QUEENSLAND COUNCIL FOR CIVIL LIBERTIES
Protecting Queenslanders' individual rights and liberties since 1967

Committee Secretary

Transport and Resources Committee

Email: trc@parliament.qld.gov.au

Dear Madam,

Enquiry in two Vehicle Safety, Standards and Technology, including Engine Immobiliser Technology

Kindly accept this submission in relation to the above topic.

The QCCL was established in 1967 and has as its objective the protection of Queenslanders' individual rights and liberties.

The QCCL is an organisation of volunteers and for that reason has limited time and resources to make submissions.

The purpose of this submission is to draw the attention of the committee to the serious Civil Liberties issues that may be raised by engine immobilisation technology.

The Council has long expressed its opposition to unnecessary police chases because they tend to result in injury to those involved and innocent bystanders.

Immobilisation technology is presented as a solution to this problem. Whether that is so, must be a matter of evidence and must depend on the type of technology to be deployed. A reference is made in paragraph 4.15 of the submission by the Motor Traders Association of Queensland to this committee, to a technology which works by disabling the accelerator in the vehicle whilst keeping all other systems active meaning that full control over the vehicle is maintained whilst the vehicle safely decelerates until it has stopped. Other technologies cut the suspect vehicles fuel supply and switch the ignition off.

We presume that both technologies, certainly the latter technology, are activated by a police officer working from a computer in a central control room.

Whilst there is some comfort in the fact that the driver retains some degree of control over the vehicle, neither the driver nor the police officer or police officers have control over the conduct of other drivers. A sudden loss of power in the vehicle is still going to be a shock to the driver which may adversely impact upon the driver's capacity to avoid other vehicles.

So, the first question that must be addressed is whether the technology is actually going to reduce harm caused by police chases. The chase must presumably have to start. There must still have to be a police policy dealing with the circumstances in which chases will be commenced, even if they are intended to be relatively short because this technology will be available.

Overseas discussions of this issue make reference to avoiding problems with other vehicles by implementing technology in all cars which enables each car to react to the presence of another vehicle.

This then brings us to serious other issues connected with this type of technology. Those issues relate to the fundamental rights of privacy and freedom of movement.

Installation of this type of technology, must mean that the police and other State entities will be able to track every vehicle and presumably to record where every vehicle has been. Whilst unfortunately it has become overused, such a situation must merit the description of being Orwellian.

We note in the submissions to the committee which we have reviewed on the website, many references to efficiency and the like. Many aspects of policing could be made more efficient but doing so would deprive our citizens of fundamental rights and liberties.

We note that in its submission to this Committee, the National Motor Vehicle Theft Production Council states on page 2 that a detailed report by the Australian New Zealand Policing Advisory Agency found the use of this technology is not feasible in the medium term in Australia and that current technological limitations mean that such a technology is considered “unlikely to significantly mitigate the risk in a police pursuit”.

It is our submission that whilst that continues to be the case, this type of technology should not proceed. This is before consideration is even given to the privacy and freedom of movement issues which we have raised.

We trust this is of assistance to you in your deliberations.

Yours faithfully

Michael Cope
President
For and on behalf of the
Queensland Council for Civil Liberties
19 April 2021