

CRIMINAL LAW AMENDMENT (HOME BURGLARY AND OTHER OFFENCES) BILL

**23. Mr C.D. HATTON to the Minister for Police:**

Can the minister please advise the house how the Liberal–National government’s home burglary laws are being applied to tackle the problem of home break-ins?

**Mrs L.M. HARVEY replied:**

I thank the member for Balcatta for his question and his unwavering support for the Criminal Law Amendment (Home Burglary and Other Offences) Bill when it went through this Parliament late last year. That bill has been in operation since last November. It was legislation we brought to this place in response to the community’s frustration about the three strikes and you are in legislation, which was clearly not working. When we looked at how it worked, we all knew that there would be three court appearances that may reflect a considerably larger number of home burglary convictions than three. We changed the counting rules so that it is for three offences on three separate days so that every adult will go to prison for a mandatory minimum term of two years.

**Mr J.R. Quigley** interjected.

**The SPEAKER:** Member for Butler. I call you to order for the first time.

**Mrs L.M. HARVEY:** I always welcome interjections from the future Attorney General of the state, should the state fall into the hands of the Labor opposition —

Several members interjected.

**Mr C.J. Barnett:** Don’t worry, he will never be Attorney General.

**Mrs L.M. HARVEY:** Let us go back to the focus of that legislation. Our focus as a Liberal–National government —

Several members interjected.

**The SPEAKER:** Members! That is enough.

**Mrs L.M. HARVEY:** Our focus as a Liberal–National government has always been on appropriate consequences for offenders who commit crimes and are convicted of those offences. Our focus is always on the victims of crime. I was most alarmed, member for Balcatta, when I read in the paper recently that an offender from the eastern goldfields had recently been sent to prison for a mandatory minimum term of two years for offences of breaking into a home and stealing a wallet, car keys and a motor vehicle. He used the motor vehicle for a few days, rolled it on its side and trashed it so that it was completely unrecoverable. This offender has been sentenced to a mandatory term of two years.

The presiding judge was critical in his assessment of our mandatory penalty. He said that that crime was not serious enough to warrant the sentence. What about the victims? That is why we brought that legislation in—the victims were so frustrated at seeing no consequences for offenders who commit these offences.

**Ms M.M. Quirk** interjected.

**Mrs L.M. HARVEY:** The member for Girrawheen should hold her head in shame. We had 35 hours of debate in this chamber. That legislation was significantly delayed while we listened to those opposite talk to us about the dangers of mandatory sentencing and about the effects it would have. Here is an effect —

Several members interjected.

**The SPEAKER:** Member for Girrawheen, I call you to order for the first time. Member for Warnbro, you are getting tiresome now.

**Mrs L.M. HARVEY:** Here is an effect: a person who has broken into a home, stolen a wallet and car keys and trashed an innocent victim’s motor vehicle to the point at which it is unrecoverable is now behind bars for two years. That is an effect I am happy with, that is the effect we want and that is the reason we brought this legislation through Parliament in Western Australia.