



Speech by

Mr LEN STEPHAN

MEMBER FOR GYMPIE

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CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Mr STEPHAN (Gympie—NPA) (10.56 p.m.): It gives me a great deal of pleasure to take part in this debate. As has been mentioned before tonight: commit the crime, and you also do the time. That is one message that we can certainly convey to the community itself. For that reason, I am very pleased about the number of police who are being made available to schools, because it would be a big plus if we could get that message out to our young people through those school-based police. Not only can those police relate to the students themselves, but they can perhaps get a handle on the so-called difficult students before they get into trouble.

I am sure that all members would realise how easily young people can get into trouble. They can also be good actors, not only when they are at school but also in their adult life. I recall very vividly one fellow who was incarcerated in a prison. It supposedly did not take him very long to realise that he was a new man. In one of his letters to me, he said how beautiful the trees are, how God is in the heavens, and how he had suddenly become a different person. I would like to think that he continued to feel that way for a long time. Unfortunately, when he was released, he went back to taking joy-rides and stealing whatever was not nailed down. I am sure that all members can relate to people of that particular ilk; there are a lot of them about, and we should ensure that we help them, if at all possible, but sometimes that is not the case.

Mr STEPHAN (Gympie—NPA) (8.30 p.m.), continuing: Previously, when I was speaking to this Bill I referred to how people can change when they are faced with difficult circumstances. I well remember one of my constituents who was incarcerated. After about a week or so in jail, he found that he had become a different person altogether. Suddenly, all the birds were in the sky and everything was beautiful. However, when he came out of jail, he went back to being the person he was previously. Also, when I spoke earlier to this Bill I referred to those police who have taken an interest in going out to the schools and speaking to young people about crime. I believe that those police are to be congratulated for that work.

At the present time in Australia there is a lack of data on the drug problem. If we had that data, we would know how we were going in terms of combating the drug problem. However, there is some evidence that the link between drugs misuse and criminal activity, particularly property crime, is significant. A typical scenario involves the committal of an offence to obtain money to buy drugs. I believe that, deep down, that is the problem: the offenders become dependent upon drugs. For example, a recent study of drug use among people arrested for crimes in England indicated that 61% of offenders had traces of an illegal drug in their urine at the time of their arrest. As well, the Government in New South Wales claims that 70% of prisoners in its jails are there because they have committed drug-related crimes.

The first trial of a drug court in the United States was launched in Miami in 1994. In 1997, over 200 drug courts were in operation throughout the United States, demonstrating that a lot of crime that is committed is drug related. In New South Wales, to be eligible to appear before a drug court to be reprimanded or charged, offenders have to be 18 years and over; to be charged with a non-violent offence, that is, not involving physical violence or sexual assault against any person; to have no such previous offences pending before a court; to be dependent upon illegal drugs; and be likely to be sentenced to imprisonment for the offence. However, the guidelines in the United Kingdom argue that

such a program should not be denied to someone under 18 years of age if they are otherwise suitable. It is also important to the success of this initiative that the community and those involved understand the limitations as well as the possibilities of the treatment program. Relapses will occur and the system should be sufficiently flexible to deal with them. There must also be a determination of the level of failure that we can live with.

Under those circumstances, Queensland and, in fact, the rest of Australia has a long way to go towards combating the drug problem. We see so many ads on TV that are specially aimed at alcohol abuse, yet the statistics show that a huge percentage of people are driving under the influence of a drug other than alcohol. All of us must do more to fight the war on drugs. It is time for action. Instead of asking what it is that we can do, we should put our heads down and find out what we are fighting, and that is drug abuse and drug trafficking.

Our main weapon and, at times, our only weapon, has been prohibition and police action. In more recent times, we have recognised the need for alternative or complementary treatments, such as methadone and other synthetic drug treatments which can be substituted for the hard-core drugs of addiction. Indeed, we have become world leaders in the use of some of these treatments. However, the problem is still with us. We must continue to wage a war against these drugs if we are going to get on top of the problem. We must continue to provide the resources to our police, our schools and our community groups who are at the front line in the fight against drug abuse. Our laws must remain tough. The message must go out that drugs are not cool and that substance abuse is a fast road to nowhere. It does not matter at all if it is a soft drug or a hard drug; those who abuse are losers.

Of course, preventive measures are aimed primarily at confining the supply of drugs and partly containing their demand. It is within this latter domain that we must do more. We must find a way to get more of those who have been dependent into rehabilitation that is designed to get them off the drugs of dependence and into abstinence. We need to give them their lives back. We need to give the broader community what it really needs: a future with less crime, a safer future with less disease, and a future where people can have some confidence that their children and their grandchildren will not be sucked into the drugs vortex.

While only a small percentage of the Australian population currently uses heroin, the problems associated with its use are substantial. During this address, a number of Australians will fall victim to drugs. Some will be robbed in their homes, some will have their cars stolen or their bags snatched, some will be assaulted, perhaps by a stranger or perhaps by someone dear to them. Some will be sick—sick with malnutrition, sick with infection, sick with hepatitis C or with the HIV/AIDS virus, and some will lie in the gutter.

A mass of evidence puts beyond argument the proposition that heroin is linked to property crime and the spread of diseases. Most agree that between 50% and 70% of street crime is drug related. Heroin-related deaths have increased steadily over the past 10 years. It is estimated that there are between 60,000 and 120,000 dependent heroin users in Australia and the number is growing each day. Those people are 13 times more likely to die than people of the same age and gender in the general population.

Leaders from all walks of life and others are echoing the message: do more on drugs. We must hear it, we must listen and we must act. There are things that we can do better, but it is all a question of funding, staff levels and practicalities. We have to work with what we are given. The one thing that I would desperately like to see introduced would be a definition of what is a drug. There are always new drugs that come onto the market—some that can cause a great degree of impairment. We know that this is a problem and it is certainly not going to go away. We need to address the problem now before it gets any worse.
