

From: [Rob Cuthbert](#)
To: [Legal Affairs and Community Safety Committee](#)
Subject: Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012.
Date: Sunday, 27 January 2013 6:32:57 PM

To Whom It May Concern,

I am writing to you today to express my disapproval of the Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012.

I am all for road safety and being tougher on anti-social behaviour on the streets, but I'm concerned that the Bill doesn't really address this.

After reading about the Bill, and doing a lot of research, I see very little benefit of establishing this new Bill, because I believe it simply will not change.

I believe it to be an injustice to propose an officer of the law, to be made the judge, jury and executioner in relation to hoon offences. This will take the persons right to be innocent until proven guilty in a court of law. As I have been contacted by the Premier, that and I quote "I can assure you that the legislation does not remove a person's right to go to court. A vehicle owner can contest the charge and, in such cases, the matter will proceed the courts in the usual manner" end quote. To my way of thinking, is this before or after the person's vehicle has been impounded? As this has not been explained. This is one reason I believe this should not be adopted.

After reading the bill, I also believe that the increase in time of impoundment of a motor vehicle, is rather excessive in relation to the offence. A vehicle would be impounded for 90 days for a first offence, and forfeiture for a second offence within the 5 year period. With the cost of fines, storage fees, and possible defect notices, the total fine amount could be in excess of \$6000, while a driver, who is caught driving over the limit, is fined, released and not permitted to drive a 24 hour period, as well as allowing them to continue driving until their court date, and still able to apply for a special needs licence to allow them to travel to and from work. Statistically, drink driving is by far the leading cause of deaths on Queensland, and Australian roads, so my question is, why is it, that vehicles of those caught drink driving impounded? After all, more people are killed from drink driving than anti-social behaviour on the streets. I would of thought, drink driving would draw the toughest penalties in the country.

My family and I had plans on attending the Commonwealth Games, and we were also planning to relocate (and frequently travel), from NSW, to Queensland at the end of 2013 or early 2014, but with this proposal and the possible impact this can have on my chosen way of life, we are now re considering these, as I don't wish to live in fear of victimisation, or unjust targeting due to driving a modified car. I have heard the term 'If it is all legal, you have nothing to worry about.' Over my 15+ years of being involved within the car culture, I know this statement is far from the truth. I understand that the authorities are doing their job, in the name of road safety, but for me, I see too much targeting of the modified car culture, and those within it. Over the years, I have never seen a defect station targeting the vehicles of standard vehicles, nor have I ever seen them set-up out the front of schools, clubs/hotels or shopping centres. As I stated previous, I am all for road safety and being tough on anti social behaviour, but believe that at times, targets the wrong people.

As a car enthusiast, this bill will bring all car enthusiasts, and hoons, under the same umbrella again. The officers, at their discretion can possibly impound a vehicle with very little evidence of offence even being occurred. I believe a lot more

discussions/thoughts are needed before any changes should be implemented. In Australia, we have been brought up to enjoy living in a free country, but within our culture, we feel far from being able to do that. Constant pressures by the Governments, and ever changing rules and regulations, pressures from media groups with inaccurate reporting and one sided debates etc, and ofcourse pressures by the law. As a society, we should be given the same treatment as any other sporting or social groups, but again, this is far from the case, with targeting of events, even ones organised for fund raising events for various charities. All we ask for is to be able enjoy our lifestyle, without prejudice, discrimination and victimisation. This bill has the potential to cost the Government in tens of thousands of tourist dollars, as well as put jobs at risk due to downturn in local businesses due to people not modifying of cars, from wheels and tyres, panel beaters. spray painters, trimmers, the list is long and extensive. All so a major concern for our community, is if other states, follow the lead of this bill, the financial costs to this country could run into the millions if not, billions of dollars.

I wish to thank you for your time, and I hope you see this from all angles in reaching your decision

Robert Cuthbert.