



Speech by

Mr T. SULLIVAN

MEMBER FOR CHERMSIDE

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CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Mr SULLIVAN (ChermSIDE—ALP) (10.40 p.m.): Tonight we have heard in this debate some disgraceful comments made by the member for Callide and some of his colleagues. It must be recorded in the Hansard that on 3 March this year, after one of the Government members finished her speech and just as the next person had stood to make a contribution, the member for Callide called across the Chamber that the names of people on our side of the House who voted against the Bill would be circulated in their electorates as supporters of violent criminals.

Mr SEENEY: I rise to a point of order. The member is misleading the House. I never said any such thing. I ask that it be withdrawn.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! That is not the correct form at all, as you should know; you have been here long enough. If you find the words offensive you can ask for them to be withdrawn.

Mr SEENEY: I find the words offensive and I ask that they be withdrawn.

Mr DEPUTY SPEAKER: Order! The member has found the words offensive and asks that they be withdrawn.

Mr SULLIVAN: I withdraw. Members on this side of the House heard a male voice coming from the other side of the Chamber saying that the names of people who voted against this Bill would be circulated in their electorates—and here is the essential part—as supporters of violent criminals. A number of Government members heard this threat, this half truth, and know it for what it is. It is a distortion of the truth. It is an absolute and unmitigated falsehood. Voting against this Bill is not supporting violent criminals; voting against this Bill is voting against poor legislation which would not attain what was needed.

Mr Horan interjected.

Mr SULLIVAN: Sorry, I did not hear the interjection. I would be happy to hear the interjection now. What do you remember, Mr Horan?

Mr Horan: We remember it well, the way you circulated names in the last election campaign.

Mr SULLIVAN: I take the interjection and thank the member for the chance to point out—

Mr JOHNSON: I rise to a point of order. The honourable member for ChermSIDE cannot substantiate the foundation of the argument. I believe that he is misleading the House tonight. There is no point of order at all.

Mr DEPUTY SPEAKER: Order! I agree with the honourable member for Gregory; there is no point of order.

Mr SULLIVAN: I was not taking a point of order. I thank the member for Gregory for his support. The member for Toowoomba South rightly brings to light some of the things that were circulated during the last campaign. However, this brings no credit to the member or to his Liberal Party colleagues. I was not going to raise the disgraceful mistruths that were on coalition paraphernalia. If the member wants to highlight to the people of Queensland his lack of—

Mr BEANLAND: I rise to a point of order. I do not know what this has to do with the legislation before the House.

Mr DEPUTY SPEAKER: Order! I was about to ask the member for Chermside if he would return to the Bill before the House, which is the Corrective Services and Penalties and Sentences Amendment Bill.

Mr SULLIVAN: I am happy to. As you are aware, Mr Deputy Speaker, the misleading interjection from the member for Toowoomba South probably distracted me.

Mr DEPUTY SPEAKER: Order! I think the member for Chermside is being overly sensitive. Would he please get back to the Bill?

Mr SULLIVAN: Tonight, the member for Callide deliberately misled the House, and he knows that he did, and he knows that he is not telling the truth.

Mr SEENEY: I rise to a point of order. I find that remark offensive and untrue and I ask that it be withdrawn.

Mr SULLIVAN: I withdraw. Because this is poor legislation, it will not achieve its supposed ends. In an effort to defend themselves we find that some members misrepresent the truth. The people of Queensland will act as the judges on this issue.

The truth is that Government members have repeated time and time again that we must be tough on crime, tough on criminals and tough on the causes of the crime. We all want violent criminals removed from society and jailed for lengthy periods. This legislation will not do that. It is defective legislation and will not achieve its aims.

The system of law that we inherited from Britain means that we, the Parliament, make the laws, the police enforce the laws and the courts judge the individual offenders. It is the courts that sentence offenders, not us. Members of the coalition—

Mr Johnson interjected.

Mr SULLIVAN: I thought the member for Gregory was making a reflection on the courts. If he does not have the courage to stand by his interjection—

Mr DEPUTY SPEAKER: Order! It is getting late. I ask the member for Chermside to get on with his speech. If he wants to take interjections I suggest that he hears them properly in the first instance.

Mr SULLIVAN: Thank you, Mr Deputy Speaker. With your assistance, with a Chamber that is quiet, I would be happy to do that. Coalition, One Nation, and some of the Independent members know that if this legislation were passed into law the judges would adjust their sentences accordingly, as they have done in Australia for 200-plus years. The tradition of law which was introduced into this country from Great Britain, through the common law tradition, will mean that judges will take into account the particular circumstances of society and the particular things that are happening in other courts when they are making their judgments.

If the Nationals and Liberals really believe that this legislation will work, why did they do nothing between February 1996 and June 1998? The answer is simple: the Nationals and the Liberals did nothing in Parliament because they knew that this legislation would not work. If this legislation was so important, why did those opposite do nothing and say nothing by way of getting this legislation through the House? They come to the House now with this legislation, quickly drafted, saying that it has great community support. But they know that they did not introduce this legislation because they knew that it was unworkable and against the common law tradition that has come to us through the British legal system.

All members of Parliament and all citizens are appalled by violent crimes committed within our society. We hate the crime and abhor the effects that these crimes have on victims. It is appropriate—

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! The member should be heard in silence. It will hasten proceedings.

Mr SULLIVAN: It is appropriate for members to recall that it was the Australian Labor Party in Government which gave victims of crime the opportunity to make victim impact statements when sentencing was to occur. The Labor Government allowed 100% of court ordered compensation to be paid to victims. It was the coalition under Mr Beanland that appealed in certain cases to lessen the compensation paid to victims of crime. When I hear new members of Parliament saying, "What about the victims of crime?" I point out that it is this side of the House that gave the strongest support to victims having a voice. They also said—

Mr DEPUTY SPEAKER: Order! It is getting very late at night. I suggest to the member for Chermside that he addresses the Chair.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! I warn the member for Southport under Standing Order 123A.

Mr SULLIVAN: Mr Deputy Speaker, I have been consistently addressing the Chair.

It has been the Labor Government that has given victims of crime an opportunity not only to have their say in court and to make victim impact statements but also to insist that court ordered compensation be paid in full. In fact, it was the coalition when in Government that tried to strip money from victims when the court had ordered that a certain amount be paid. So the arguments that we have heard about this side of the House supposedly not supporting victims of crime are, in fact, lies. They are untruths; they are false; they do not describe what occurred.

It has been Labor Governments that have been the strongest in giving voice to those who have been victims. It has been Labor Governments that have been strongest in supporting the payment of compensation to victims. It has been Labor Governments that have been strongest in giving legal aid to people who could not afford to represent themselves.

Mr Veivers interjected.

Mr DEPUTY SPEAKER: Order! I have already warned the member for Southport once.

Mr SULLIVAN: I am happy to take part in robust debate and I am happy for anything that I say to be circulated to wherever the members opposite want. That is why I am on my feet and Hansard is recording what I say. I hope that Hansard is available to people throughout this State. What I object to strongly is when people then interpret a member's actions, their vote or what they have said in this House in a way to suit their own political ends. It is extremely easy and cheap for people to take a member's actions in this House and misconstrue them for their own purposes.

It is also interesting to note that from the members opposite we hear that we have to give greater emphasis to God, to our religion and to the teachings of the Bible and that in our society we should be more God oriented. If we were to take those members in the conservative groups at their word, we would not be pursuing this legislation. We find that throughout the New Testament the greatest sinners were afforded the greatest forgiveness. I ask members to take as an example the greatest act of forgiveness, that of the good Samaritan. For us the word "Samaritan" is just a name derived from the Samaria locality. In the context of when that parable was written, a Samaritan was the most despised person within Jewish society. In our society today, if the evangelists were writing that parable, they would say that as the priest, the politician and the good, white Anglo-Saxon were walking down the highway and saw an AIDS infected, previously convicted paedophile. That was the scum that they walked past. That is what the word "Samaritan" meant in Jewish tradition. It meant the outcast of society, those upon whom most scorn was poured.

In this debate, we heard members pouring scorn on people who have committed terrible crimes. We agree that those who committed terrible crimes should face the full impact of the law, and the full impact of the law is that the police will investigate, the juries will convict and the judges will sentence. We do not want members opposite preaching to us and calling for justice, claiming to have a monopoly on the truth and what is right and saying that we as a society should move in a certain direction and then betraying the very principles that they espouse.

It is playing some of the lowest possible politics for members opposite to base their arguments on people's greatest fears. This is especially so in an ageing society in which the elderly become very anxious about being affected by crime. My electorate has one of the highest percentages of people aged over 60, and I am only too well aware of the fears about crime that are generated within older people. The coalition and members on the crossbenches are working on the perceptions and fears of older people in our society. Members opposite know that what they are proposing will not work. They know that when this approach was tried in a number of States in the United States, it did not decrease the crime rate. It has not diminished the effect on the victim.

Mr Veivers: Which States were they?

Mr SULLIVAN: The member for Southport asked me which States——

Mr KNUTH: I rise to a point of order. Could the honourable member for Chermside please state the name of those States?

Mr SULLIVAN: I do not know what the point of order is.

Mr KNUTH: I rise to a point of order. Could the honourable member for Chermside please name those States?

Mr DEPUTY SPEAKER: There is no point of order.

Mr SULLIVAN: We in Parliament are provided with many reports. One of those that we receive on a regular basis is from the Australian Institute of Criminology. It was interesting to read the reports on what crime is, what are the age groups of people who are affected by violent crime, who are the perpetrators and who are the victims of crime. Fortunately, the elderly fall into the lowest category of victims of violent crime but they have the greatest fear.

Mr Horan: It still happens.

Mr SULLIVAN: Yes, it does happen. That is correct. However, as the member would know, by far the most frequent victims and offenders of violent crimes are younger males. Fortunately, the number of older people who are victims of violent crimes is very, very few. For those very few, to be a victim is absolutely devastating. However, we know that the perception of crime within the older population is far in excess of the actual crime rate.

What abhors me is the range of the debate that has come from members opposite. They base their arguments on the lowest common denominator. Unfortunately, they are trying to get into Government through the fears of older persons. I find that a very cheap and unworthy goal. It is unfortunate that that is coming from members opposite. Any person who is a victim of crime——

Mr Veivers: And I have been.

Mr SULLIVAN: The member says that he has been a victim of crime. So have I. It is no fun to be the object of someone's anger, attack, or whatever.

We on this side of the House want to support victims. We have done so by our actions. That can be seen in legislation and in our support for court ordered compensation. However, we will not resort to offering simplistic solutions that are not workable.

I cannot support this legislation, not because, as some members opposite have said, I have been dictated to by the party and, therefore, I will never cross the floor. I am not supporting the legislation because it will not achieve its supposed aims. It will not achieve any greater protection for my constituents. It will not achieve the supposed goals outlined by the member for Warwick. It is a shame that we have sunk to such low depths of debate in this House. I will not support this legislation.
