




Speech By
James Lister

MEMBER FOR SOUTHERN DOWNS

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STRENGTHENING COMMUNITY SAFETY BILL

 **Mr LISTER** (Southern Downs—LNP) (4.15 pm): I, too, rise to speak on behalf of my community on the Strengthening Community Safety Bill 2023. I would like to say at the outset that this is a bill which is really important to my communities, particularly the community of Goondiwindi which has had a really hard time with crime in the last couple of years, and it has been getting particularly bad in the last few months where we have seen a lot of criminal activity that has started to include assaults and serious assaults on individuals, and that is something which really concerns me.

Because of the number of concerned constituents and people who have simply been passing through my electorate on the way to somewhere else who have contacted me to talk about their experiences, and I have seen quite an alarming escalation in the number of people on Facebook and social media who are expressing dismay at the situation there, I wrote to the Mayor of the Goondiwindi Regional Council and my worthy predecessor, Lawrence Springborg, and suggested that perhaps I could convene a town hall meeting in Goondiwindi to enable the people of Goondiwindi to speak about their experiences, to get things off their chest, and to share their ideas and expectations as a community. His council wrote back to me and said, yes, that would be a good idea.

That is no small thing because the people of Goondiwindi are very proud—they have an excellent community; it is an outstanding town in every respect—and a small number of offenders have been making things very difficult for the community there recently. They do not want to be known as a crime hotspot. That should not define their town. Goondiwindi is not Mogadishu. At the crime forum which I convened, I heard the authentic voices of people who you may not see every day. They are not conspicuous people. They are everyday, hardworking people—the butcher, the baker, the candlestick maker, the nurse, the teacher, the accounts manager, the car salesman—all of whom were united in their concern about crime in their community. The community forum surprised me in how convivial it was. It was not full of fireworks. There were not unworldly hotheads ranting about bringing back the death penalty. What we had was people, many of whom may never have spoken at a community event before, talking about the sorts of things that have happened to them.

Mr Acting Deputy Speaker, I will say from the outset that I will do all I can to account for some of these examples in a way which will not offend the sub judice rule. I will not refer to the names of victims and I will try to express it in veiled terms so that there is no possibility there, but I will be subject to your guidance of course, sir.

Only a week or two ago there was the case of a person who was staying in temporary accommodation—they were on their way to somewhere else—and three offenders tried to steal that person's car. When that person went outside and asked them what they were doing, they rounded on him, followed him back to the place he was renting and assaulted him after breaking in. That was a serious assault and that particular person is still reeling from the consequences of that.

I have spoken to people who have had their homes invaded many times, most often because the offenders wanted to steal the keys to the cars so they could go out and joy-ride. It is no joke to say, as others before me including the member for Lockyer have said, that people should not have to hide their

car keys in a different spot each night or consider hiding them in plain view so that when intruders break in they can find them straight away and not assault the occupants of the house. Those sorts of things should not be happening in Goondiwindi.

I have met business owners who have had their shops damaged in ram raids by vandals and stock stolen including quite recently. I have spoken to disabled and elderly people who are very vulnerable who quite literally are afraid in their own homes. In some cases they have very good reason to be because they have had their home invaded two or three times before. I have spoken about a number of these cases in the past. These are very concerning matters for good, law-abiding people. They are good people who live by and uphold the law of the land and do not do harm to anyone else.

When we talk about this question of youth crime in particular, there are two sides to the picture. On the one side there are the understandably complex issues which give rise to juvenile delinquency. I heard a number of speakers on both sides refer to some of those causes relating to poverty and disadvantage. Nobody denies those as being seminal causes of the kind of conduct we are seeing on the streets in some of our towns these days. I do say though that is only half of the picture. The other half is the victims and the need to prevent reoffending. It seems that in the interests of racing to understand and account for the circumstances of the perpetrators, that side has been folded back. It is similar to the photograph on the mantelpiece, the wedding photo with the awkward gate-crashing distant relative who photobombs the shot; you fold it back, stick it in the frame and forget about it. The people will not be forgotten any longer.

In my opinion, talk about the complexity of the causes of recidivist youth crime has been used as a fig leaf to excuse repeat offenders being allowed to roam the streets night after night to commit the same offences. That is a fact. In my communities—in Goondiwindi, for example—we have had cases where juveniles who have been on bail or have actually been under supervision nominally have been able to go and assault people, steal cars, break into houses and vandalise community assets. If the government and all of us in this chamber agree that community safety is the No. 1 concern, then the only option to break the cycle of crime now so we can continue those discussions about how to address the sad causes of crime is to restrain the offenders.

This bill disappoints me in that it does not remove from the Youth Justice Act the provision that detention must be a last resort. I believe that that has led to offenders being on the streets able to continue to commit crimes and terrorise communities when they should not be. None of us—certainly not myself and I am sure nobody else in this chamber—likes to see juveniles locked up. However, it is a binary thing. You either put the rights of good, law-abiding citizens to live in peace and safety in their community ahead of the rights of juveniles to be given a second, third, fourth or 50th chance, or you do not. I am saying—and I look into the camera—to the people of Goondiwindi that I understand that and I have heard that. I heard that at the community crime forum we had on Wednesday last week.

This bill fails in three respects from my perspective. Firstly, by reintroducing breach of bail, the government has ostensibly done what is required. However, by leaving the requirement that custody be a last resort in dealing with youth offenders it really leaves the status quo. There are no consequences which will restrain repeat offenders from continuing to offend. The provisions regarding the declaration of serious repeat offender status, clause 21 of the bill, really make this bill a toothless tiger. It states—

- the court is sentencing the child in relation to a prescribed indictable offence;
- the child has previously been sentenced on at least one occasion to a detention order for a prescribed indictable offence;

Those points spell doom for the usefulness of this particular bill. Those who have been on the streets long enough to accumulate 50, 70, or 100 charges before they are incarcerated are still going to be committing those offences before they reach the point where they will be detained for an indictable offence.

Lastly, I was sceptical about the value of the provision relating to increasing maximum sentences, because I do not think it would be likely that offenders would be given higher sentences than they are currently regardless of what the ceiling is. Now we find out that the promised increase in maximum sentences does not actually apply to juveniles at this stage. I do not know whether that is an omission and the government will subsequently introduce an amendment to deal with that or not. It just shows that this bill has been crafted in order to give the appearance of listening to the community and doing something about youth crime but it is still welded to the idea that we have to somehow balance the rights of victims and offenders. There is no balancing here; victims and potential victims come first. Offenders must suffer the consequences and be restrained from continuing to offend.

I thank the people of my electorate and Goondiwindi for their engagement with me. I would like to thank Senior Sergeant Richard McIntosh for his excellent assistance at the crime forum as well as the Goondiwindi Regional Council and Councillor Lawrence Springborg for their long advocacy on this matter.