



Speech by

**Mrs D. PRATT**

**MEMBER FOR BARAMBAH**

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Hansard 15 March 2000

**POLICE POWERS AND RESPONSIBILITIES BILL**

**Mrs PRATT** (Barambah—IND) (3.38 p.m.): I rise to speak to the Police Powers and Responsibilities Bill 2000. As has been stated by many honourable members, the purpose of the Bill is to finalise the Police Powers and Responsibilities Act 1997, which was never completed. In this day and age, it is not always easy to define the boundaries of what is acceptable and who has responsibility for what. Law and order and police powers and responsibilities have been under the microscope with ever-increasing scrutiny. The confidence of the general public in the ability of the police to perform their duty has never been more questioned, especially in the area of juveniles and juvenile crime. Hopefully, the move-on powers under this Bill will address this situation.

Over the past 20 months or so, primarily one issue—and this is the one that I will concentrate on—continually crops up, that is, what is perceived as a lack of security of position for police and citizens alike when it comes to performance of duty of the former and the rights of the latter. The confusion of the general public as to what can and cannot be done by our police force has become a constant concern in many communities. Once again, one of the more difficult areas appears to relate to juveniles. Perhaps this Bill will aid in helping the public understand and improve their confidence.

The trend seems to be for juveniles to form gangs and hang around shop entrances, swear and generally create a public nuisance by harassment or intimidation of the general public, the shop owners and staff. I will report instances of this to the House. The police have a task that very few of us would like to take on. Although I will be bringing up instances which have taken place in my electorate, the majority of police are forced to walk a very fine line and are to be congratulated on their efforts. This Bill will help define the line. One letter that I have received from a concerned citizen states—

"On these particular occasions it was 11.30 pm on a Sunday night ... the night watchman"—

with the suspects in view—

"attempted to telephone the police. The call was diverted to another station who informed us that no-one would be available till 8.30 am the next morning."

It goes on—

"The next morning I went to the police station and was informed there would be no police available until 10.00 am. I returned to the station at the time and stated my case to the police officer regarding the sequence of events of the previous night. During the conversation the police officer informed me he was in the station all night the previous night."

This clearly shows that the communication network in rural areas needs addressing. Here is another little excerpt. It states—

"Small groups of louts—known to police—Business Houses and the Community in general—continually cause financial and social problems in our town.

The Police representation in our town does not meet with the needs of the honest citizens of our area.

Any pressure you can apply to have the Nanango Police on duty 24 hours per day will be greatly appreciated."

I ask the Minister to seriously consider this request, for the problems are escalating in the area. The following extract is another example. It states—

"A local man, who has been vocal against these people was recently confronted by one of them with a pair of scissors. This happened in daylight in the main street of town, with several independent witnesses. The man disarmed his attacker, and then went to the police station. At the time our police station was unmanned, and the matter was reported to Gympie using the call box at the police station. Nothing more was heard until the police visited him and threatened to charge him with assault.

Some of the local lads have taken to hanging around business, almost daring the shop keeper to say anything. They have been seen poking fingers through wrapping on the meat at the ... Supermarket and lounging on new furniture in the window of the Hardware."

Honourable members can see that this has been an ongoing problem for a long time. To show how it is starting to affect the people, I will read the following excerpt from that letter—

"The mood in town is becoming increasingly ugly with talks of vigilantes needed to sort out a problem our police cannot handle. One shop keeper is reportedly sleeping with a rifle beside his bed."

As honourable members can imagine, the usual stories are flying around. These are just a few of the letters that I have received. A lot have been received over the past 36 to 48 hours. I have, in fact, given them to the Minister and he is looking into them. Hopefully that will lead to good results. Another writer speaks of juveniles hanging around outside their shop. The letter states—

"If you the shop owner or a member of the staff ask them ... to move on ... abuse verbally and the threat of payback. The payback comes in the form of breaking into your business and stealing goods. When this group is sitting in front of our business customers are not willing to enter our business as they are frightened for their safety. The town at present is being held to ransom by a group of teenagers."

Most of the people who have spoken to me have asked what can be done. Many police officers themselves have stated that they cannot do anything.

There is often a perception that it is in children's best interests for them not to be dealt with in a severe manner, that a sentence or lack thereof issued by the courts or police does nothing. For some children, it is a rite of passage and they gain esteem for undertaking some misdemeanour and virtually getting away with it. Again, the move-on clauses may address this.

When we do not recognise the seriousness of juvenile offenders' actions we are not doing them any favours. By minimising the gravity of their actions and being overly lenient, we are inadvertently bestowing upon them the belief that they are untouchable, that anything they do is forgivable, that they can virtually do anything. Again, as in all things, we must be very open, have a balanced mind and treat all instances in a very fair way. We must also be willing to recognise when past practices, although implemented with good intent, have not achieved their desired result and change them. The Police Powers and Responsibilities Bill hopes to achieve a defined line of action that can be undertaken by our police. Hopefully it will also protect them from those who would endeavour to put the rights of the perpetrators of crimes before those of the victims of crime. It is also hoped that the passage of this Bill will ensure that the general populace now know exactly what can and cannot be done.

I recently received a deputation which informed me of the uncomfortable position in which those in the teaching profession are now finding themselves because the present system appears to be unable to give them any protection. Our teachers and principals are responsible for the children in their care and they are endeavouring to maintain discipline in order to provide a safe and exciting learning environment for our children. To do this, it has been necessary for measures to be adopted by which a child is reprimanded or, as a final resort, removed from a school. In instances which have been reported to me by the principal and other staff, following such action their homes and vehicles have been bombarded with eggs and stones and their spouses have been verbally abused and taunted while shopping and in public areas. They and their families have been subjected to anonymous phone calls and the school has suffered graffiti attacks. An elderly resident has also been the victim of this abuse simply because her car is very similar to that of the principal and was mistaken for it.

It has been stated to me that the police seem powerless against these children who gang up with older hooligans who no longer attend school and apparently have nothing better to do than to harass staff and their families. This behaviour is totally unacceptable by any standards I know of, with the possible exception of those of the civil libertarians. This persecution has led to the statement that, if it continues, teachers and principals will resign or retire long before they need to. We cannot afford to lose highly trained, quality teaching staff because of the lack of ability or desire by the system to support staff who are endeavouring to do the job we are expecting them to do. Hopefully, again, the move-on clause will address this situation.

It is time for the civil libertarians to move over because their live and let live attitude and their fairy floss philosophies that children should be allowed to express themselves in whatever way they choose have proved disastrous for communities. Children learn the difference between acceptable and unacceptable behaviour only by experiencing the consequences of that behaviour—good behaviour, good consequence; bad behaviour, bad consequence. Today we have hard-core individuals and gangs of children behaving abominably and the community is suffering the consequences. How fair is that? How can that be justified?

I ask the Minister for Education and the Minister for Police and Corrective Services to evaluate these complaints and come to an urgent agreement in the hope of finding a solution. As we see in all areas of life, unruly behaviour is becoming part and parcel of our everyday lives. This morning there was an example in the House; I hope every single person who was here feels suitably ashamed, because I am pretty sure that the people in the gallery would not have found it acceptable behaviour in modern society.

Unruly behaviour, unfortunately, is occurring at sporting events, as we saw with the tennis being disrupted not too long ago by some individual. We have seen it at the cricket, with cans and bottles being thrown on the grounds, and we have seen it in soccer. As many people have stated, let us hope it does not happen during the Olympic Games.

Today we saw outside the walls of this House a demonstration, one of many that have been held since the Beattie Government came to power. Because I went out and talked to them, I know that these people feel that they have been relegated to the dole queues. That is more people with idle hands. As they said to me, idle hands breed mischief. There is no telling what society will be like as the jobs of more and more people are exported overseas and those people end up on the dole queues. It all comes down to implementing more laws. The Police Powers and Responsibilities Bill will hopefully address situations that we may not have had to think about years ago.

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