




Speech By
Dale Last

MEMBER FOR BURDEKIN

Record of Proceedings, 28 March 2019

JUSTICE LEGISLATION (LINKS TO TERRORIST ACTIVITY) AMENDMENT BILL

 **Mr LAST** (Burdekin—LNP) (12.36 pm): I rise to contribute to the debate on the Justice Legislation (Links to Terrorist Activity) Amendment Bill 2018. Those of us privileged to stand in this place are honoured to do so but with that honour comes responsibilities. Perhaps the greatest of those responsibilities is to ensure the safety of each and every Queensland and those who visit our state.

What is safety? It could be said that safety is ensuring that no harm comes to people, but there is more to safety than ensuring there is no harm. Safety is about opportunities and prevention—the opportunity to go about our lives as law-abiding citizens without fear that our beliefs, our looks, our occupation or any other individual trait will cause us to suffer harm.

As members of the parliament, we have the opportunity to make our voices heard, and some may say that it would be better if some of us did not. However, that is not democracy and that is not freedom. That opportunity we have to be heard and to make a difference must also be vested upon all Queenslanders. As we are the representatives of our constituents, their safety must be held at the utmost in our minds. Too many have given too much for that safety to be threatened. Perhaps it is due to the expansion of social media or perhaps it is because terrorism has played such a huge role in shaping our lives. Either way, in recent times we have seen hate displayed on far too many occasions.

The recent events in Christchurch have again highlighted the need for us to play our part in eliminating or at least controlling that hate. I am not referring to shutting down speech or opinion; I am clearly stating that we as a parliament must act. That is why I support the spirit of this legislation that we are debating here today.

I note specifically that this legislation is a result of a COAG agreement. I believe that all levels of government must work together to tackle the scourge of terrorism. Further, if such cooperation took place on a daily basis we would undoubtedly have a stronger Queensland and a stronger Australia. A stronger Queensland and a stronger Australia is our best weapon against those who mean harm to us and endeavour to change our way of life.

Although I do not oppose the bill, I have some concerns that the presumption against bail only applies to people who have a previous conviction for terrorism. I would prefer to see this extended to crimes involving violence. I do note, however, that being subject to a federal control order is sufficient to invoke the presumption in favour of bail. I believe that when it comes to terrorism we need to err on the side of public safety and not rely on the fact that someone has been previously convicted or is under the watch of federal agencies.

A further concern is the fact that exceptional circumstances can be used to circumvent this bill without an explanation of what these exceptional circumstances are. This is a concern echoed by the Bar Association of Queensland. I fully understand the need to empower our judicial officers; however, perhaps the Attorney-General could shed some light on what those exceptional circumstances might be.

I also have concerns with regard to reports requested from the Commissioner of Police. Few crimes strike at the heart of Queenslanders—or anyone else, for that matter—more than terrorism offences. It is concerning that members of the Parole Board may not be provided with all of the information they require to make an informed decision. Remember, Mr Deputy Speaker, that these are decisions which directly affect the safety of Queenslanders. One must question why this information cannot be provided. As a former police officer, I understand and fully support the need to ensure proceedings in court are not prejudiced, and of course we must ensure that lives are not placed at risk. After all, that is what this bill is designed to do. However, if information cannot be provided to members of the Parole Board, then I would suggest that we have an issue with the Parole Board system. If we cannot trust the people who decide when convicted criminals are granted parole—in some cases we are talking about people who have been convicted of violent crimes—then who can we trust? I am a former member of the Parole Board, and I can tell you that when Parole Board members make decisions regarding prisoners' eligibility for parole, they want all of the information made available to them so they can make an informed decision.

Stakeholders who have raised the issue of ensuring a balance between protecting Queenslanders and the preservation of liberties are right to note this is a concern. These are the same concerns that I—and I am sure all members in this place—have; however, I make no apology for my commitment to putting the safety of Queenslanders first. As a former police officer, I have seen the effects of crime on a wide range of people. Until you have seen it with your own eyes, you simply cannot fully comprehend it. I shudder to think what the effects of a terrorist attack would be on innocent victims in our state.

I also note the submission that reversing the presumption of bail due to one offence could be seen as an erosion of liberties. What we must note is that, to be enacted, the reversal requires a conviction. The reversal is not enacted by an allegation. The people subject to this reversal have been convicted of a terrorism offence or are under strict control orders because of terrorist training or engaging in hostile activities or have committed an offence that would be a terrorism offence here in Australia. We are not talking about a person who has allegedly committed a crime; we are referring to people who are convicted of terrorism, and we must treat them as such. I note comments from submitters that the reversal of the presumption of parole may be seen as a disincentive from engaging in terrorism. Remember that these are people who have already been convicted of terrorism. These heinous crimes are not something they have thought about; they are crimes they have committed.

Youth justice is a topic that many Queenslanders have an opinion on and, frankly, many of them have lost faith with the current system. In this debate we need to ensure that we focus on that central issue and the offence of terrorism. I do not profess to be an expert on radicalisation, but the fact is that some of these vile terrorists can, and would, use children to help them achieve their goals. Once again we need to differentiate between alleged offenders and convicted terrorists. Yes, this legislation does conflict with youth justice principles, but we need to remember that when terrorists commit acts of hate they do not discriminate between young and old, they do not discriminate based on skin colour, and they have no regard for the religion or gender of their victims.

Terrorism is terrorism; convicted terrorists are convicted terrorists. Those of us in this place have a moral obligation to protect Queenslanders from these people. Many times in this place we hear members refer to their top priority or their primary goal. Surely our top priority is the safety of Queenslanders. I am led to wonder why this government has taken so long to introduce this legislation, and I welcome an answer to that query from the Attorney-General. This is something that should have been done a long time ago. That is why the LNP proposed legislation just like this prior to the last election.

This bill is not about political point-scoring for me. Yes, I have concerns around certain parts of the bill. Yes, I would like the Attorney-General to provide further advice on some of the issues I have raised here today. I cannot speak for those opposite, but I do believe that all of us in this place need to ensure that the message to any potential terrorist is consistent and that we make no apologies for our stance on this crime. Queensland and Queenslanders are stronger than you. If you commit terrorism in Queensland you will feel the full weight of the law, and if you commit terrorism in Queensland you will not be paroled or bailed easily.

This state and this nation are made up of compassionate, caring people and we welcome people regardless of their culture, their religion, the colour of their skin, their gender or any other trait that may separate other people in other places. As Queenslanders we value our safety and we value our freedom, and we will not stand by while they are threatened. As I said earlier, one of the greatest defences against terrorism is unity and strength. I call on all members of this place to show unity, put the safety of the people of this great state first and support this bill.