



Speech by

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**MEMBER FOR TABLELANDS**

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Hansard 1 & 2 March 2000

### **DRUG REHABILITATION (COURT DIVERSION) BILL**

**Mr NELSON** (Tablelands—IND) (3.25 p.m.): At the outset, I make the point that I support the Drug Rehabilitation (Court Diversion) Bill and will be voting for it. Any action taken to combat the drug problem is positive. Any action we can take to try to rectify the problems that we have in our society because of drugs is good. I will be supporting the Bill, but I wish to put on the record some of my concerns and those raised with me by my constituents.

Many honourable members have said that this is not a soft option. That is not the message being sent to me. I do not know whether that is due to a lack of public awareness of the Bill or a lack of knowledge of the issues behind it. When people have come to my office to raise concerns about the problem of drugs and when I have mentioned that this Bill proposes the establishment of drug courts, they have said, "Isn't that going soft?" I have found it hard to argue that it is not, especially given my personal experiences in this area.

For example, I finished school in 1990. One of the high schools that I attended was the Kingston State High School in the southern suburbs of Brisbane. In 1989, when I was at that school, it was a particularly rough school and there was a drug problem amongst its students. Being the son of a police officer who worked in the local area, I was very aware of the high usage of drugs among that population.

Many people in my electorate—and I suppose this is where different ideological points of view clash—believe that it comes down to personal choice as to whether or not we will take drugs, similar to the way in which we decide whether or not to consume alcohol or make other choices. If one chooses to be a habitual drug user, many people in my electorate and I believe that the courts are so incredibly soft—and not just in relation to drug offences—that the punishment one receives will not befit the crime. Many points can be used to illustrate how weak and insipid the judiciary has been in respect of these cases. Recently, in New South Wales a man was charged with manslaughter. He shot a woman in a hospital bed six times. He received only three years' imprisonment.

**Mr NELSON** (Tablelands—IND) (3.15 p.m.), continuing: In continuing my remarks on the Drug Rehabilitation (Court Diversion) Bill, I turn to the other end of the equation relating to people on the streets enforcing our laws and bringing addicts before the courts, that is, the police. I and many police officers are very dismayed about the current situation regarding the treatment of police by the CJC. In relation to this Bill, I put this to honourable members: if given the opportunity, if their 16 year old daughter came home with an absolute fool and there was the ability to check out who that fool was and where he was from, I guarantee that most members would try to find out whatever they could.

Police officers are sent out to enforce the laws—to catch drug offenders. That is their job, yet they are being absolutely persecuted. Standards have to be upheld. There are different categories of wrongdoing. The persecution of police is something that has been going on for many years, not just in this Parliament but in many other Parliaments. I believe it is unfair. As I said, they are the people we put on the streets to enforce the laws passed by this House. They work under incredibly tough situations for long hours. They get very little reward. As far as I am concerned, police officers do not do the job for reward; they do it mainly out of a sense of duty.

I was angered by a recent incident involving the police and Gracie Smallwood, who has a shocking attitude towards the police that is abhorrent to me. I know many police officers in far-north Queensland extremely well.

**Mr FOLEY:** Madam Deputy Speaker, I rise to a point of order. I understand that that matter is before the courts. Accordingly, it is a sub judice matter which should not be discussed here.

**Mr NELSON:** Fair enough. I will withdraw in deference to that explanation.

I now turn to the current attitude towards the police that is permeating among certain members of the community in Townsville when police go about their duties. I guarantee members that at 2 o'clock in the morning the police do not want to be looking for drug offenders or other criminals committing offences in the main street of Townsville. That is not what they live their lives for. A lot of cases, especially those relating to drug offenders and people under the influence of intoxicating liquor—in my opinion, liquor is a drug as much as marijuana—can become quite abusive of officers and use offensive language, which is, as far as I am concerned, an offence. Irresponsible people in the community can then try to lay the blame back squarely at the feet of police officers who are simply going about their duties. That is quite unfair. This situation has caused no end of disrespect for certain members of the community in Townsville, especially from their fellow citizens.

**Mr Lucas:** Are you going to speak to the Bill?

**Mr NELSON:** I certainly am.

**Madam DEPUTY SPEAKER** (Ms Nelson-Carr): Order! I ask the member to stick to the point of drug rehabilitation.

**Mr NELSON:** I am addressing the concept of drug abuse and how it affects—

**Madam DEPUTY SPEAKER:** Drug rehabilitation.

**Mr NELSON:** Drug abuse is part of drug rehabilitation, Madam Deputy Speaker. One has to be an abuser before one can be rehabilitated.

**Madam DEPUTY SPEAKER:** Order! I ask the member to stick to the topic. The member seems to be speaking about police issues.

**Mr NELSON:** I fail to see how I am not sticking to the topic, Madam Deputy Speaker. Other members can ramble on about schools during debate on the Land Court Bill, yet I am being pulled up for talking about offenders in debate on the drug rehabilitation Bill.

**Madam DEPUTY SPEAKER:** Order! That is extremely disrespectful to the Chair. The Bill is about drug courts. I ask the member to stick to the topic.

**Mr NELSON:** Madam Deputy Speaker, just so I am clear, I am only allowed to talk about drug courts?

**Madam DEPUTY SPEAKER:** The member is to talk to the Bill.

**Mr NELSON:** So I am allowed to talk on drug offenders? From my personal experience, I class alcohol as much the same kind of drug as marijuana and so on and so forth. As I said, people under the influence can, from time to time, become very abusive towards officers trying to carry out their duties.

Sometimes when a police officer—and, again, we are talking about human beings—acts like a human being, he or she ends up before the CJC. If a police officer does something that certain Leftist members of the community feel is not right, then he or she is a monster. Police officers are really caught between a rock and a hard place, especially when trying to enforce laws that would eventuate in a person's appearance before a drug court. Many police officers in my electorate have stated to me that at present everything seems to be going the offenders' way. We seem to be looking after the offenders, yet police continue to be persecuted and subjected to this iron oppression, even though we acknowledge that their role is incredibly difficult. It is a tough, hard life that they choose, and they do not choose it for wealth or recompense; they choose it because they are honourable, decent citizens who want to uphold the laws of Queensland.

The recent statement by the member for Townsville regarding offenders did not help the position. He stated that the police had shamed Townsville and put it in the national spotlight. That is the last thing a member of Parliament should be saying about his local constabulary. I know for a fact that the police officers in Townsville have taken his statement to heart. Many of them live in the electorate of Townsville and the electorate of Mundingburra, and they are certainly not very happy with the attitude being adopted by the local member.

It is all about support. Drug courts give support to offenders. I am talking about giving support to those who are out there dealing with the offenders, those who actually have to drag the offenders off the streets and put them before the courts. It goes both ways. The Government cannot look after one

side and not the other. If we really want to start getting tough on offenders, if we really want to start fighting crime and drug abuse on the streets, how about giving our police officers the appropriate tools? As I said, I support the drug court proposal. It is a step in the right direction. It will offer police another avenue. But from my point of view, the best approach is to once again make the police an effective deterrent.

At the very start of my speech yesterday, I said that many former drug users whom I know do not find going before a court a deterrent at all. They never have and never will. I have seen many cases where they end up before a court and they get a light slap on the wrist. I am a fairly liberal-minded person, but decriminalising or legalising drugs is certainly not the way to go. I hold a very deep fear that, in the near future, this Government may consider legalising or decriminalising marijuana in Queensland. I place on public record now that I will be strongly opposing that measure. This is the same sort of argument I used during the debate on the Prostitution Bill. When we decriminalise or legalise a certain activity, we are setting a standard in the community. Everyone in this Chamber is a leader in their community. By making such changes, we are saying to the community, "This activity is no longer perceived to be such a serious criminal offence."

I do not argue that we should return to the 1800s when women had to wear ankle-length skirts and men had to wear top hats everywhere. I merely believe that there are a few barriers in society which should not be crashed through in a mad pursuit of making everyone free and happy, because that just sends the wrong message to the younger generation that these sorts of activities are acceptable. When the legislation before the House was being discussed, one of the attitudes expressed to me by young people in my electorate was, "Does that mean you do not actually have to go to court any more?" Again, that illustrates a lack of understanding. Under this legislation, offenders do have to go to court.

**Mr Lucas:** It would pretty funny if you called it a drug court and you didn't have to go to court.

**Mr NELSON:** But that is the whole point. We stand up in this ivory tower and make these wonderful laws and disseminate them to the people, but 9 out of 10 people do not have a full grasp of how the laws operate. I am sure the honourable member's constituents are no exception. I am certainly no expert on the way our judicial system works, and some people perceive this as a new approach which does not involve a court and involves less serious penalties. That is the sort of perception we must address in the implementation phase through an education program. As the member for Warwick said, we have to inform people that this is not a soft option. This measure will not let offenders off scot-free. This measure will not let offenders get away with their crimes; it is certainly still an avenue for correction.

**Mr Lucas:** Are you referring to Comrade Lawrence?

**Mr NELSON:** Comrade Springborg.

I support the Bill. As I said at the commencement of my speech, any step in any direction is the right step, because until now very limited action has been taken on drugs in this country.

The Federal Labor Party completely astounded me by proposing the idea—not that it is a new idea—of a coastguard. That is a fantastic idea and a measure that this country desperately needs, especially in the Torres Strait. But I am very fearful that Mr Beazley is a little bit loose with his figures, because he is intending to remove patrol boats from the Navy and deploy them into a coastguard. So he is not actually increasing anything; he is just moving some boats around. To actually fight the drug problem at its base source—the point of the importation of hard drugs from overseas—we need a strong and effective coastguard, a lot like the American one, but not merely a removal of patrol boats from the Royal Australian Navy to a coastguard service. That is the level at which we really have to start getting tough on drugs.

When we intercept people bringing large amounts of illicit substances into this country, we should put them in jail and never release them. As far as I am concerned, those sorts of people are worse than murderers. They are peddlers in misery and horror, and I think all members share those sentiments. If Governments really wanted to start getting tough on crime, they would send a message to the people who peddle this sort of stuff, the people who grow this stuff for commercial use, to say, "If you get caught, you will never see the outside of a prison cell again". In that way we would start attacking the base cause of the drug misuse in our community.

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