

## JUDICIAL SENTENCING

17 October 2007

**The Hon. D.G.E. HOOD:** I will use my five minutes today to draw to the attention of the chamber the stance Family First has taken in relation to sentencing in this state's court system, specifically with respect to criminal offences.

Whilst I acknowledge there are some exceptions, Family First believes that, on the whole, the general level of sentencing is grossly inadequate. We see that violent crime is committed on a regular basis and nothing more than a slap on the wrist is the penalty given by our judicial system. Further, we see, in the case of drug-related offences, very serious large quantities—indeed, major indictable quantities—of drugs being trafficked, sold and produced by individuals, and in many cases those individuals receive a penalty that is not even a slap on the wrist: we are talking about \$500 good behaviour bonds and the like.

We are disturbed by this trend. I think there has been a long-term understanding that it is not appropriate for politicians to criticise the judicial system because it is seen as independent, and we often hear the term 'separation of powers' used, but I advise that we do not see that as an appropriate response because effectively it translates to no response, and no response effectively translates into weaker and weaker sentences that are far out of touch with community expectation. There comes a point where something has to be done, and we are very happy to take a lead on that (and I encourage other members to do the same).

Our judiciary is weak. In general, it does not impose the sentences that victims expect to be imposed. Only today there was another example, concerning a couple of criminals who were connected with armed holdups relating to six bank robberies. They held a loaded shotgun to the head of several tellers in several cases, and this occurred on six separate occasions. They stole seven vehicles as their getaway vehicles for these robberies. The non-parole period in the sentence handed down this morning was discounted by 50 per cent from the head sentence. What possible justification can there be for that, Mr Acting President? What possible justification can there be for a 50 per cent discount on such a serious and violent crime? The only logical and reasonable answer is there is simply no justification. The judges are out of touch, and it is not acceptable. We had a situation where many lives were in danger, and in very serious danger. I see some of the victims of those crimes quoted on the Adelaide Now website today as saying they feel their lives have been damaged for the long term. The penalties on the whole are simply inadequate, and that seems to be the latest case in point.

So, it seems to me that, whilst the parliament has taken the time to carefully pass legislation which allows sentences that are in many cases very severe indeed—in the case of major indictable quantities of drugs penalties are in the order of 20 years and/or (that is, could be both) a \$200,000 fine. That is a very severe penalty, but the problem is no-one ever gets that penalty. What people get is a \$500 fine for, in many cases, \$20,000, \$30,000 or \$40,000 worth of illicit substances. They make an absolute killing out of it, and I use that word specifically because people do die from using these substances. Not only that, but offenders do very well financially. It is a very lucrative business, and they get a \$500 slap on the wrist. How is that justice? What can we possibly say to the parents of the children who die from these substances when we see the people who make a profit and a living out of it get something like a \$500 fine and walk free from court? It is an absolute disgrace.

I want to put that on the record today. I appeal to fellow members in this place to make a stand on this issue. I think together we can see some change and we can say to the judiciary that they simply are not doing their job, they are not doing it well enough, and the public expects better of them.