



Speech

GLEN ELMES
Member for Noosa

Hansard, 27 August 2008

Debate - Criminal Code and Other Acts (Graffiti Clean-up) Amendment Bill 2008.

Mr ELMES (Noosa--Lib) (8.14 pm): I rise tonight to speak in the debate on the Criminal Code and Other Acts (Graffiti Clean-up) Amendment Bill 2008. I have just listened to the greatest piece of left-wing claptrap I have heard in the two years that I have been in this parliament. I cannot believe the way those on the opposite side of this parliament are carrying on about something that the rest of society seems to consider is a very serious issue in their communities. Those on the other side have an excuse which does nothing more than back up the airy-fairy piece of legislation that was passed in this parliament last night. We were asked for our support, which we gave, because I suppose anything is better than nothing. Tonight we are trying to put some teeth into something that this society considers very important. We have excuses coming forth from those opposite for these poor darlings who have spent half the night putting tags on walls with paint. We do not dare let them go anywhere near the material that will take the paint off the walls they just tagged! I really do not understand where this is coming from.

Let us go back to the piece of legislation that was passed last night. This was the piece of legislation that talked about graffiti removal officers. This piece of legislation was so good that we had state graffiti officers and local government graffiti officers. Did it anywhere say how many graffiti officers there were going to be? Nowhere in the bill did it say that. If we look at the end of the bill and the financial implications of the bill we find there is zero financial implication. This was a piece of legislation that passed and probably got a headline in some western newspaper today because they were absolutely desperate for some other news to put in. For the good of the legislation that is where it finished and that is where it should finish.

What we are doing tonight is putting before this parliament an excellent piece of legislation. I am here to tell members that every single, solitary Queensland, with the exception of probably the people on the other side of this parliament, really wants to see this bill passed. They want something done about what is a serious community problem.

The whole point of imposing a penalty for the commission of a crime is having to pay for committing the crime. Whether that is by way of some sort of financial penalty or some form of incarceration, it does not matter. More to the point, what we are talking about tonight is making sure that these little darlings actually start cleaning up the areas that they have spoilt. I take the point that we do need to have some form of rapid removal.

Offenders do not have to remove the bits that they have done. Let us get them to work on bits and pieces that they have not done. When they are out in suburbia cleaning down and painting walls, let their mates go walking down the street and have a bit of a go at them. 'There's little Johnny, look what he has had to do. He was smart in school when he was putting the tags on the walls everywhere, but now he is out there and has to pay for what he has done in his community.'

It is easy to quote figures and so forth but I had a look at a couple of reports. If the Attorney would like me to, I am prepared to pass these reports on or table them. He might find them interesting reading.

There was a report in 2000 from the University of Lausanne that suggested that community service was more likely to reduce rates of reoffending and delinquency when compared to other sentencing options.

My favourite one is from the United Kingdom--the Pathfinder program. The UK Home Office reported that of the offenders that underwent community service orders 15 per cent experienced an improvement in their employment status, 76 per cent said that community service made them less likely to offend and 84 per cent did not reoffend. I am more than happy to give the Attorney the report so he can have a good look at it.

The Queensland way of dealing with young kids under the age of 17 is to slap them on the wrist, slap them on the wrist, slap them on the wrist until at the very end the worst they have is a sore wrist. Unless there is some very serious offence that is perpetrated there is little or no chance that one of these people is likely to get anywhere near a court. If they are between 17 and 23 there is not much more likelihood that they will get before a court. Society is demanding that offenders who graffiti their tags on the walls of public buildings or wherever it happens should be made to clean up the mess that they or their mates have created. As I said, those aged 18 to 23 get a bit of a slap on the wrist; those under the age of 17 get very little punishment at all.

I was talking to an ex-policeman today and he said something along the lines that if he knew what he knew now when he was younger than 17 he would be retired now as a millionaire because he would know the sorts of offences that young people could get away with and not have anything come back to bite them on the you know where. Society is demanding that the courts get serious about juvenile offences, in particular about graffiti offences. If they do not, then society is demanding that we as a parliament look at this issue and legislate to create laws that will actually reflect community standards.

I ask the members who sit opposite me to give some thought to that tonight. I am talking about community standards, not their left wing claptrap standards. This is about community standards--the mums and dads who, when they wake up in the morning, find buildings and public buildings in their street graffitied. When they go down the street the rubbish bins have been graffitied, the sides of walls have been graffitied and the schools have been graffitied. What do we do? We slap them on the wrist, tell them to go home and guess what they are doing the next night? They have been to get their spray paint and they are out there doing it again.

I came across an interesting report when I was doing research for last night's bill. In the middle of this year a hardware store on the Sunshine Coast had a serious break and enter. Did those who committed that offence go after the power tools or the garden furniture? No, they did not. What they went after was 500 to 600 cans of spray paint, some \$7,000 in retail value of spray paint. That has been put to good use by young people on the schools, the busways, the bus stations and so forth in our community, making sure that their tags go up knowing full well that there is absolutely no consequence to their actions.

Queenslanders really hope that this parliament will look seriously at the bill that is before the House tonight. I really hope from my point of view and the view of the constituents that I represent in Noosa that members opposite look at the bill and look at what their community and the society of Queensland really want them to do, and that is to get serious to ensure that we do not continue with a situation where graffiti and the consequences of it go on and there are no consequences for the young people who commit it.
