



Speech by

Mr T. MALONE

MEMBER FOR MIRANI

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CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Mr MALONE (Mirani—NPA) (9.32 p.m.): It is with pleasure that I rise to support the Corrective Services and Penalties and Sentences Amendment Bill. As elected representatives, we have an obligation to provide a safe environment for the citizens within our electorates. There are probably only two ways in which we can do that: firstly, by increasing the number of police in our electorates; and secondly, by keeping serious violent criminals behind bars for a long period of time.

The Corrective Services and Penalties and Sentences Amendment Bill does just that. It keeps society's enemies at bay by ensuring that they serve their full sentences. The words "serious violent criminals" are the key words because they are the prisoners who pose the greatest risk to our community. The Bill targets those hardened criminals who constitute about 5% of the prison population. Amazingly, fine defaulters made up a hefty 27% of the prison population in 1997 and 1998. But those are not the people we are targeting. We are targeting those ruthless individuals who harm fellow human beings without any compunction or apprehension.

During the term of office of the Borbidge Government the coalition increased the minimum length of time that serious offenders must serve in prison from 50% to 80%. But the electors in my electorate—and I am sure this applies to every electorate in Queensland—thought that was not enough. They wanted the coalition Government to go further. Tonight I am pleased to see that the commitment we made to introduce truth in sentencing has come before this Parliament.

It will come as no surprise to members of this House to know that when I move through my electorate of Mirani—which stretches from just north of Rockhampton into Andergrove—the issue of law and order is raised time and again. The people of Queensland are appalled that criminals convicted of serious, heinous crimes are able to walk free from jail after two years before the sentence handed down by the court has been served. Dare I say that the people are beginning to be contemptuous and suspicious of our legal system.

We must move to restore people's faith in our political and legal institutions. We can start that process with this Bill. We know that Queenslanders want the bad guys behind bars so surely we have a duty to pass this legislation. I remind the members of this House—particularly those opposite—that we were elected as representatives of the people and we are paid to represent the wishes of the majority of our constituents. We fail the electors if we do not properly represent them in this Parliament.

I challenge any member of this House to go on record and say that the people of Queensland do not want truth in sentencing; that the people of Queensland do not want the scales of justice tipped back in favour of the community and the victims of crime; and that the people of Queensland do not want safer streets and communities. I challenge any member to state publicly that Queenslanders do not want truth in sentencing.

Honourable members will not be able to do so. They will not be able to do so because they know that Queenslanders—particularly the elderly—are scared in their homes. People are scared of home invasions. People are scared to see that crimes are being committed by younger and younger offenders. People are scared about the drug problem which seems to be out of control. People are scared of the never-ending news stories about homicides, rapes and assaults which bombard our television sets and airwaves every evening. People are scared of the shortage of police who have to

perform such a tremendous effort under the very difficult circumstances in which this Government has put them.

Only a couple of weeks ago in this Parliament I raised the matter of police numbers in the town of Sarina where my electorate office is situated. Because of circumstances, towards the end of last year police numbers in Sarina fell from nine to four. The situation has somewhat improved over a period of time. A couple of weeks ago I presented a petition containing 289 signatures to this Parliament. That petition was accompanied by 22 letters. The Minister indicated that he thought that action on my part was a beat-up. I can assure the Minister that I did not orchestrate that action.

An extra police officer has been allocated to the area. I know I cannot thank the Minister for this because he does not get himself involved in operational police matters. I am very pleased to see that we have an extra police officer in my area. If the Minister has had some influence in this matter I am quite happy to thank him. This action goes some way towards satisfying the people of Sarina. The strain on police officers is beginning to tell and creates an atmosphere of alarm in the tranquil township of Sarina.

Senior citizens and business people in Sarina were very concerned about the number of juvenile offenders in the town. The people in my electorate want those who do the crime to do the time. They want truth in sentencing.

I remind the Honourable the Premier of Queensland, Mr Beattie, of his promise before the last Queensland State election to get tough on crime and the causes of crime. This Bill is a test whereby the Premier can demonstrate to the general public that he meant what he said. This is an opportunity for the Premier to prove to Queenslanders that his commitment was not merely empty rhetoric. This Bill will enable us to get tough on crime. It will not only act as a deterrent but it will ensure that justice is served.

If the Labor Party chooses to walk away from this commitment and obligation to protect the good men and women of this great State, then I will have much pleasure in reminding Queenslanders that the Queensland ALP may talk tough about getting tough on crime, but their deeds are totally different from the words that they speak. I will pursue this Government relentlessly for failing the community if it votes against this Bill, because prior to the last State election it not only made law and order a major issue but also its policy platform stated that a Labor Government was committed to ensuring that all offenders are managed according to a realistic assessment of the risks they pose to the safety of the public. That statement appears at page 93 of the Queensland Labor Party's platform document under the heading "Corrective Services". The hardened criminals will pose a very serious risk to our children, our senior citizens and other vulnerable citizens in our society. I will have much pleasure in reminding voters across Queensland of Labor's hypocrisy if the members opposite choose to defeat this Bill.

The Queensland public demand an end to lenient sentences, which serve as little or no deterrent to the criminal element in our society. The Queensland public are demanding longer and tougher sentence regimes, but their cries for help are falling on deaf ears. They are falling on deaf ears because this Government chooses to ignore the will of the people who put it into office. Unlike the coalition members of this House, the ALP members seem to be forbidden to cross the floor. So unless the Premier shows some leadership on this issue, this Bill is doomed. May I say that I would not like to be in the shoes of some of the members opposite if they elect to take that course of action. Why? Because the people of Queensland are saying that the punishment should fit the crime. This is not an unreasonable request. Surely it is in the interests of this Parliament to say that crime does not pay.

In conclusion, some answers need to be given to some questions that have been asked in relation to this Bill. What does the Bill do? The Corrective Services and Penalties and Sentences Amendment Bill will ensure that people sentenced as serious violent offenders will serve their full time in prison without any possibility of parole. The Bill aims to implement the community expectation that a criminal must do the time for the crime. The Bill will further strengthen and enhance the protection of our community to ensure that a prisoner, on the completion of 100% of his or her sentence, undergoes a further mandatory community supervision period of between six months and five years. The term of the community supervision will be determined by a judge towards the end of the prisoner's jail sentence not less than three months and no more than six months before the completion of the sentence. That will ensure that the assessment is based on the prisoner's rehabilitation progress and behaviour while in prison.

Will this Bill apply to people currently serving a prison sentence? This Bill is not retrospective. It will apply only to those people who commit a crime covered by the Bill after it becomes law. Will this Bill apply to all categories of offences? This Bill will apply only to serious violent offenders who are sentenced to 10 years' jail or more or, at the court's discretion, to those serious violent offenders serving a sentence of between 5 and 10 years. The Bill will not change the definition of a serious violent offender.

Will not the removal of parole for serious offenders also remove any incentive for a prisoner to behave and rehabilitate? Of course, the answer to that question is that the Bill will not remove the prisoner's classification system. If a prisoner fails to undergo proper rehabilitation within the prison system, or if he or she fails to conform with behaviour expectations, then the prisoner will remain or could remain in a higher classification with fewer privileges. In addition, the community supervision period at the end of the prisoner's sentence will be between six months and five years. If a prisoner has reformed and shown remorse, then the community supervision period could be for as little as the mandatory six months. Otherwise, it could be as long as a five-year, stringent supervision period.

Another question that was asked by the Government was: will the Bill be effectively providing a double sentence or a resentencing by making the prisoner undergo a community supervision period after the prison sentence? The community supervision period is for the prisoner's benefit and for the protection of the community. The length of the supervision period will depend on the prisoner's behaviour and rehabilitation progress during the sentence. The community supervision period ensures that prisoners will not walk straight from jail back into our community without supervision.

Does this Bill not impose a minimum sentence and, therefore, take away a judge's ability to look at cases on an individual basis? That will not be the case. There are no minimum sentences. A judge will retain the power to determine if a prisoner should be sentenced as a serious violent offender for 10 years or more. In addition, a court can decide if a serious violent offender sentenced to between 5 and 10 years should serve 100% of the sentence or not. It could also be up to the judge to determine, towards the end of the sentence, the length of the community supervision period.

I guess the last question that needs to be answered is: why does the coalition need to implement this Bill rather than the Government? As members would remember, the coalition increased the minimum length of a serious violent offender's prison term from 50% to 80% before the prisoner becomes eligible for parole. In his campaign speech for the 13 June State election, the then Premier Rob Borbidge made the commitment to increase the threshold for eligibility for parole to 100%. This private member's Bill honours that commitment. I support the Bill.
