




Speech By
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CORRECTIVE SERVICES AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs GERBER** (Currumbin—LNP) (6.21 pm): This evening I rise to speak on the Corrective Services and Other Legislation Amendment Bill. From the outset, as a member of the Legal Affairs and Community Safety Committee I want to put on the record my thanks to the committee staff for their assistance during the bill's consideration by the committee. By way of background, in December 2018 the Crime and Corruption Commission released a report titled *Taskforce Flaxton: an examination of corruption risks and corruption in Queensland prisons*. The report focused on identifying corruption and risks of corruption in Queensland prisons. As a result of this investigation, the Crime and Corruption Commission found that there were significant corruption risks in Queensland prisons and that our existing anti-corruption framework is not effectively preventing, detecting or dealing with these risks.

On 29 May 2020 the Legal Affairs and Community Safety Committee recommended that the bill be passed. On this side of the House the LNP has some reservations about certain aspects within the bill—namely, the regulation of gel blasters and the early release of prisoners on parole. I will get to these in detail, but first let me talk to some of the aspects of corruption within corrective services to which the bill relates.

From the outset I want to say that as a former prosecutor with nearly 10 years experience I know how important it is that our criminal justice system is free from corruption, but it also must be run effectively. The Taskforce Flaxton report published in 2018 highlighted that overcrowding in our prisons increases the occurrence of prison assaults, including serious assaults against staff in our prisons. Our prisons are overflowing and bursting at the seams, but Labor's only solution to prison overcrowding is doubling up—putting a mattress on the floor of a single cell and forcing two prisoners in the one cell. This practice of doubling up is only making the violence and corruption worse.

The Palaszczuk Labor government claims that it has a zero tolerance policy for violence in Queensland's correctional facilities, but its inaction on this issue clearly shows it does not have a plan to fix it, like so many other issues across our state. Queensland's overcrowded prisons mean prisoners are returning to our streets more violent than ever and putting communities like mine at risk. If Labor cannot control our criminals in prison, how does it expect to rehabilitate them and return them to society?

On this side of the House the LNP will always stand up for an improved justice system. That is part of the reason I am standing in this chamber here today. I want to keep our community safe. Corruption in our corrective services system is unacceptable and now is the time for the police minister to take full responsibility for his failure in managing Queensland's prisons. What we have is an embattled police minister who is failing in his role and putting the safety of the community at risk. Only the LNP believes in delivering the resources our prisons need to reduce the risk posed by recidivist offenders and to keep our communities safe.

Appallingly, the bill also seeks to allow for the early release of prisoners on early parole. In May this year Labor was caught out trying to let prisoners out on parole early during the first full sitting week as part of its Justice and Other Legislation (COVID-19 Emergency Response) Amendment Bill and the LNP opposition called it out for what it was—Labor going soft on criminals. The Palaszczuk Labor

government did a complete backflip and announced it would be scrapping the unpopular policy. This get-out-of-jail-free pass of early parole was officially scrapped during consideration in detail, well after the LNP had signalled it would oppose it. Again, we see that Labor is prioritising prisoners ahead of community safety and victims of crime. On this side of the chamber our view is always that if you do the crime you do the time. Labor needs to get its priorities in order and scrap this unpopular policy once and for all.

This brings me to the part of the bill proposing to regulate the gel blaster industry. The committee received many submissions from those who had an interest in the gel blaster industry and these submissions voiced a frustration towards the proposed regulation of the industry, arguing that the changes were not necessary. In the 2017 case of Comptroller-General of Customs v Clark CFP Pty Ltd, Magistrate Shearer defined gel blasters as a toy. He went on to say that, despite their appearance, gel blasters are only capable of firing water based pellets and should therefore be classified as projective toys.

It baffles me that the Palaszczuk Labor government is prioritising the strict regulation of toys over a crackdown on weapons and firearms crime committed by violent and organised criminals. Although gel blasters are unregulated, this does not mean there are no legal mechanisms to hold people to account who use them inappropriately. There are currently a number of offences a person can be charged with in the event they misuse their gel blaster. In effect, this provision is unfair as it compels people to arbitrarily be a member of an association and will disenfranchise those who live in rural areas who do not have access to gel blaster clubs.

Labor's proposed regulation of the gel blaster also has a large impact on many small businesses. According to the industry, Queensland small businesses supply an estimated 600,000 gel blasters per year to people across Queensland. It is expected that regulation will negatively impact the 150 gel blaster small businesses that operate in Queensland. At a time when we must support our small businesses, Labor is legislating to take business away from them. Unlike Labor, the LNP cares about small business. We want to see small businesses prosper rather than be hindered by red tape and narrow regulation.

The implementation of the proposal is also poorly thought through. There is no talk of any buyback for owners who have to turn their gel blasters in because they have no gel blaster club in their area that they can join.

Unlike Labor, which wants to regulate toys, the LNP has a real plan to crack down on organised criminal gangs that are terrorising Queenslanders right across the state. The LNP introduced tough new gun laws to prevent high-risk individuals such as organised criminal gangs, terrorists and those with a history of violence from acquiring, using or possessing a firearm, but Labor members of the committee chose to play politics and refused to support it.

Currently a perpetrator can do a drive-by shooting with a real gun, shoot up your car or shoot up your house and if the victim is fortunate enough not to be inside the car or house the maximum penalty that that perpetrator can be charged with is property damage. Why is Labor not moving to fix this gap in the legislation?

They are more concerned about regulating toys. Labor is focused on cracking down on toy guns and content to go easy on criminals who shoot real firearms, like those on the Gold Coast who used firearms in a public car park outside a busy shopping centre. It is no wonder the bikies are back and terrorising communities like the Gold Coast. All Labor seem to care about is putting the rights of criminals before community safety. Only an LNP government will restore the tough laws that made the Gold Coast a safer place. That is what we should be focusing on, not the regulation of toys for which there are already indictable offences available in the event of misuse.