether or not Canberra helps out. That sort of can't do rhetoric was not the stance adopted by the Labor Premier, Bob Carr, in New South Wales. Over a month ago he set up a trial of a drug court in Parramatta without any assistance from the Federal Government and there is no reason why Queensland cannot do the same. I have put in place a realistic time frame, by the end of the 1999 calendar year.

Drug courts were first trialled in the United States by President George Bush and were developed further by Bill Clinton. They have been a tremendous success. Under my model, people on the program would be required to undertake drug counselling and rehabilitation, and would have to remain drug free for a period of up to four years. Those sorts of issues are for the court to determine. They would be required to undertake community service and further education if the drug court prescribed, obtain full-time work, be current in all financial obligations, including child support payments where applicable, and be involved in a community charity organisation if the drug court so required.

Rather than adopting the age-old adage of just jailing drug-addicted criminals in an environment where they are not encouraged to rehabilitate, the drug court offers a carrot-and-stick approach. Under a drug court sentence, the offender is given an opportunity to rehabilitate. They are given the opportunity to undergo treatment and random drug tests. To qualify, they must obtain full-time employment and they must be able to demonstrate that they can meet all their financial commitments. If they fail the program—if they are not serious about rehabilitation—they will end up back behind bars, but the decision is theirs to make. This is all about responsibility for self. We must ensure that all rehabilitation and counselling services are on offer.

The success of the program in the United States has been outstanding. Obviously, success rates have varied. In areas of great social decline, the success rate has been less than in the more affluent areas that have greater job prospects and less temptation to return to drugs and crime. The results have been extremely positive nevertheless. For those who have successfully completed the drug court program, the rate of those who returned to crime was estimated at between 4% and 20%. Compare that with the people who have been processed through the conventional justice system—more than 40% of whom reoffend—and one can begin to see the enormous benefits of the program. In the United States, among those who failed the program and had to return to serving a normal sentence, recidivism rates are as little as 28%. That is still about half the rate for those in the conventional system. From the United States' model we are able to see that 70% of those who have entered the program are either still in it or have graduated. Sixty per cent of those people have actually remained drug free. It is also estimated that as a result in the United States 525 babies have been born drug free, which has led to savings to the US Government of some \$230,000 per child.

From all the evidence, there is certainly enough data to suggest that this program is worthy of at least a trial in Queensland. It is estimated that between 60% and 70% of all crime in Queensland is related to drug or alcohol abuse. That is why we must seize this opportunity to tackle one of the key causes of crime. That is why we must be positive and why we must act. We must be determined to look at these new initiatives.

Tonight I say to all honourable members that they must consider this motion. It is a good, positive motion. It is about being proactive on addressing the problems that drugs cause in our

society—the enormous social problems, the enormous crime problems and the enormous problems of family debilitation. Those are the sorts of things that many of us see every day. This is not an opportunity for the Parliament to be political and amend the motion; it is an opportunity for the Parliament to be proactive and to put in place a program that has been proved to work worldwide.

Time expired.
