



Speech by


**Michael Hart**

**MEMBER FOR BURLEIGH**

Hansard Tuesday, 21 August 2012

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## **CRIMINAL LAW AMENDMENT BILL**

 **Mr HART** (Burleigh—LNP) (4.16 pm): I rise today to speak in support of the Criminal Law Amendment Bill 2012, introduced by the Attorney-General and Minister for Justice, the honourable member for Kawana, on 20 June this year. This bill seeks to amend the Criminal Code, the Corrective Services Act 2006, the Criminal Law Amendment Act 1945, the Penalties and Sentences Act 1992, the Police Powers and Responsibilities Act 2000 and the Youth Justice Act 1992. In line with the LNP's election commitments, this bill will see Queensland get stronger on crime through toughening sentences for evading police, murder and serious assaults committed upon Queensland's police officers. This bill signifies our government's intention to be tough on crime and to strive to ensure that adequate punishments are imposed on serious criminal offenders.

This bill also seeks to abolish Queensland's Sentencing Advisory Council through the amendment of the Penalties and Sentences Act 1992. As I move around the electorate of Burleigh I hear from people from all walks of life that they are sick and tired of the lack of respect for our teachers, our politicians, our elders, our ambulance officers, our fires and in particular our police officers. As was articulated by the member for Burdekin, our police officers are tired of being ignored, being spat on and being abused by members of our community who have no respect for them. They simply do not deserve that. I am sure that all members in this place would agree with that sentiment. The Criminal Code will be amended to enable this government to give officers who are attacked or injured in the line of duty justice for the sacrifice they make every day to protect each and every one of us.

The minimum non-parole period for criminals who commit the heinous crime of murder of a police officer while they are performing their duties will be increased to 25 years. The penalties for assault of a police officer will also be increased to a maximum of 14 years—double the previous seven years imprisonment. As we heard from the member for Coomera earlier, we lost one of our beloved police officers in Damian Leeding. That gentleman was out there protecting us when he unfortunately met a very vicious criminal involved in a robbery, and that person shot him.

It is very important that we give some backing to our police officers. They are out there every day, as I have just said, protecting our lives and protecting the lives of our children. When you talk to those officers, they want to get on with their jobs. They really want to be on the beat arresting criminals, which is exactly what their job is. However, they were disheartened by the lack of support from the previous government and are heartened by the support that they are getting from this government, and one can see that when one talks to them.

The abolition of the Queensland Sentencing Advisory Council through amendments to the Penalties and Sentences Act 1992 will enable a more efficient use of public resources by the rationalisation of law review functions across government. The main focus of the council's work was to provide advice on sentencing matters which effectively duplicated the law review functions of the Queensland Law Reform Commission. Through amendments to the Police Powers and Responsibilities Act 2000, this government will increase the penalty for those offenders who evade police to a mandatory minimum penalty of \$5,000 and a two-year licence disqualification. This amendment seeks to create an alternative to the hotly debated issue of police pursuits and to ensure that there is sufficient deterrent for offenders. On our TVs at

night we see a police pursuit where police officers are required to remove themselves from that pursuit because it is just too dangerous. Cars speed down the road at 200-plus kilometres an hour and those things are just far too dangerous. We have to put in place a deterrent for those people so that they think twice about trying to evade police officers. This bill goes a long way towards doing that. This offence will only be a successful alternative to police pursuits if the deterrent value is maintained through the imposition of sentences that reflect the dangerous nature of the conduct involved.

There has in fact been a decrease in the number of police pursuits and as a consequence less related deaths and injuries. However, the number of people failing to stop for police has increased every year since 2007. In a 2011 report, the CMC found that between July 2006 and June 2010 the most common penalty for evading police was a mere fine of \$300. That is no deterrent for anybody. The CMC also found that a period of licence disqualification was only imposed in approximately one in every five cases. Through this bill, the creation of mandatory sentencing for evading police will impose a deterrent to hoons everywhere.

The LNP is taking a position of being tough on law and order, and that is demonstrated through our proposed changes to Neighbourhood Watch and our stance on being tough on graffiti, which is a blight on society. This government has provided a police helicopter to the Gold Coast and is in the process of moving towards a second police helicopter to look after South-East Queensland. Therefore, I was quite surprised to listen to the member for Bundamba during her contribution to this debate. I have to say that this is the second time that members on this side of the House have endeavoured to move a bill that would in fact penalise people who assault our police officers or, for that matter, any other emergency workers. The member for Bundamba might remember that in 2010 the honourable member for Southern Downs moved a private member's bill named the Criminal Code (Serious Assaults on Police and Particular Other Persons) Amendment Bill. I wonder if she remembers that, because at the time according to *Hansard*—and I will go to the *Hansard* again—it appears as though the member for Bundamba did not in fact speak on that bill. At that time she sat there quietly just like the other five then members of the Labor Party. I will not speak for the two new members, but the then five existing members sat there during debate on that bill and said absolutely nothing. They said nothing. When it came to the vote, did they support the private member's bill that might have led towards these officers being protected in a better way? No, they voted against it!

Those opposite really should be ashamed of themselves for standing in this place and criticising us on this side of the House for endeavouring to be tough on crime when you sat there not saying a word. When you had the opportunity in 2010, you sat there and you did not do anything to support that bill. You now come into this place and you are being hypocrites. You are being absolute hypocrites.

**Mr DEPUTY SPEAKER:** I would ask the member to address his comments through the chair and not use the word 'you'.

**Mr HART:** Thank you, Mr Deputy Speaker. I will move on and say that members on this side of the House will be tough on crime. We will not step back from that. We will not apologise for it, and I commend the bill to the House.