



Speech by

Mr. R. CONNOR

MEMBER FOR NERANG

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CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Mr CONNOR (Nerang—LP) (9.49 p.m.): I rise to speak to the Corrective Services and Penalties and Sentences Amendment Bill mainly because back about seven years ago I think I was one of the first in this House to start speaking about truth in sentencing. I want to speak very briefly just to show my support and to hark back on what things were like back then—seven, eight or nine years ago. Honourable members might remember the revolving door prisons and the 104 escapes in one year. There were many problems in the prison system and we were certainly looking around for some sort of answers to that. I am not suggesting for one moment that we are back in those days and that things have not improved. I think it goes without saying that probably the most important responsibility of an elected Government is to maintain law and order. This is what all this is about.

What we were talking about back then was trying to deal with a system that was breaking and we were saying that truth in sentencing should go across-the-board. I can accept the fact that this piece of legislation extends only to serious violent offenders and only to those who are sentenced to 10 years' imprisonment or more. I also accept that there is the cost involved in trying to imprison people across-the-board. As far as I am concerned, this is a little watered down. So it surprises me why the Government is not prepared to support it.

It is quite clear from the second-reading speech and also from the Bill itself that the provisions are not retrospective. They will apply only to people who commit a crime after this is put into place. It is only for serious violent offenders; it is only for those who have been sentenced to 10 years' imprisonment or more. Quite clearly, I think the public has an expectation that, if someone is sentenced to 10, 11 or 12 years, the prisoner actually serves that. Honourable members may also remember back in those days that a lot of those prisoners were getting out in about a quarter of the time. Again, I am not suggesting that that is the case now. They were getting out in about a quarter of the time and things had to be tightened up.

They had some amazing remission systems back in those days. If a prisoner walked in the front door of the prison, they immediately got a third off their sentence. That was just for walking in the front door. Then they had a month remission if they were on a farm. They had a month a year remission if they were downgraded to below medium security. They got a remission for Christmas Day. They got a remission for this and for that. With all the remissions, no wonder they were called revolving door prisons. As I said, the Bill is not retrospective. It is a move forward. It is tidying up the prison system.

Mr Foley: You did promise to be brief.

Mr CONNOR: I will be very brief. As I said, the Bill does not remove the classification system. There are still incentives for good behaviour in prison. One knows that prisoners on the maximum classification have very limited privileges. As they go down to medium and low and into the open security, the level of privileges improves and, of course, as they get into the more open security prisons there is a great incentive there. As well, there is still supervision—this is one of the other criticisms—when the prisoners leave. As I understand it, all of the criticisms that have been levelled against—

Mr Foley: What about if you break the terms of your supervision? Under parole you go back and you do the rest of your time. Under this you commit a simple offence.

Mr CONNOR: A person can still be imprisoned. If they go back into court, they can still be imprisoned.

Mr Foley: But not for the rest of the term.

Mr CONNOR: But the supervision can be extended, as well. If it is a serious offence, they can still go back before the court and they still can be charged, convicted and resentenced.

Mr Foley: That would be a lesser deterrent.

Mr CONNOR: But they have already done the 10 years. The Attorney-General would have them back out on the street. Under the old system under the Goss Government, while the member was there——

Mr Foley: I see. Ten years doesn't mean 10 years; it means 12 years.

Mr CONNOR: No, what it comes down to is that in the past the 10 years meant three or four years. So those prisoners would have been out on the street for another six years. That was under the previous system. They should have been doing an extra six years. At least this is genuine. If they are sentenced to 10 years, they will actually do it, and that is what it is all about—truth, honesty. The other criticism is that in some way——

Opposition members interjected.

Mr CONNOR: Can I speak here? I thought I had the floor. Mr Deputy Speaker, with your protection——

Mr DEPUTY SPEAKER (Mr Mickel): Order! Could the two members having a conversation continue it outside? I am trying to listen to the member for Nerang.

Mr CONNOR: That is very kind of you, Mr Deputy Speaker. I appreciate your concern.

As I was saying, another criticism that has come up is that this in some way removes or reduces the judge's discretion, but that is not the case at all because it is the judge who sets the sentence in the first place. We are talking only about serious violent offenders sentenced by a judge to more than 10 years' imprisonment. If the judge felt that it was unfair for that prisoner to serve more than 10 years' imprisonment, quite simply it is at the judge's discretion for it to be less than 10 years. If it is between 5 and 10, the truth in sentencing aspect is also at the discretion of the judge.

Again, I cannot understand why the Government is not prepared to support this piece of legislation. I have sat in this House for nine years listening to all of the arguments against truth in sentencing. This Bill has dealt with every one of the criticisms that I have seen lodged over that period. Again, the Government is still not prepared to support it.

Mr Foley: You promised to be brief.

Mr CONNOR: As I said, the Attorney-General keeps provoking me. If he stops provoking me, I will get through this.

In his campaign speech the then Premier, Rob Borbidge, made a commitment to increase the threshold to 100%.

Mr Foley: Threshold?

Mr CONNOR: The threshold was previously, if the Attorney-General remembers, 80%. We brought the truth in sentencing up to 80% and the idea of this is to bring that threshold to 100%. There was also the criticism in the past, he may recall, that this would dramatically increase the cost of building prison infrastructure because of the additional number of prison beds required by the increased number of prisoners who would end up in prison. As has been pointed out, I think, by Mr Springborg, the shadow Minister, only about 5% of the prison population fits into this category and, as I said before, the Bill is not retrospective.

On that basis, I would just like to repeat my support for this piece of legislation and express amazement that the Government is not prepared to accept it.
