




Speech By
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MEMBER FOR PINE RIVERS

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PENALTIES AND SENTENCES (DRUG AND ALCOHOL TREATMENT ORDERS) AND OTHER LEGISLATION AMENDMENT BILL

 **Ms BOYD** (Pine Rivers—ALP) (3.41 pm): This bill moves to correct yet another callous and heartless policy piece committed under the failed Newman-Nicholls government by reinstating drug courts in Queensland. Ours is a government that is committed to ensuring that those doing it the toughest in our communities have every opportunity to be extended a hand up. That is why this bill does not just reinstate drug courts in Queensland; it also broadens the scope to alcohol. The bill recognises that the misuse of alcohol and drugs are major contributors to criminal behaviours. As such, it uses specific sentencing orders through the court. This measure is a must when responding to substance fuelled crime.

The bill addresses this critical measure through a new sentencing order in Queensland called a drug and alcohol treatment order. The treatment order is an integrated treatment regime, including legal and health measures to reduce the substance use disorder, reduce the criminal activity associated with it and assist with integration back into the community. To assist the court in making a determination on the appropriateness of the treatment order, the bill provides for a suitability assessment report to be prepared, to provide an assessment of the severe substance use disorder, the suitability for release and the proposed treatment order. The treatment order has two parts—the custodial part and the rehabilitation part—and can be made only with the informed consent of the offender. The Brisbane Drug Court will be established as a pilot. It will operate from November 2017 through to 2022, with an evaluation being completed at the end of 2018. It is expected that between 80 and 125 offenders will appear before the court annually.

When talking about the bill before the House, it is important to look at the contributions that submitters made throughout the process. We heard from remarkable submitters and I thank them for their interest in the bill and their contributions to the committee process. It was most informative. Like the Attorney-General, I found the contributions from the Queensland Law Society particularly profound when they talked about the best interests of justice being impeded by the removal of diversionary programs under the LNP. Ms Rebecca Fogerty, the Deputy Chair of the Criminal Law Committee of the Queensland Law Society, said—

In order for justice to be done, judges have to have discretion and they have to have a wide range of sentencing options and be able to balance punitive aspects of the sentencing discretion, because punishment is important to a justice system, but balance that against the other no less important considerations of rehabilitation and deterrence, general and specific.

The Law Society talked about who was most affected by the cessation of the court diversionary programs. Ms Rebecca Fogerty stated—

The real issue for us is that the abolition of the diversionary programs compromised some of the most vulnerable members of the community. It did not go to hardcore drug traffickers on the Gold Coast. It affected women, it affected children, it affected Indigenous Australians and it affected people who were chronically addicted to drugs, and the best interests of society was being able to rehabilitate them. It is quite clear from the Law Society's presence today and our previous advocacy on these issues that we consider diversionary programs to be central to a just, functioning criminal justice system.

I hope that through the process of today's debate we hear from the member for Kawana on this very topic, because he was the attorney-general when the previous LNP government removed drug courts in Queensland. The member for Kawana said that the program cost \$14 million a year program and that illicit drug users could be referred to existing health services, but the Newman government provided no additional funding to those existing health services. I would be really interested to hear his contribution on the bill today, given all of the stakeholder feedback and all of the contributions that have been provided in this space.

Mr Bleijie: I am glad you're interested in me, because I'm never interested in anything you've got to say.

Ms BOYD: It is a shame that he cannot make a meaningful contribution in this place on the topic. It is a shame that his interjections are not worth taking.

At our public hearing in Cairns, we heard about the measures that services had to go to. We heard from ATODS staff members, concerned community members and people from the hospital and health service. It was really concerning that services had to create their own programs in this space because of a lack of any sensible government program under the LNP. They talked about the work that they had to do in this space to put counter measures in place, so that community members can make the best possible contributions to society in light of governments that clearly do not support them. Today I compel the member for Kawana to, if nothing else, look at those contributions, because there is no doubt that the decisions made by the previous Newman-Nicholls government hurt Queenslanders. This bill highlights the types of hurt that were perpetrated on Queenslanders. I commend the Penalties and Sentences (Drug and Alcohol Treatment Orders) and Other Legislation Amendment Bill to the House.