



Speech by

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Hansard 4 March 1999

POLICE POWERS AND RESPONSIBILITIES AMENDMENT BILL

Mr FELDMAN (Caboolture—ONP) (2.32 p.m.): It is with some humble pride that I rise to support the Police Powers and Responsibilities Amendment Bill and support the operational police in their duties. I support the move to reinstate the power to arrest children without warrant in certain circumstances. The objective of the Bill is to amend the Police Powers and Responsibilities Act 1997 to reinstate this power of arrest of children, which existed prior to the commencement of that Act.

It was not the intention of the Police Powers and Responsibilities Act to take powers away from police but to consolidate the powers and responsibilities into one single Act to make them uniform, clearly defined and understood—a very noble and commendable task considering the number of Acts of Parliament that contained powers of arrest, detention, search and seizure that police need to have some working knowledge of whilst working on the street.

There will never be a simple answer when police are out there on the street alone or perhaps with a mate, caught in an operational situation where they have to determine exactly what to do. There is no book that they can open and no place they can run for advice. It is something they have to do on the spur of the moment. It is for this reason that I commend the Minister for Police for listening to this highlighted concern of the operational police and for moving swiftly to rectify this anomaly created in the Police Powers and Responsibilities Act 1997.

Operational police felt very hamstrung by the removal of the provision allowing for the arrest of juveniles, especially for offences under the Traffic Act, in relation to drink-driving and related matters, as well as for other simple offences including assault and resisting police officers in the execution of their duties. These matters, which necessitate direct and succinct action by police, fell into the quagmire created by section 35, in particular subsection (3). Despite this subsection, but still being subject to the provisions of the Juvenile Justice Act 1992, a police officer will now have the ability to arrest, subject to those provisions now outlined in proposed subsection (4). As in the past, even though legislation does not do all the work and leaves many grey areas for solicitors and barristers to make their fortunes from, police must make legislation work.

Arrest is obviously the last resort for a responsible police officer in any situation which arises. However, at times it is the most appropriate course of action for a police officer to take. Not allowing a police officer to take this course of action reduces the effectiveness of the police to take control in certain situations and prevent any further complications arising.

In addition to reinstating the power of arrest of children when required, we also need to examine the core issues affecting these children's behaviour. We need to adopt the view that children, like adults, have to be responsible for their own actions. We need to examine parental roles and responsibilities. More importantly, we need to focus on what can be done to fix the problems currently affecting our youth.

Last year I was shocked and saddened to read reports in the Sunday Mail of groups of unsupervised children—some as young as eight years old—causing havoc in some streets of our Queensland towns. We must consider making legislative changes to get these children off the streets and back into their homes. I support the amendment Bill because it is a step in the right direction.

I reiterate to all members of the House that One Nation's policy with respect to law and order and crime and punishment includes giving police the discretionary power to remove youths under the age of 16 from the streets and to return them to their homes or to take them to some other suitable venue. Our policy also focuses on the responsibilities of the family unit and encouraging parents to teach their young children proper moral values in their formative years, as those with misguided morals tend to slide easily into criminal activity. We also encourage family unity and stability as one of the best ways to help eliminate children's misbehaviour and to ensure that parents raise their young in a stable and caring yet disciplined environment.

Civil libertarians derided our policy, but I now read in the paper that such people as the Premier and the Police Commissioner are calling for parents to impose curfews on their children. The ironic thing about that is that the proposal for a youth curfew is yet another one of One Nation's policies. It is a rare occasion that I agree in principle with the Premier, but this time we share the same view. We need to explore and discuss possible solutions, including the imposition of a youth curfew. Let us not close our minds to anything that will help clear up some of the juvenile crime and juveniles' inherent behaviour in our streets.

We also need to examine various models and systems currently in place in other countries to gain more ideas on how we can address and help correct the problems affecting the youth of Queensland and Australia. Rather than just reacting passively, Government can initiate and drive change—change that is sorely needed.

The fault does not lie entirely with the children concerned, nor with the parents, nor with the police. Much of the blame can be laid at the feet of Government and its policies, for it is Government that can make laws, implement policy changes and fix these problems. Governments must not be afraid to propose and discuss possible solutions to the many problems affecting us, including the problem of unsociable behaviour in our youth.

Disobedience in the home definitely leads to civil disobedience. Our youth are no longer taught respect with responsibility. We are caught in the age of blame. "Blame someone else" is the motto. "Somebody else is responsible for my situation, not me." "I was not breastfed as a baby", "My dad was an oppressive tyrant", and myriad other excuses are thrown up. With personal rights must come responsibilities.

How many children in Australia and here in Queensland go without sufficient food and shelter because their parents do not have a job or have lost their home? How many children come from broken families where neither parent assumes responsibility for the child? What is the Government going to do to ensure that parents are responsible for their children; to ensure that parents accept the responsibility of the child who was born to them—a responsibility, I might add, that was God given to them to take care of?

Family breakdowns contribute to antisocial behaviour and low self-esteem in children. But what are Governments going to do about encouraging families to stay together? I was lucky. I grew up in a good Christian family home where the motto was: the family that prays together stays together. There is no doubt in my mind that these were good core values that were instilled in me as a youth.

Many other things drag us away from our moral responsibilities. There is no doubt in my mind that the excessive violence that we see on television, on video, in video games and through many media outlets contributes very much to the antisocial behaviour of our youth. What are our Governments going to do to control what our children see or are allowed to see in their youth? We talk about children seeing X number of murders, X number of rapes, X number of violent activities before they reach a certain age. When are our Governments going to accept responsibility for what our children see on public television and react accordingly?

Unemployment is a massive cancer eating away at our society. What has any Government been able to do to reverse unemployment? The official unemployment figures are appalling. The real figures are totally horrific. Drugs, as we have heard, are a huge problem. Kids as young as 10 have been known to use heroin and the like. But nothing the Government has done has stopped drug use. What are we really going to do in relation to drug use? I cannot see some of the current options being espoused as being the be-all and end-all of heroin use. It must be a holistic approach. Tougher penalties and sentences must be options, as well. I cannot see open use and free use of a drug as being viable.

The philosophy of our education system is also biased heavily towards the promotion of rights without reinforcing the other essential ingredient of taking responsibility for one's actions. Whatever happened to the teaching of respect for one's elders and respect for the law? What is Government going to do to encourage a self-reliant, moral and responsible society? It seems to me these days that a person must take better care of their pet dog than their children. It is our great shame that Australia, the wealthiest country in the world, is afflicted with the pox of unemployment, destruction of the family

and, perhaps most tragically, the fact that many of our youth have lost hope in their future. We must accept some responsibility for that.

I ask the House to consider carefully this question: what has any Government ever done in the past to halt the destruction of Australian youth? We heard a Prime Minister once cry that there would be no youth living in poverty by when? 1990, I believe! And now, more importantly, what are we going to do about the future? Unfortunately, doing nothing is not an option. Reinstating the power of arrest for children is only one step—one of many to help restore some discipline to our youth.

We all know that there are numerous problems affecting our children, and it is in these times that we should consider these problems very, very seriously. One Nation is serious about change—positive change for the betterment of our society—and we ask all members of the House to work towards achieving the same objective. In that vein, I again commend the Minister for bringing this swift change—something that is assisting operational police in their work. I support the Bill.
