



Speech by

Hon. K. LINGARD

MEMBER FOR BEAUDESERT

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PENALTIES AND SENTENCES (NON-CONTACT ORDERS) AMENDMENT BILL

Hon. K. R. LINGARD (Beaudesert—NPA) (11.30 a.m.): I rise to speak to the Penalties and Sentences (Non-Contact Orders) Amendment Bill on behalf of the member for Southern Downs. As most members would realise, his father underwent heart surgery and he is taking his father home today. So I present these comments and thoughts on behalf of the member for Southern Downs.

From the outset, the opposition supports this bill. There is no doubt that crime is one of the biggest issues facing society and one which this parliament must constantly try to address. However, it is not just the punishment of the perpetrators of crimes that we must concern ourselves with but also the immeasurable damage to the lives of their victims. While the physical wounds may heal, the emotional scars of an attack are with a victim for the rest of their life. Although those who have committed heinous crimes may go to jail, many are released at some stage in the short to medium-term future after they have committed the crime. In some cases, they do not go to jail at all but receive suspended sentences and so on. It is this point that this bill addresses—that is, to give victims some peace of mind that there is a legal instrument in place, because even though the person who committed the crime against them may be freed, they are offered some protection from that person in terms of the contact the individual is allowed to have with them.

Further, I point out that the opposition has always supported this type of legislation and, indeed, has proposed it as a policy objective in the past. We believe that government must protect citizens from crime. While there are many and varied measures already in place to deter criminals from committing heinous crimes, there has been nothing done to date that makes any attempt to protect victims from offenders once they are released from prison or, possibly more importantly, if no prison term is imposed the bill offers some additional level of protection after the commission of the offence following the sentencing of the perpetrator. Further, this bill provides for a non-contact order to be made with respect to an associate of the victim—that is, someone who was with the victim at the time the offence was committed. Understandably, such a person would hold a serious concern for their safety after the offence was committed. Clearly, they could have a reasonable apprehension that the offender may seek revenge against them, especially if they have played a part in them being charged and/or convicted.

However, where the opposition believes this bill is deficient is that it does not have any application with respect to juvenile offenders. We do not believe that there should be any distinction drawn between adult offenders and juveniles. Quite clearly, victims of juvenile offenders can be just as fearful for their safety after a crime is committed against them as if the offender was an adult. In fact, many juvenile offenders are just as violent as adult offenders. To this end, the opposition will be moving an amendment to this bill, the effect of which will be to give its provisions application to orders of Children's Court magistrates and judges and, as such, enable non-contact orders to be imposed upon juvenile offenders. The opposition believes this legislation is overdue and welcomes it. However, we believe that it should apply in relation to juveniles and calls on the government to support our amendment.

I also want to make some comments about BoysTown, which has been very positive for problem juveniles, and I congratulate the Link-Up program. Unfortunately, it is only 24 hours until the closure of BoysTown at Beaudesert. All current and previous staff are meeting today for a function to

celebrate the fact that since 1961 they have offered 40 years of continuous programs for young people and the fact that something like more than 2,000 children have been through BoysTown. It amazes me that two days ago the Minister for Families stood in this parliament and said that there were difficulties with alternative care for young people. There is no doubt that the foster care program is an excellent one. It is a program that we must support and keep going. As the minister said, it is a very cheap program in relation to the costs of looking after young people.

However, many young boys and girls—and we must remember that BoysTown had Logan House, a place for young girls suffering similar difficulties—cannot survive in the foster care program and need alternative care other than going to prison. When I was the Minister for Family Services I was continually concerned about those young people whose obvious next step was prison because there was nowhere for them to go. If we continue to close down places like BoysTown and Petford, prison will be their only alternative. In the last five minutes the minister was on her feet talking about programs at Cairns where young people make tea tree oil. That was exactly the program at Petford run by 'Old Man' Guest. However, a report on Petford indicated that some of the young kids were getting into difficulties and problems while other young kids reported abuse. What did this government do? It closed down Petford, a program being run by 'Old Man' Guest and a program which was accepted by all of the Aboriginal communities through the cape.

The only reason Petford was closed down was because that report indicated that there may have been some abuse. From my time as a former minister, I know that there are always those sorts of reports and it is up to the minister to check it out and put programs in place to either verify or clear the institution if such allegations are made, and I note that a member on the government side is nodding in relation to Petford. I visited Petford many times. 'Old Man' Guest and his wife Norma were very positive in their work with Aboriginal and Islander children.

Mr Pitt: Decent people.

Mr LINGARD: Yes, they were very decent people. Petford was very much a hands-on program. For example, if 'Old Man' Guest had the young people working with horses he would not talk because he was continually running to those kids and giving them a clip over the ear if they were not looking after the horse properly. It was a very hands-on program and the kids loved it. They loved it so much in fact that the same young people continued to return to Petford, and I believe it was some of those that raised allegations which led to disrepute at Petford.

That is enough about Petford, but a similar problem happened at BoysTown. Unfortunately, as we saw on the front page of the *Courier-Mail* this morning, the inquiries this government has put in place go on but it gives no money to do something about the problems unearthed by such inquiries. Because some of those children are saying things about their supervisors, all of a sudden the Department of Families says that it will therefore not send people to that institution. Some people involved with the De La Salle program have been put under that unfortunate cloud and have never been cleared. When those people go to the police they say, 'This is a ridiculous allegation. We're not going to go any further with this particular allegation.' The person says, 'Well, clear me,' but they are told that they have to go through the whole court process to be cleared.

Unfortunately, in the case of BoysTown—and I make the allegation now—some bureaucrats held a gun at the head of the De La Salle Brothers. In the end, the De La Salle Brothers said, 'We've had enough. We want out.' So out they go tomorrow. As a result, a magnificent institution like BoysTown with magnificent facilities will just sit there from tomorrow onwards. It cost just over \$40,000 per year for a student at BoysTown, particularly when there were the maximum number of 84 boys. When this government took over and Lindsay Wagner was placed in charge, it cost more than \$150,000. Obviously, departmental officers said, 'Enough's enough. We'll close down BoysTown.'

As from tomorrow, the De La Salle Brothers will be happy; they can go back. Over the past 12 months, no De La Salle Brothers have been there. In fact, the Department of Families said that no De La Salle Brothers were allowed to go there. The department would not even let one particular person go back to BoysTown for a funeral. We saw a complete breakdown of this place, which I believe offered excellent alternative care. In addition, it offered rehabilitation. One of the other problems for the bureaucrats was that it was a costly program. Children were placed there for two or three years, which is a lot different from putting them in a place like Wilson House for two or three weeks.

These kids were undergoing a program of rehabilitation. There were educational facilities. Funded by the Department of Education, up to 17 teachers worked at BoysTown. These kids were accommodated in dormitories with live-in parents. They had their own lifestyles with live-in parents. They worked with animals and motorbikes. It was an excellent program. From now on, that program will not exist.

Ridiculously, the Department of Families is now placing young people in motel rooms overnight or for three or four nights. In addition, Department of Families officers have to stay with them. However, I have now found out that some of these young kids are staying in motels by themselves. But what can

Department of Families officers do when a young kid who has failed in 15 to 16 foster homes is in trouble at half past 6 on a Friday night? What do we do with them? Unfortunately, there is nothing we can do if we have closed down places such as Petford and BoysTown. The Outlook centre at Boonah is being reopened to accommodate four or five kids. Some furniture has been borrowed from BoysTown, which closes tomorrow. This magnificent and highly regarded institution will be closed. It has a magnificent gymnasium.

Mr WILSON: I rise to a point of order. I draw the Chair's attention to the issue of the relevance of the comments being made now by the member for Beaudesert, who has been going for some time. They are not relevant.

Madam DEPUTY SPEAKER (Ms Liddy Clark): Order! There is no point of order. However, I remind the honourable member to stick to the subject of the bill.

Mr LINGARD: This obviously relates to the amendment with respect to juveniles, which is very important. Tomorrow we will see the closure of BoysTown. I will conclude those comments on that note.

The other reason I was referring to the need for institutions for these juveniles relates to the problem of young people who are suspended from attending school. There is a need for something to be done about them.

I made some comments about Flagstone. Unfortunately, Flagstone community college is, I believe, being protected from the unions. The unions are not screaming about the Flagstone high school, which unfortunately has not even been passed over to Education Department hands at this stage. It is owned by a superannuation fund. I mentioned that to the minister and the minister asked me to raise it in the parliament. There is no doubt that that site is not owned by the Education Department at this stage. That does not mean to say that the government cannot go ahead with its construction. Unfortunately, it is owned by a superannuation fund. I indicate that we will be supporting the bill.
