



Speech by

DIANNE REILLY

MEMBER FOR MUDGEERABA

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DRUG DIVERSION AMENDMENT BILL

Mrs REILLY (Mudgeeraba—ALP) (2.34 p.m.): I am pleased to rise in support of the Drug Diversion Amendment Bill 2002. I have long been a supporter of diversionary programs, particularly in relation to offenders who themselves are victims—in this case, victims of the evil scourge that is drug addiction and these are most often young people. Once people are caught in the downward spiral of drug use, crime is not very far away. In fact, for many addicts, it is a constant partner in their misery. They are looking for that next fix and they cannot think about anything else. So the act of breaking into a house, a car, a shop, or even stealing from friends or family members is automatic. It is done without any thought of the consequences, because, for these people, the need to finance the hit and the next hit is all consuming.

But such crimes are usually badly planned and carried out sloppily, leaving trails of evidence for police to easily follow. So what next for this drug affected offender? Is it going directly to jail? I do not want to reflect badly on our correctional facilities, because there are some very good rehabilitation programs in place, but for the drug-affected offender, incarceration away from their family and friends and community support, without access to professional, tailored drug rehabilitation and education, this first encounter with the criminal justice system all too often leads to future encounters on release, because the root cause of the problem, the drug addiction, has not been addressed.

This is not just my opinion; prominent criminologists and health experts are calling for diversionary programs as an effective way of breaking the cycle of drug abuse. In 1999 the former CJC reported on the benefits of diversionary programs and breaking the link between illicit drug use and criminal activity. The national drugs strategic framework of 1998 to 2003 acknowledged that prohibition and law enforcement alone would not be effective in reducing the level of drug supply and use.

The Beattie government is interested in addressing the causes of crime, because drug addiction will make people act in a way that they would not normally. If we can get those people into rehabilitation, get them off the drugs when they first come to the attention of the courts, they stand a far better chance of getting clean, getting better and not coming into contact again with the criminal justice system.

Ms Keech: Rehabilitation is the only answer.

Mrs REILLY: Rehabilitation and a diversion out of the criminal justice system is the only way for many drug addicted people.

This diversionary program is aimed at first-time, non-violent offenders in possession of small quantities of an illegal substance that they can prove was intended for their personal use. If the offender pleads guilty, then they will not have a conviction recorded, which further frees them from that lifelong stigma based on a mistake that occurred perhaps only once or twice in their early lives. Magistrates retain a full discretion to apply the drug assessments and education programs. I think they are very important provisions.

The bill complements the federal government's illicit drug diversion initiative—and it is one of the very few things that I agree with the federal government on—and the diversionary program will be trialled at selected Magistrates Courts and will be fully evaluated before a decision is made to extend that. Again, I think that those are very important protections and provisions within this bill.

The bill offers a strong preventive focus by diverting young people in particular, but all offenders, away from prisons and into a system that is aimed at getting them off drugs. I want to congratulate the Attorney-General and his staff on the comprehensive way in which they have approached this issue, put this bill together and consulted with the relevant members of the community and informed the members of the committee and honourable members of the House. I commend the bill to the House.