



Speech by

Mr P. PURCELL

MEMBER FOR BULIMBA

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DRUG REHABILITATION (COURT DIVERSION) BILL

Mr PURCELL (Bulimba—ALP) (3.09 p.m.): I recently had the opportunity to go to Sydney to see first-hand the drug courts operating. I must say that I was most impressed. I am very pleased that I took that opportunity. We took the opportunity to speak to the judge who was in charge of the court in Parramatta. We were also given the opportunity to talk to the clients of the court before the court proceedings started. I was fortunate to know a couple of people there who had worked in the building industry here in Queensland. As the court proceedings commenced, I was able to spend a bit of time talking to them while we watched the court operate.

What impressed me about the court and the way in which it operated was the judge. She knew every offender who came before her. I know she would have had a file, but I very rarely saw her look at any files. She knew the persons who were appearing before her from previous appearances. In the first stage, they appear before the court on a weekly basis. Then they graduate into the second phase. Then there is a third phase and then they graduate back into the community, hopefully never to take drugs again.

The judge knew the people who were appearing before her. She had a no-nonsense approach. I like no-nonsense people. She was pretty straightforward. If people tested positive for drugs the week before they appeared in court, they would cop a penalty. I think about four people were jailed in the period I was there, which was two or three days. I could see how disappointed those people were in themselves when they were taken to their cell and how disappointed the people in that court were that they had fallen off the log. It is not easy.

I knew a bloke there who was a tiler. He told me he had been using drugs for 20 years. He believed he was very fortunate to have got himself onto this program. He said that he had been clean for about four months and that he would never go back to drugs. The reason he put down to his being clean was that people cared. He had a case manager who played a very important part in the process. The case manager was available to him 24 hours a day, seven days a week. Obviously case managers become very close to the clients that they handle. Whenever he came under stress or got the urge to resume using, he would ring his case manager and she was always there.

He is now back working in the building industry and he employs five people, which I think is marvellous. He has become an employer again. He was convinced that he was not going back onto drugs, and he was looking forward to graduating in about six weeks' time. He told me that even after he had graduated he would be doing everything he possibly could to support the court. He would not be going back to court for drug offences. He said that employment was very important to drug users. To stay clean, people need to work. They need to hear a jingle in their pocket. They need some friends who care about them. But the big thing is employment. He said that he would be doing his bit to employ people who needed to be employed as they go through the program.

The court had been operating only for a fairly short period, and I found that its approach is not one of "come one, come all". People can put up their hand to enter the program but, because of the enormous number of people before our courts with drug problems, a computer selects the clients or the drug users who are going to be dealt with by the court. I found a random selection by a computer to be fairly harsh. If a person was not selected, he or she would go to jail and be given no help.

I am pleased to see that the Minister is looking at setting up centres in three different locations—Beenleigh, Southport and Ipswich. That will be very good for Queensland because it will give more people the opportunity to be selected and to enter the program. I think this program will play a very important role in beating what has become a part of our society these days, that is, a drug problem.

There is an enormous amount of pressure placed on people today to find employment and to succeed. As we heard today, Queensland has the highest participation rate of any State in the nation with regard to employment, and we still have 7% to 8% unemployed. There is a lot of competition out there for jobs, and that puts people under pressure. When people do not have jobs, they might take a shortcut to relieve some stress. There is a lot more stress and pressure on people today than there ever was.

The New South Wales court is for adults, and at this stage it has not set up a court for juveniles. The chief magistrate for juveniles in New South Wales, Stephen Scarlett, wrote to me as a result of a request for information. He had been to America to see how the juvenile courts in America operate. I urge the Minister to look seriously at juvenile courts being set up in conjunction with adult courts. It would be great to get these kids off drugs before they become serious users so they do not have to spend 20 years of their life on drugs, like the bloke I knew who was a tiler. His life was a misery for years and so was his family's. In the end he lost his family.

There was also a painter there whom I knew. He said that he had fallen off the log a few times. He is a bit younger. He had started using again. He had been in Stage 3 but was back before the court in Stage 1. He told me that he only had a couple of lives left and that if he took drugs again he would go to jail and he did not want that to happen.

Anybody who thinks jail is a pleasant place ought to talk to the people who have been there. When someone on drugs goes to prison, they are at everybody's mercy. It is said that people will do anything to get drugs. A lot of things happen in prison that society does not want to know about. If we can stop that happening to these people and get them back their lives, that will go a long way towards assisting people so that they do not need to go out and take what is not theirs. Drug users need to have a fairly steady stream of money. They cannot keep a job because of their habit, so they steal.

I urge the Minister to provide an appropriate level of funding. The program aims to reduce the level of drug dependency in the community, the level of criminal activity and the health risks to the community associated with drug dependency and the pressure on the resources of the courts and the prison system.

The case managers are very important in this process. Although I do not have details of how many clients a case manager would have, I do know that the case managers are very close to these people. They are dependent on their case managers, who are very compassionate. I did not see too many young case managers, and most of them were females. I think only three of the 18 case managers were males. They were all aged 30 or over. The selection process for the case managers is very important. Although I do not think age should be stipulated in the selection criteria, the case managers need to be experienced people who have lived life a bit and who would, therefore, have some compassion for these people and an understanding of what they are going through. The case managers are there to support these people. If this program is to be successful, it comes down not only to the judge and the system but also to the case managers.

In relation to how these people are selected for the program, I note that in New South Wales they are selected using computer records. I am not sure how they will be selected in Queensland. General eligibility for entry into the program will be restricted to offenders who are adults—as I said, I think we also need to have juniors in this program—and those who are dependent on dangerous drugs. The program does not include someone who has an alcohol problem or someone who has an occasional smoke. The program addresses those people with long-term drug addictions, such as the tiler and the painter I mentioned earlier who had had addictions for up to 20 years. There were some young people in the program, but a lot of them were older and had had addictions for a long time.

Eligibility for entry into the program is open to those charged with offences in the Magistrates Court jurisdiction that are not of a sexual nature and which do not involve physical violence against any person. We probably should have a closer look at the criterion in respect of physical violence. For example, if someone picked up on drug charges becomes violent at the time of arrest, the issue of whether they were under the influence of drugs at the time should be taken into account. They should not necessarily be excluded because they became violent. Eligibility is open to people only if they plead guilty. They have to want to go on the program and be prepared to cop all of the charges. That will save an enormous amount of court time. It will also mean that they can enter into a drug rehabilitation program much more quickly. They also have to be facing a sentence of imprisonment and be willing to participate in the program.

The number of people with drug addictions is a problem. If people were not facing a court sentence but they wanted help to cure a drug addiction, it would be a shame if they were turned away. Once the program is up and running in Queensland, it should be monitored very carefully and there should be sufficient case managers to handle the number of people coming before the courts. We should try not to turn away anybody who wants help to cure a drug addiction. The money that the community will spend on this program will be repaid 100 times over.

There are a lot of older constituents in my electorate who lock themselves in their houses as soon as it becomes dark. They have no life at all, because they are concerned about being robbed. They do not unlock their doors and windows until the morning. That is a shame. In the suburbs that I represent we are trying to restore a village atmosphere to the community such that people know and care about their neighbours. For example, if they do not see a neighbour for a couple of days, they should find out what the problem is. It is a shame that people feel they have to lock themselves away. Older people in particular should have the opportunity to live their lives in relative safety and comfort.

We have to turn the drug epidemic around and stop people using drugs. The policing of those people selling drugs in the community and bringing drugs into this country is an entirely different matter. It is more a Federal issue than a State one. However, the pushers are everybody's concern. If we take away their clients, drugs will cease to be a major problem.
