



Speech by

Hon. R. E. BORBIDGE

MEMBER FOR SURFERS PARADISE

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CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (9.04 p.m.): It is very clear that the can't do Government is out in force tonight. What we have in this place tonight is a constructive proposal put forward by the Deputy Leader of the Opposition in respect of making sure that the legitimate aspirations of the people of Queensland are reflected in the statute law of this State.

Mr Foley: It's a political statement.

Mr BORBIDGE: I will come to the member in a minute. I am saving up for him. He should control himself.

Madam DEPUTY SPEAKER (Ms Nelson-Carr): Order! I cannot hear the honourable member.

Mr BORBIDGE: What a rabble they are, Madam Deputy Speaker!

The honourable member who preceded me obviously ignores two facts. Firstly, she is not aware of the contents of the Bill and, secondly, she ignores very much the principle of individual responsibility in our community. When the Deputy Leader of the Opposition introduced this legislation, he said—

"The Corrective Services and Penalties and Sentences Amendment Bill 1998 provides for 100% custodial sentences for specified classes of violent offenders. It also provides for certain flow-on changes that are required as a consequence of this."

Ms Struthers: How do you define them?

Mr BORBIDGE: If the honourable member had read the Bill, instead of parroting the brief prepared by her lamentable Attorney-General, she may have been able to make a more substantial contribution to this debate tonight.

The previous coalition Government inherited a situation from the Labor Party whereby, if someone was sentenced to 10 years, they were out in five, and very often a bit less.

Dr Watson: Less than that.

Mr BORBIDGE: Or less than that. If the full force of Labor's law was applied, they were out in about half the time. We increased that for serious violent offenders. We said that there was a very strong feeling within the community that Governments had to respond and do more. And in respect of serious violent offenders in the community—I repeat "serious violent offenders" for the benefit of the member for Archerfield—that was increased to 80%. We made a mistake. We should have increased it to 100%.

I make no apologies for the fact that, after some 26 months in Government, under the coalition Government there were 2,000 more criminals behind bars than under Labor. After 26 months of coalition Government in this State, there were 2,000 criminals who, under Labor, would have been walking the streets of our cities and towns committing crime but who instead were behind bars in this State. That was part of a total Government approach to dealing with what had been an escalating crime problem. So we responded, and I believe that we responded largely effectively.

But whether or not we want to admit it—and the Attorney-General can be absolutely seized with high principle of the moment and with what is said from law societies, from the Bar Association and from other learned people of the law—the fact is that a lot of Queenslanders do not have a lot of faith in the criminal justice system at the present time. They see time and time again people back out on the streets when they should not be there.

I make the point that our job as legislators is to make the law and to make sure that the laws that are passed in this place reflect the community expectations and the views of the people whom we have the privilege to represent. The first obligation of any Government in a democratic society is surely the safety, security and wellbeing of its citizens in their homes, their places of work and public places around this State. Certainly I think it is fair to say that on both sides of politics there has been a growing recognition of this. Many good initiatives have been put forward over the years, some from the Labor side and some from the coalition benches. However, it is important to make the point that if we are going to be relevant, if people are going to have confidence in the rule of law, if they are going to have confidence in the criminal justice system and if they are going to have confidence in the Parliament as the institution that makes the laws, the Parliament must be connected and in tune with the people.

For some time I listened to the Attorney-General, and every time I listen to the Attorney-General and Minister for Justice I think that he makes a splendid Minister for The Arts. We heard another one of his contributions tonight. There is a certain irony in the fact that this week we saw the first law officer of the Crown encourage certain activity in respect of the Gordonstone mine and he said that it was okay to break the law in respect of a political issue, but when it comes to doing his duty he goes missing. Time and time again we hear, "Where are the constructive proposals from the Opposition? Where are the policies of the Opposition?" What we see tonight is the very clear difference between the coalition parties in this Parliament and the Labor Party. People on this side of the House are listening to and people on the Government benches are ignoring what the people of Queensland are saying and are talking about. If we look right around the world, there is increasing statistical evidence to show that those Governments that are prepared to be tough on crime—but not tough on crime alone; tough on crime in terms of sentences but, at the same time, taking a whole-of-Government approach in regard to dealing with the issues of crime—are the ones that are winning. Those are the Governments that are reducing the crime rate.

Tonight, the contribution of the Attorney-General shows a Government that is bereft of answers, a Government that ridicules a constructive proposal, a Government that ignores the fact that when the coalition increased the penalties for serious violent offenders from 50% to 80%, it had an impact.

Dr Watson: The CJC report is here. There's the impact.

Mr BORBIDGE: As my friend the Leader of the Liberal Party points out, this has been acknowledged in respect of a report handed down today, I understand, by the Criminal Justice Commission titled A Snapshot of Crime in Queensland.

Mr Foley: I have seen everything now.

Mr Springborg: He's happy to have legal advice hidden in a safe.

Mr BORBIDGE: As the Deputy Leader of the Opposition interjects, the current Attorney-General thinks it is splendid when people hold and hide legal advices in a safe for eight months and complies in an attempted coup d'etat against an elected Government.

The facts speak for themselves. In the report that has been tabled today in respect of the rate of reported offences against the person per 100,000 population, we see that the initiatives of the previous coalition Government were having an impact. What the Deputy Leader of the Opposition seeks to say is, "Hey, this is working. Let's take it a step further."

Ms Struthers interjected.

Mr BORBIDGE: It was all very interesting that the honourable member for Archerfield recited a whole lot of cases about what happens when people commit crime, yet she did not speak once about the perspective of the victim. She gave case A, she gave case B, she gave case C. She recited a series of incidents where she took the side of the perpetrators of crime. In her contribution to this debate, she did not seem to give a damn about the victims of crime—the people who, in those particular scenarios she recited, had lost members of their families, had lost children. She did not give a damn about individual responsibility in the community. Why is it that the Labor Party is great at making excuses for people who have no individual responsibility in our society?

This is a can't do Government that is full of excuses. Minister after Minister of this can't do Government stands in this place and supports the behaviour of people—their union mates—who act against the law of the State by stopping lawful Queenslanders from going to and from work, yet when the Attorney-General was given the opportunity to take a stand that matters, it was all too hard. Part of the problem that our society has in respect of the attitudes and actions championed by the Attorney-General is that he has forgotten all about individual responsibilities. Part of the problem in our community today is that people have seen the scales of justice tipped in favour of the perpetrators of crime and against the victims of crime. This legislation seeks to address that problem. As this debate continues, I and my colleagues on this side of the House look forward to widely distributing, in the electorates of those Labor members who oppose this initiative, their mealy-mouthed apologies for the perpetrators of crime in this State.

The Attorney-General and Minister for Justice has abrogated his responsibility. The Government is not prepared to take the hard options, the tough options. It is walking away from the primary responsibility of any Government in a democratic society, that is, the safety, security and wellbeing of the community. I would have thought that the objectives of this legislation warranted support from both sides of the House. The legislation seeks 100% custodial sentences for specified classes of violent offenders. What is wrong with that? We hear all this empty rhetoric from honourable members opposite that we cannot have that because we might find that the victims of crime feel that they are getting some sort of adequate satisfaction out of a criminal justice system that, whether we like it or not, unfortunately has seen a loss of confidence in recent years.

This will be one of a number of initiatives, private member's bills and issues that are coming before this Parliament that will differentiate the coalition and the Labor Party in this place.

Mr Fenlon: Couldn't do—wouldn't do— when you were in Government.

Mr BORBIDGE: I understand that the honourable member might be speaking later in the debate. When he left Government because he lost his seat at the last election, anyone who was sentenced to 10 years jail would have probably been out in four. In our two and a bit years in office, we increased that penalty by 60%. On the figures, that person would have been out before the honourable member got back into Parliament. They would have served their sentence and they would have been out doing it again before he got back here. That was his shabby, shonky, miserable little record when he was in this place last time.

Government members interjected.

Madam DEPUTY SPEAKER (Ms Nelson-Carr): Order! There is too much noise in the Chamber. I cannot hear the member.

Mr BORBIDGE: Madam Deputy Speaker, I know that you want to hear me. We know that the CJC has never been quick to praise the coalition. However, in a publication tabled this very day in this place we have a statistical report from the Criminal Justice Commission that showed that the initiatives that the coalition put in place in Government have been working. What we see from this Attorney-General is back to the future. This was the party that took six years and two and a half Attorneys-General to write a new Criminal Code. The coalition did it in 18 months.

Mr Foley interjected.

Mr BORBIDGE: My advice to the honourable member opposite is to stick to the theatre, because he is a good actor. When it comes to being the Attorney-General, the first law officer of the State, and when it comes to being the Minister for Justice, it is a bit bigger than defending the member for Fitzroy when he is arrested for stopping Queenslanders going to and from their place of work and home to their families. It is interesting to note that the only contribution that the member as Minister for Justice and Attorney-General has made is to support an alleged law-breaker and compare him to Mahatma Gandhi. In terms of the member's latest period of service as Attorney-General and Minister for Justice in this State, that is his contribution. It was interesting to note that, when the member was shadow Minister for Justice and Attorney-General, if someone wanted to lock a legal opinion in a safe for eight months, that was okay if that suited the purposes of the Labor Party and its Labor Lawyer friends at the Criminal Justice Commission.

This legislation has been an opportunity for the Labor Party to indicate that it has learned something after its six failed, miserable years of administering the criminal justice system in this State. As we are seeing with workers compensation, as we are seeing with industrial relations, as we are seeing with standards in Government and as we are seeing with the general administration of this State, Labor has learned nothing.

I know that, as we continue to debate this Bill, the members opposite may have the numbers in this place on this particular issue, but they do not have the numbers outside. The people of Queensland support and support very strongly the legislation introduced into this place by the Deputy Leader of the Opposition. In the coming months, we look forward to making sure that the electors of the honourable member for Ashgrove, the honourable member for Archerfield and the honourable member for Greenslopes and all of those other members who have been so critical of this important law reform know where they stand and that when they had a choice they went missing and sided not with the community, not with the people whom they represent, but with policies that failed before under Labor, policies that are failing now under Labor, and policies that will continue to fail under Labor.
