



Speech by

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MEMBER FOR HERVEY BAY

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DRUG DIVERSION AMENDMENT BILL

Mr McNAMARA (Hervey Bay—ALP) (3.57 p.m.): I rise to wholeheartedly support the Drug Diversion Amendment Bill 2002. I am strongly of the view that this bill will provide many people with the opportunity to address their illicit drug use early and, in many cases, before incurring a damaging criminal conviction. It is a matter of fact that drug addiction is the scourge of modern society. As my fellow members will undoubtedly be aware, the social and economic costs of drug use are immense. Many good and decent people become dependent on drugs. This soul-destroying dependency forces many of them into a life of crime. The parents, relatives and friends of the drug user all become embroiled in the drug-crime cycle. However, the actions of the drug user are felt by not only those immediate groups but also the wider community, which is exposed to the negative and disturbing effects of the drug-crime cycle.

We cannot simply bury our heads in the sand over the issue of drug use and drug dependency. Drugs are a real and frightening part of Queenslanders' everyday lives. These problems are evident in my community of Hervey Bay. Sadly, as ever, the majority of offences passing before the Hervey Bay court are drug or drug related. This situation is unacceptable. It follows that such a high rate of drug use is damaging our community, both socially and financially. Problems such as the disruption and intrusion that comes from drug related thefts and the unacceptable risks to our dedicated health care workers from drug-induced and often violent or abusive patients are all too common.

In view of the time, I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

In order to successfully deal with the pervasive problem of drug abuse, we need to recognise the next generation of users at the earliest possible stage. If we can divert young people from the path of drug abuse, we can help them lead productive lives and reduce crime in the community.

I must emphasise that diversion is not about making drug use acceptable. Rather, diversion focuses on measures aimed at prevention. After all, "prevention is better than a cure".

I firmly believe that the Drug Diversion Amendment Bill 2002 will directly address some of the issues of greatest concern to the community and provide a framework for tackling illicit drug use in Queensland.

This piece of legislation will concentrate on harm minimisation and emphasise health, rather than exclusively focusing on the criminal justice system. The primary objective of this Bill is to divert offenders into education and treatment programs, in order to try and stop them using drugs. We cannot adopt an attitude of "lock 'em up and throw away the key". We must attempt to provide an alternative solution that will enable the drug user the opportunity to overcome the drug-crime cycle, and contribute to the good of society.

The fact that over two-thirds of prisoners are incarcerated because of drug-related crime, demands the Beattie government's continued expansion of Drug Diversion Programs. This diversion program provides early intervention to allow people apprehended for minor drug offences the chance to receive professional education and assessment, rather than ending up in the criminal justice system.

The Bill complements the already successful Police Diversion Program by ensuring that those individuals, who use illicit drugs, will have access to education, assessment and treatment. The fact is that since the implementation of the Police Diversion Program, over 6000 offenders have been diverted and some 5000 of these have successfully attended an assessment and education session. I am confident that given time, and the same level of support, the Drug Diversion Amendment Bill will be able to replicate the same high compliance rate.

Similar illicit Drug Diversion Programs implemented in Victoria and New South Wales have already begun to bear fruit. In Victoria, in particular, that State's Diversion Program has received considerable support from all groups and people involved. The program has been seen as a timely and effective means of addressing the issue of illicit drug use. The

passing of this Bill will allow Queensland the opportunity to align with the other States in order to make this initiative truly national.

This Bill will permit a Drug Diversion Court to order an eligible offender to attend a drug assessment and education session. I strongly believe that those that attend the assessment and education sessions will have a realistic chance of changing their pattern of drug dependency, as well as getting their lives back on track. Of course, it would be foolish to think that the problem of drug use could be seemingly "fixed" as easily as that. Unfortunately, some users will be beyond the reach of education and assessment. However, if this Diversion Program provides only a handful of drug dependent users with a chance of breaking the drug-crime cycle, it has undoubtedly succeeded.

The Attorney has recognised the apparent conflict that can emerge between some of the goals of the health and welfare system, and the criminal justice system, when trying to deal with a drug dependent individual. It is at this point that I must congratulate the Minister for bringing together numerous government departments, as well as various reference and interest groups in consultation on this initiative. By encouraging collaborative practices, the Minister has shown that these groups have been able to identify common goals and objectives. I believe that this collaboration will ensure that the education and assessment sessions will be conducted in the most appropriate and beneficial manner which, in turn, will give this Diversion Program the maximum possible chance of success.

One point that I would like to note in regard to the education and assessment sessions is that I strongly believe that the drug offender should be encouraged to involve a family member in the session. The active participation of someone close to the offender will help to provide support, both emotional and physical, in order to make the necessary life changes to stop their drug use.

I stress that this Drug Diversion Bill does not provide drug offenders with the opportunity to receive a mere "slap on the wrist". Rather, this Bill aims to educate those that can and are willing to be educated on the dangers of illicit drug use. This Diversion Program focuses on the individual drug user. Individuals, such as the drug dealers, who without doubt are responsible for damaging so many lives, and repeat drug offenders, will not be eligible to participate in this program. This Government will not allow these individuals, who are a menace to society, the change to side-step the criminal justice system.

This piece of legislation has the potential to change the lives of many Queenslanders. These include the drug users, their families and friends, and the potential victims of crime. I am immensely proud to be able to vote in favour of this Bill. It is, without question, our duty to pass legislation such as this.

I would like to particularly thank Mr Ian Davies, a student at the University of Southern Queensland Hervey Bay Campus, who has provided the research and, indeed, the overwhelming bulk of the text of this speech for me. I hasten to add that his work was all the stuff that made sense, was grammatically sound and well reasoned. Ian is an extremely bright and enthusiastic young man and the high quality of his research and writing skills will ensure him plenty of success when he finishes his studies.

Madam Deputy Speaker, every family will be touched by the tragedy of drug abuse. Every one of us has a story, an experience of friends or family members who have succumbed to drug abuse at some time. Families respond as best they can—with love and support to the best of their ability, to the limit of their capacity. Families put up with loved ones lying to them, stealing from them, pawning jewellery and white goods, abusing trust and love, as drugs rule the actions of those addicted. It is tragic, pitiless and often fatal. Lives are lost and families destroyed. We simply must do more to prevent that slide into horror.

I urge all members to support this sensible and practical Bill. I thank, once again, and congratulate the Attorney. I commend the Bill to the House.