

Making Queensland Safer Bill 2024

Submission No: 15
Submitted by: LC Distributors
Publication:
Attachments: See attachment
Submitter Comments:



2 December 2024

Mr Martin Hunt MP
Chair
Justice, Integrity and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000
Email: JICSC@parliament.qld.gov.au

Dear Mr Hunt

RE: Inquiry into the *Making Queensland Safer Bill 2024*

As a supplier of car immobilisers to installers in the Queensland Government trial cities of Townsville, Cairns and Mount Isa, please accept my submission to the Committee's Inquiry into the Making Queensland Safer Bill 2024.

The Queensland Government has targeted the rate of youth offending, including for unlawful use of motor vehicles in the Making Queensland Safer Bill 2004 by proposing to amend "*the Youth Justice Act to remove the current restrictions on minimum, mandatory and maximum sentences for children for the following offences in the Criminal Code.... [including] unlawful use or possession of motor vehicles, aircraft or vessels (section 408A)*".

In December 2020, the Queensland Sentencing Advisory Council published its report "Sentencing Spotlight on Unlawful use of a motor vehicle". The Council found that: "*The average age of offenders sentenced for unlawful use of a motor vehicle (MSO) at the time of the offence was 23.2 years (median=20.0 years), which is considerably younger than the average age of offenders sentenced in Queensland across all offence types (31.2 years). The youngest person sentenced for the unlawful use of a motor vehicle was 10 years old (the youngest age at which a child can be found to be criminally responsible at law) and the oldest was 72 years old. Figure 5 shows the number of offenders sentenced by their age at the time of the offence.*"¹



The Council also reported that:

*"If, at the time of offence, an offender was aged 10–17 years under the current law, they are dealt with as a child under the Youth Justice Act 1992 (Qld). Prior to changes coming into effect in February 2018, 17-year-olds were dealt with under Queensland law as adults rather than as children. A child aged 10–13 can only be found to be criminally responsible if the prosecution shows the child had the capacity to know they should not commit the offence at the time. Across all offences in Queensland over the data period, 4.2 per cent of cases involved young offenders sentenced as a child. In comparison, the offence of unlawful use of a motor vehicle (MSO) had a much higher proportion of young offenders, with 28.0 per cent of cases committed by those aged 10–17 years (n=4,478)."*²

Critically, the Council also identified that MSO offenders typically were charged with additional offences, where it stated:

*"Some offenders sentenced for unlawful use of a motor vehicle (MSO) were sentenced for other offences at the same court event. Of the 16,022 cases (MSO), 27.3 per cent involved a single charge of unlawful use of a motor vehicle—see Table 2. One-fifth of the cases (n=3,092, 19.3%) involved one additional offence, with the remaining 53.4 per cent (n=8,557) involving 3 or more offences."*³

Car immobiliser installations in Queensland

Despite the Council's report, increased offending and Queensland Police Union's proposal for a car immobiliser trial to the Queensland Parliament's Transport and Resources Committee in April 2021, the then Queensland Government committed \$10 million to a 20,000-vehicle car immobiliser installation trial on 29 December 2022. Applications for \$500 voucher per vehicle installation opened on 2 August 2023.

The trial was due to end on 30 June 2024, but was extended to 30 September 2024 and then 31 December 2024.

Queensland Sentencing Advisory Council, "Sentencing Spotlight on Unlawful use of a motor vehicle", December 2020, page 6

² Ibid, page 9

³ Ibid, page 12



CODE SAFE

STOPS VEHICLE THEFT

The 57th Queensland Parliament's Youth Justice Reform Select Committee, before the Government moved a motion to dissolve it, in its draft report -- recommended that: *"That the Queensland Government evaluate the trial, make the evaluation report public, and explore the feasibility of expanding to more locations: (i) the vehicle immobiliser subsidy scheme, including extending the deadline for using vouchers issued under this scheme; (ii) the helping seniors secure their homes initiative; and that the Government continue to monitor the effectiveness of these programs."*

On 30 May 2024, the then Queensland Government announced new funding to expand the Queensland Police Service's Towing of Motor Vehicles scheme, covering the costs of towing and initial storage when a stolen vehicle is located, with a complementary commitment to the immobiliser scheme to prevent theft.

On 27 September 2024, the then Queensland Government announced its had funded \$15 million to extend the car immobiliser voucher scheme state-wide from 1 January 2025 for installations in another 20,000 vehicles.

The then Government's announcement included advice from the Queensland Police Service that:

"Police advise that early evidence from the Vehicle Immobiliser Trial indicates the trial has been very successful. The Queensland Police Service advises that there have been no reports of a vehicle fitted with an immobiliser being stolen. In fact, police advise there have been several instances where an immobiliser has prevented vehicle theft. Extending the deadline for the current trial, as well as expanding the trial to new areas, will enable more Queenslanders to access this cutting-edge crime prevention technology. The latest data from the Queensland Police Service indicates that this and other initiatives under the Community Safety Plan for Queensland are working. Within the trial areas we have seen (comparing July to June 2022-23 vs 2023-24):

- *22% decrease in Unlawful entry offences in the Far North District (including Cairns).*
- *18% decrease in Unlawful use of a motor vehicle (UUMV) offences in the Far North District (including Cairns).*
- *16% decrease in Unlawful entry offences in the Townsville District.*
- *1% decrease in Unlawful use of a motor vehicle (UUMV) offences in the Townsville District.*
- *9% decrease in Unlawful entry offences in the Mount Isa District.*
- *14% decrease in UUMV offences in the Mount Isa District."*⁴

I am advised the evaluation of the trial is being formalised for advice to the new Government.

⁴ Queensland Government, "Media statement: Miles Government commits to extension and statewide expansion of nation-leading secondary engine immobiliser scheme", 27 September 2024



Residents of Townsville, Cairns and Mount Isa are requesting the availability residents are requesting vouchers to be available beyond 31 December 2024. Vouchers are being held by other residents, who have not redeemed them and limiting availability for other residents who are in contact with local installers and want to protect their vehicle.

The immobiliser installers,-that LC Distributors work with, wish to continue with the trial as their customers want to live in safer communities.

During the recent State election campaign, the LNP cited “*car theft up by 116% from 2015*”.

Based on my analysis of the same Queensland Police data, in the first month since the State election, there were more than 1100 car thefts – an average of 38 per day - recorded in the major cities and regions of Queensland.

By local government area, unlawful use of motor vehicle offences between 26 October 2024 - election day - and 25 November are:

- Cairns 107
- Townsville 145
- Mount Isa 13
- Mackay 28
- Rockhampton/
Livingstone 26
- Gladstone 10
- Bundaberg 17
- Fraser Coast 36
- Sunshine Coast 43
- Noosa 12
- Gympie 7
- Moreton Bay 32
- Brisbane 360
- Redland 14
- Logan 55
- Gold Coast 140
- Ipswich 58
- Toowoomba 52

In summary and recommendation to the Committee

The *Making Queensland Safer Bill 2024* seeks to create the deterrent for youth offending, including the unlawful use of motor vehicles which typically is associated with other crimes – break and enter to steal car keys, the use of the stolen car to commit other crimes, to drive dangerously and tragically to injure or kill.

When introducing this Bill into Parliament on 28 November 2024, Premier The Honourable David Crisafulli MP said:

“The bill delivers a decisive step in our commitment to community safety and placing victims at the centre of our justice system. This commitment to ensuring consequences for offenders is matched with our commitment to ending the cycle of violence. That is why we will also deliver gold-standard early intervention and rehabilitation programs to put young people back on the right track. This balanced approach will ensure that, while there are serious consequences for certain young offenders, there is also a pathway for rehabilitation for those who take it.”



CODE SAFE

STOPS VEHICLE THEFT

Car thieves – of any age - hate car immobilisers. They prevent crime and reduce victim numbers.

I urge the Committee to recommend that the Government to outline, in the Third Reading of the Bill, its additional policies and programs to “end the cycle” and specifically to commit to a timeline for a decision on the car immobiliser extension State-wide.

Lisa Cohen
Principal
LC Distributors

