



Speech by

**BONNY BARRY**

**MEMBER FOR ASPLEY**

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Hansard 31 October 2002

### **DRUG DIVERSION AMENDMENT BILL**

**Ms BARRY** (Aspley—ALP) (12.07 p.m.): I rise to support the Drug Diversion Amendment Bill 2002. The bill is part of the Beattie Labor government's integrated, proactive and, quite frankly, commonsense approach to the problem of illicit drugs in our society. The bill has as its object the amendment to the Juvenile Justice Act 1992 and the Penalties and Sentences Act 1992 to facilitate the provision of drug assessment and education sessions to particular offenders appearing before drug diversion courts. It achieves this where an offender is eligible or is ordered to attend drug and assessment education sessions with no further action being taken beyond their pleading guilty and no conviction being recorded.

The system allows for eligibility for people to take this avenue only where a guilty plea is received and only where there is possession of a small quantity of drugs for their personal use. It ensures that the drug diversion system is not misused by drug sellers and dealers by excluding from the program those persons who possess large quantities of drugs, have previous convictions for drug trafficking or who have been involved in crimes of violence or of a sexual nature. Offenders who have had two previous diversions will not be eligible with no further chances to utilise the drug diversion avenue being available to them. The final discretion for the use of this avenue remains with the individual magistrate, which is as it should be.

This legislation is a further arm in the proactive strategy that addresses the problem of drug related crime. It is easy to make sweeping, loud statements that we should take drugs offenders away, send them to jail and throw away the key. It is easy to exploit the fears of older persons about crime rates while offering no real solutions to improve their sense of security. However, it is much more responsible and delivers much better results to take the path that this government does and seriously tackle the causes of crime and to provide opportunities for rehabilitation for those people who use drugs.

The Drug Diversion Amendment Bill is further evidence that the Beattie government understands what creates the environment of drug related crime and where those people who are at an early point in their drug taking involvement begin to undertake illegal activities that finance their expensive habits. This is the time for action to assist those people who chose alternative paths. Drug awareness and education sessions at an early critical point in such people's lives can make the difference between a spiralling drug taking descent and subsequent participation in opportunistic crime and a chance at making a choice to say no to drugs. It is supportive of the person behind the drug taker, yet it is tough on the message that drugs ultimately will take control of one's life. The result is the loss of the person who is a beginning drug taker.

It would not surprise members to hear that the electorate of Aspley has a problem with the incidence of drug related crime, nor to hear that some of the people in my electorate live in fear of being victims of opportunistic crime that emanates from the presence of a drug taking culture in a community. Aspley, despite its many advantages, is also a place where some residents struggle in their fight against the demons of drugs. Whilst on average our crime rate is low and generally on the decline, Aspley is home to pockets of crime where drug taking can be directly linked to unacceptable numbers of home, businesses and car thefts. In Aspley, our neighbourhood watches, local police and community

groups make a huge difference to crime prevention and detection. However, by my talking to those community citizens we understand that the approach to drug related crime requires that we must as a community make a significant contribution to assisting the people inside the drug user in addition to being tough on organised crime and criminals.

The people of Aspley understand that being tough on crime means increasing law enforcement measures and introducing legislation that ultimately ends in tougher penalties. If you do the wrong thing in Aspley, our local Brisbane North police are vigilant and effective in crime prevention, detection and enforcement. Frankly, they are fantastic. Our neighbourhood watch groups are wonderful partners with local police in crime prevention and awareness activities. They make the difference to the crime rates in our community. But Aspley is also a place for families, and we understand the scourge of drugs brought to many family lives. No family, no matter how affluent, educated, supporting and loving can be guaranteed that drugs will not affect a family member. It is the understanding of the people of Aspley that everybody deserves a second chance, that a person can be saved from a life of drug dependency. That saving has significant positive outcomes not only for the individual but also for the community as a whole that it leads me to strongly support this bill on behalf of the people of Aspley. The Drug Diversion Amendment Bill 2002 delivers on another sound strategy in the fight against drug related crime. I congratulate the minister, his staff, departmental officers and his ministerial backbench for an excellent bill. I commend the bill to the House.