



Speech by

Mr M. ROWELL

MEMBER FOR HINCHINBROOK

Hansard 10 March 1999

CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Mr ROWELL (Hinchinbrook—NPA) (10.46 p.m.): Tonight we have heard a lot from both sides of the House about the Corrective Services and Penalties and Sentences Amendment Bill. I think it is extremely important that we take a great deal of notice of what has been said. Having said that, as we go throughout the various electorates we find that there is a determination that changes need to be made in relation to the penalties handed down for the commission of the very serious crimes that occur throughout our State.

This Bill will to a large extent correct problems of deterrence, which is an important aspect in the sentencing of people who perpetrate crimes that attract a sentence of 10 years and over. Of course, there are instances where the judge may decide on penalties of between five and 10 years. Unfortunately, I believe incarceration is the only penalty of significance to those people who seriously offend others throughout the State of Queensland.

People who believe in the "softly, softly" approach are presently outnumbered by those who are very concerned about serious crime in this State. It is fine to be a civil libertarian and it is fine to take a position that is probably on the side of the criminal to a certain extent, to give him due justice—I think everybody wants to ensure that due justice is served—however, it gets to a point where people who perpetrate extremely serious crimes should be punished to the full extent of that penalty brought down.

It is this Chamber that gives the judiciary direction in relation to those worthwhile deterrents. The judiciary can only deal with the law given to it. A lot has been said about the separation of powers—that is extremely important; we cannot get involved in the decisions that judges make—but direction is extremely important.

Perpetrators of serious crime are aware of the moderate sentencing that occurs from time to time. I think it is up to us as legislators to ensure that people who commit these crimes are locked up for the mandatory period given by the judiciary at the time of sentencing. This relates to serious crimes, those attracting penalties of 10 years and over. Yes, there was a revolving door policy in the early 1990s. There were limitations on what was able to be done by the judiciary, but we need strong deterrents. People need to live in safety and security.

Many of the people who perpetrate crimes live on the periphery of society. They really abuse the system. They know damned well that, if they commit a crime, there is not a great likelihood that they will serve their full sentence. I suppose one might say that they are not normal people. Life is really a challenge to them. They vary, to some degree, from normal people. At present, because of the number of crimes that people like that commit, law-abiding citizens are not receiving the acknowledgment that they duly deserve.

Many of the people who commit crimes are often insular people who go about their own business. They do not mix widely with others—other than people of their ilk. Very often, they live in a microcosm of violence, and I believe that that microcosm generates a great deal of peer group pressure. They will commit crimes of violence with the full knowledge that they are probably not going to receive due penalty. They have no regard for personal property. They do not care if they damage somebody's property. They do not care about their behaviour. That is not important to them. Their personal behaviour is of no consequence.

Often, the victims of crime are left in a terrible state. We have heard many testimonials to that effect in this House tonight. It is extremely difficult for a victim to ever recover from some of the crimes that have been perpetrated on them. If this situation prevails, then we will see anarchy within our State and within the laws of Queensland, and I am absolutely certain that nobody in this House wants to see that.

As I have said, our laws are passed in this place. We meet the needs of society. I believe that society is saying to us that we need to strengthen the laws regarding serious crimes. Of course, Parliament is exactly the mechanism that can carry out that duty. There has also been put in place a mechanism that will allow those people, once they leave jail after serving their period of imprisonment, to be considered for further judgment, I suppose, by a judge. After six months as a minimum, and for up to five years, a judge can make a decision as to whether a person should stay within the system for the five years, and the community supervision period will allow that to happen. The conditions will be in accordance with their behaviour in prison. This is really a positive approach.

I turn now to juvenile crime, which is an issue of major concern within my electorate. At present, young people of 15 and 16 years of age are breaking into houses. It is extremely difficult for them to be brought before the courts, and when they are, the sentences are very, very mild. They just scoff at the system, they simply laugh at it, they carry on, and they commit these crimes again. In one case of which I am aware, a young person went into a person's house, took a bottle of scotch, walked past the owner of the property, drank the scotch and went on his merry way. I believe that we have to try to stop these types of things from happening in the early stages because, if we do not, we will find that those people will then go on to a life of crime because they know that they can get away with it. Our major responsibility in this House is to ensure that those types of things are kept in check.

I had to speak to the Assistant Commissioner of Police in Townsville about this situation. There is no doubt that the police need the absolute maximum of support that communities can give them. Of course, the reporting of crimes, and not allowing people to get away with crimes such as those I have mentioned, is extremely important. Those are the types of events that can lead to other events. What we will find is that young people will perpetrate crimes, get a mild sentence, and then just laugh at it and go on to bigger and better things. That really is the seedbed of a lot of criminal activity that carries on into their adult lives.

I support this legislation. It requires the closest consideration of this House, because unless we can put in place deterrents to those people who are going to perpetrate major crimes, then I believe that they also will scoff at the system and carry on and, in many cases, reoffend. There needs to be a system that stops them, and I believe that this legislation has the capacity to deliver just that.
