



Speech by

Hon. V. LESTER

MEMBER FOR KEPPEL

Hansard 24 March 1999

CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Hon. V. P. LESTER (Keppel—NPA) (9.46 p.m.): The public has had an absolute gutful—and I am not joking—of sentences being imposed on people who commit some horrendous crimes not being strong enough. It is as simple as that. All Governments, both past and present, have been absolutely unable to deal with this difficulty. They do not seem to have the will to deal with the problem.

It seems to have been forgotten that we have constituents who have been the victims of crime. Those people, who were leading decent, normal lives, all of a sudden have had taken away from them their right and entitlement to a future because of some person who did the wrong thing. Whether the crime is a rape, a bashing or whatever, those innocent people have not asked for that to happen to them. They were going about their normal business day in, day out. All of a sudden, they are raped, they are bashed, or something else has happened to them, such as a drink-driver colliding with their motor vehicle and, for no reason, their life is wrecked. Those victims are either confined to a wheelchair, or they are unable to speak, or perhaps, unfortunately, they are a vegetable. Then a judge will determine that that person who has committed the crime will indeed be given a sentence that is far too light for that crime.

We have seen such a thing occur in recent days. One of our footballers, Ben Ikin, who apparently on this occasion, from what I can gather, was not doing any damage to anybody else, was hit from behind. That is indeed going to impact adversely upon his future.

Mr Schwarten: They haven't been caught.

Mr LESTER: That is correct, but that is another problem. Nevertheless, I simply say that whoever has committed that crime needs to be dealt with properly. I use the example of Ben Ikin because we know the person. While he has done other things, that does not affect what happened on this occasion. I understand that his behaviour was in order in all respects. He was hit from behind. I should not anticipate what may happen, especially if the member for Rockhampton is correct that the person has not been caught.

Mr Schwarten: Persons. It's a number—"persons".

Mr LESTER: Yes, that is probably right. I hope that if those persons are taken to trial the judge will impose an appropriate sentence. However, it worries me that, for some reason or other, our judges tend to side with the perpetrator rather than the victim. A person commits a crime because he or she has let their life get into disorder, whether through too much drink, drugs, rage or I do not know what. The simple fact of life is that any of us here tonight could become a victim of crime. Members of Parliament have been assaulted for no reason. Indeed, unfortunately, a member of Parliament was shot for sticking up for what he believed to be right. Prominent Australians, such as a heart surgeon, have become victims of crime.

As far as the community is concerned, this is a problem. As members of Parliament, each and every one of us hear that concern voiced. I am not being in any way political. We are all asked, "Why didn't the judge give that person more?" I use the City of Rockhampton as an example. During my early days as the member for Keppel, we were having a horrendous problem with Tozer Street in North Rockhampton. I called a public meeting with a view to seeing what could be done about the problem. I think 400 people attended that meeting. Who was I? I was just Vince Lester, the baker from Clermont who was the new member for Keppel, yet 400 people turned up to the meeting.

Mr Schwarten: I think you're being a bit modest there.

Mr LESTER: I can tell Mr Swarten that I am the one who is being modest, because 600 people attended, but I did not dare suggest that there could have been more people than there really were. I was trying to do the right thing and be a bit modest, but the Minister has dared to challenge me. Now I have given him the facts.

Mr Swarten: No, you haven't.

Mr LESTER: Yes, I have. Six hundred people attended that meeting. I challenge the honourable member to prove to the House tomorrow that I am wrong.

Mr Swarten: You are wrong.

Mr LESTER: I am not.

Mr Swarten: Did you go and individually count them?

Mr LESTER: Did the Minister?

Mr Swarten: Yes, I did.

Mr LESTER: He was not there. He has absolutely lost the argument. Furthermore, he has lost the whole argument, and I will make my main points now to prove it.

The point I want to make is that that night I received a unanimous vote of approval to the suggestion that I come back to the Parliament and deal with the issue of law and order and truth in sentencing. The Minister knows that that is correct. Furthermore, I did that and my vote increased by some 9% or 10%. If that is not proof that I did the right thing, I do not know what is. The people of the electorate of Keppel were the final arbiters. They did an audit on my performance and the result was that my percentage increased by some 9% or 10% because I had stood up for my constituents on law and order. That is what happened and the Minister knows it. The percentages are there for the Minister to look at. He cannot deny that.

Mr Swarten: Your vote went down considerably last time.

Mr LESTER: We are not arguing about last time; we are arguing about the time before. If the Minister really wants to start arguing about that I can tell him that, of the country areas, my electorate felt the least impact from One Nation, so I was not doing too bad a job.

Mr Springborg: How did Mr Swarten go against you in 1992?

Mr LESTER: We will not talk about that one.

Mr Swarten: I beat him in primary votes.

Mr LESTER: The fact is that Mr Swarten is forgetting—and I was not going to allude to this for one second—that he ran against me once and he got done. It worries me that tonight the honourable member for Rockhampton is trying, in his own way, to stop me from talking about the important issues. We have an important issue—

Mr SCHWARTEN: I rise to a point of order. I am most affronted at the suggestion that I would prevent any member of this Parliament from exercising their democratic right to stand up for anything that they believe in.

Mr DEPUTY SPEAKER (Mr Mickel): Order! There is no point of order.

Mr LESTER: The member opposite who just took a point of order is so rattled that, even though he is a Minister, he did not know how to interject or how to take a point of order, which he took from the wrong seat. He had better give up.

Mr SCHWARTEN: I rise to a point of order. I would have thought that the honourable member, who has been in this place for long enough, would understand that when a Minister who is leading the debate is not able to be present in the Chamber, he or she can be replaced by another Minister. The honourable member should know that.

Mr DEPUTY SPEAKER: Order!

Mr LESTER: Again the member for Rockhampton has interjected from a seat other than his own. He is totally out of order and I have the concurrence of the Deputy Speaker. He had better give up.

Mr DEPUTY SPEAKER: Order! It would help the House if the honourable member returns to addressing the Bill before the House.

Mr LESTER: I apologise, Mr Deputy Speaker, but I was being very rudely distracted when we have major issues to talk about.

At the public meeting to which I earlier referred, the people from North Rockhampton suggested that we should take a tougher stand on crime. One person told me that they felt so strongly because the homes of people in the area were being broken into, kids coming home from school were being knocked off their bicycles and all sorts of things were happening, yet the police were not able to deal with it in the way that they would have liked to. They said, "Vince, you have to take action. You have to

do something a bit more definite." I got a bit of a rev at that meeting, too. They said, "You have to do something a bit more definite", so I did. I suggested that we should introduce controlled corporal punishment. It is very clear that neither my party nor the Labor Party nor anybody else—bar a few people—thought that that was a good idea. However, the people of Keppel thought that it was not a bad idea.

I recall the case of a young lad visiting Singapore from America who damaged some vehicles while in that country. President Clinton jumped on the bandwagon and said how terrible it was that this fellow was going to be caned. But all of a sudden President Clinton found out that the people of America wanted that fellow caned for what he had done in Singapore. People do not necessarily want controlled corporal punishment, but they want more action taken. When that issue blew up in Australia, I was invited to appear on the Middy Show, which was then hosted by none other than Derryn Hinch. Arguing against me was a professor of criminology from the University of Sydney. When the learned professor gave reasons why we should show compassion for those who commit crime, I said, "Wait a minute, mate. What about showing a bit of compassion for the victims of crime?" Derryn Hinch did not know what to do. It was a pretty heated debate. He said, "I'm not going to judge this. I'll let the studio audience judge it." Can honourable members guess what happened? The professor got one vote and Vince got all the rest. That was the proof of the pudding. What I am trying to say here tonight is: the people want action. They want something done. It is as simple as that. It is about time we started to remember that some action needs to be taken in the Parliament. That is all I am trying to say here tonight.

Mr Swarten interjected.

Mr LESTER: No, I am not. The member for Rockhampton knows very well about the arguments and rows I had with the member's predecessor in the electorate of Rockhampton, Paul Braddy. Does the member remember the day when there were six letters to the editor in the Morning Bulletin all taking my side—every one of them?

Mr Swarten: You wrote them yourself.

Mr LESTER: The member is the one who writes letters against me; I think he does, anyway. I can only go on the letters to the editor in the Morning Bulletin. In the next three years, after the election when I increased my percentage by some 10% or 11%, I addressed a few other issues—Kinka Beach, more police stations and so on.

Mr Swarten interjected.

Mr LESTER: I know the member supports me on the Kinka Beach issue.

Mr Swarten: No, I don't.

Mr LESTER: The member has a house there. He told me that he supported me. Come on, the member was there; he patted me on the back one day and said, "Go for it, Vince."

Mr SWARTEN: I rise to a point of order, Mr Deputy Speaker. I can't cop that. The honourable member is really pushing the limit. I was prepared to support him while I thought he could do something there, but he has failed and I am afraid that my premises there will be inundated as we speak as a result of his inaction.

Mr DEPUTY SPEAKER (Mr Mickel): Order! I will seek advice as to whether that is a point of order. There is no point of order.

Mr LESTER: The poor fellow must need glasses, because there is a great big sea wall there that I built. It is there. The member cannot deny it. A big sign reads "Kinka Beach Sea Wall".

Mr REEVES: I rise to a point of order. How is this relevant to the Bill? I am also concerned about the Hansard reporters, given the loudness of the member's speech.

Mr DEPUTY SPEAKER: Order! The member for Mansfield has a point. The member for Rockhampton will address the Bill before the House.

Mr LESTER: I agree with you, Mr Deputy Speaker; I have been distracted. I take this opportunity to apologise for getting off the subject, but the member for Rockhampton provoked me.

Mr Johnson: You flogged him in the camel race.

Mr LESTER: There is no question that I flogged him in the camel race.

Mr DEPUTY SPEAKER: Order! The member for Keppel will address the Bill before the House.

Mr LESTER: Yes, Mr Deputy Speaker.

Mrs Edmond: Camels are better looking.

Mr LESTER: Of course the member for Keppel is better looking. I cannot help that.

Mr DEPUTY SPEAKER: Order! I ask the member to address the Bill before the House.

Mr LESTER: I will, Mr Deputy Speaker, but you had better control the members on the other side. That was not my fault.

Mr DEPUTY SPEAKER: Order! That is a reflection on the Chair. I ask the member to address the Bill before the House.

Mr LESTER: Truth in sentencing has been accepted in more than one Australian jurisdiction, as well as in the United States and the United Kingdom. The UK has addressed the issue of post-release of full-term prisoners in the Crime (Sentences) Bill 1997. We have gone further than that.

Mrs Edmond: Boy, are they going to have a good Government next week!

Mr LESTER: They have got a pretty poor one at the moment so they might have a good Government next week.

In the Australian jurisdictions, for example, New South Wales was one of the first jurisdictions to introduce the truth in sentencing principle via the Sentencing Act 1989, the Crimes (Life Sentences) Amendment Act 1989, and the Prisons (Serious Offenders Review Board) Amendment Act 1989. Truth in sentencing legislation requires the courts to make an explicit decision as to the minimum term of imprisonment that is to be set firstly. That is what is happening in New South Wales. If I had not been so dreadfully distracted, this is the sort of thing that I would have been speaking about.

The Victorian legislation enacted with respect to truth in sentencing was a result of the 1988 report of the Victorian Sentencing Committee chaired by Sir John Starke, QC. Victoria enacted the Corrections (Remissions) Act 1991, the Sentencing Act 1991, and the Sentencing (Amendment) Act 1993 to accommodate the truth in sentencing concept. There must have been a reason that those two States, with greater populations than ours, decided to do that.

Time expired.
