

DRUG SENTENCES

Tuesday, 25 September 2007

The Hon. D.G.E. HOOD: On Wednesday last week judge Soulio sentenced a Mr Hue Van Le, who had been convicted of heroin for sale. Mr Le had been convicted of possession of heroin for sale. The facts of the case were that police attended Mr Le's house in Ottoway in October 2005, after hearing numerous reports that drugs were being dealt from those premises. At the address police found eight balloons full of heroin actually on the defendant's person at the time. Despite having a number of prior convictions, including drug related offences, the defendant was given a (surprise, surprise!) 12-month suspended sentence by the judge. My questions are:

1. When will South Australian judges stop handing out pathetic sentences to convicted, hard-core, repeat-offending drug dealers and actually put them in gaol where they belong?

2. If South Australian judges are too soft or incompetent to put convicted drug dealers in gaol, when will the government intervene with legislation that will force them to do so?

The Hon. P. HOLLOWAY (Minister for Police): On previous occasions in this parliament the honourable member has raised the issue of sentences imposed by the courts which, on the surface, appear to be inadequate and he has given us another case today. Obviously, given the separation of powers that exists in our system, it is dangerous to comment on the decisions of the judiciary without knowing the full facts. Nevertheless, as Minister for Police on occasions I also share some concern about the fact that certain penalties do appear to be unnecessarily lenient and out of touch with community standards.

I will refer the question to the Attorney-General to see whether there are mitigating circumstances in this case or whether it is appropriate for the government, through the DPP, to consider an appeal in this instance. The question regarding whether legislation needs to be altered is something that I will also refer to the Attorney-General.