




Speech By
Patrick Weir

MEMBER FOR CONDAMINE

Record of Proceedings, 20 May 2020

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr WEIR** (Condamine—LNP) (3.41 pm): I rise to make a contribution to the Justice and Other Legislation Amendment Bill. A look at the committee report will show that recommendation 1 is that the bill be passed. As I said during debate on the previous bill, that is the No. 1 recommendation on every committee report this sitting. I was criticised for that, but it goes further. During debate on this bill the member for Sandgate criticised the LNP members of the committee for putting in a statement of reservation. It is their right to express their view in a statement of reservation. It is bad enough that they have no input into the actual report; now they are being criticised for putting in a statement of reservation. It goes beyond the pale. The LNP will not be opposing this bill. It is, however, interesting to note that the government reconsidered watering down sentencing for indictable property offences after pressure from the opposition as stated in that statement of reservation.

There were five submitters to the bill, with submissions from the Queensland Ombudsman, the Queensland Human Rights Commission, the Caxton Legal Centre Inc., the Bar Association of Queensland, Queenslanders with Disability Network and the Queensland Law Society. All five were supportive of the bill in principle. However, the majority raised some concerns with the bill—namely, the issue of the increase of the prescribed value from \$30,000 to \$80,000, meaning property offences up to \$80,000 would now be likely to be heard summarily in the Magistrates Court. The BAQ was concerned that defendants who rely upon Legal Aid would find it difficult to find counsel to represent them as it is almost impossible to get representation in a Magistrates Court via Legal Aid.

The bill is another omnibus bill which amends 37 acts and regulatory instruments within the Justice portfolio, both criminal and civil. The bill's objective is to provide legislative clarity and operational efficiency in court and government processes. Most of the amendments are administrative in nature and largely uncontroversial. One of the amendments is to the Queensland Civil and Administrative Tribunal Act 2009. This change will allow the Attorney-General to appoint a senior member or ordinary member after consultation with the president after no public advertising for the position. This has the potential to lead to a biased recruitment and selection process, and we have seen some form in this area.

This was another bill that, if brought into this House in its original form, would have handed an extra lifeline to criminals—something they are all too often handed by this go-soft-on-crime government. We have already witnessed under-resourced police men and women working around the clock to ensure criminals are taken off the streets, only to be rearresting the same offenders down the track. Recidivist youth offenders are a major concern in the electorate of Condamine. In response to a question on notice asked on 18 March this year, the police minister responded by advising that in the cumulative years of 2017, 2018 and 2019 156 juvenile offenders committed 536 offences in Drayton. Of these offenders, a staggering 65 per cent reoffended within the same calendar year. Juvenile offenders are not scared of the system. This government is creating hardened criminals due to its soft approach on juvenile crime. By the time these juveniles are old enough to enter adult prisons, they have a rap sheet as long as your arm.

Our understaffed and under-resourced police officers are doing their jobs. However, when we see this government wanting to water down indictable property offences, we have to wonder if it is as tough with the talk as it is with the action. In a media statement on 10 March 2020, the police minister said that Labor would go 'hard core on hard-nut offenders and will ensure that these offenders are held to account and the community is safe'. I am not sure if the minister understands what going hard on offenders is. After all, it took an opposition statement of reservation and some media attention for the minister to realise that its amendment was not hard core on hard-nut offenders after all.

If it had not been for pressure from the opposition, youth criminals would have been able to plead guilty to car theft up to \$79,000 and have their matter heard in the lowest court, the Magistrates Court, to avoid the maximum penalty of 14 years imprisonment and instead possibly receive a maximum sentence of three years. Thanks to my colleagues, the residents of Drayton who have had their cars stolen will continue to see criminals dealt with by the District Court—a court which can impose tougher penalties.

Let us take Oakey for example. It has a police station that is staffed by seven officers with one police vehicle. Over the three-year period from 2017, 2018 and 2019, 82 juvenile offenders committed 219 offences and of these offenders 53 reoffended in the same calendar year. That means that 64 per cent of the time the police are arresting recidivist offenders. A large number of areas in the electorate of Condamine are experiencing a large growth in population, yet we continue to see our Police Service staff working with less resources and officers on the ground. In the town of Pittsworth it took 18 months to fill a second full-time position at the station. Meringandan and Goombungee are relying on other regional stations to ensure they can police their areas properly. Along with these two stations, the poor single officer at Cambooya is run off his feet. I have spoken with residents in that area and they are worried that there is not a large enough police presence. I share their concerns and will continue to campaign for this government to staff the station adequately with two full-time officers.

This government has no idea how to fix its crime crisis. It is continually trying to fool the community by launching new plans. However, when it comes to dealing with offenders, this government is weak. Only last year I spoke in this House about how crime was affecting the Condamine electorate. The Biddeston Store was targeted by thieves twice in a month. Zimms Corner on the Warrego Highway at Kingsthorpe was raided by thieves before the demountable building it was operating the service station out of was set alight. The Gowrie One Stop Convenience Centre was forced to completely replace its front door after the store was ramraided by a vehicle and its ATM ripped out. The Farmers Arms Tavern at Cabarlah—a family-run pub—was broken into and again the ATM had a rope tied to it and connected to the tow ball of a ute and ripped through the front door of the building.

Since these events in 2019, mindless crime has continued across the Condamine electorate and it definitely does not help that our police stations are stretched to the limit. Even the DownsSteam tourist museum was targeted. A pump was stolen from the property, a pump that was used to move water so it could make tea and coffee. This is \$460 that DownsSteam has not budgeted for. Since the corona pandemic has forced the museum to shut its doors, its income is non-existent.

I note in this bill there is reference to the Land Court, clarifying for both the Land Court's judicial and recommendatory functions the scope of the Land Court's and the president's powers to make orders or directions to enable procedural issues to be addressed in a timely and responsive manner. Nobody could want to see the Land Court address matters in a more timely manner than I. The Acland coalmine has been sitting for 13 years and is waiting to go back to the court again. Anything that can be done to speed up that process should be done because it is being used as a tool to delay projects. If we are going to recover from the COVID-19 pandemic, there is no greater example of what we need to get going than Acland stage 3. It is ready to go and will employ hundreds. As I said, we will not be opposing this bill, but I will always defend the right of a committee member to put their thoughts in a statement of reservation or a dissenting report.