



Speech by

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POLICE POWERS AND RESPONSIBILITIES AND ANOTHER ACT AMENDMENT BILL

Mrs REILLY (Mudgeeraba—ALP) (10.42 p.m.): Tonight I am pleased to rise in support of the Police Powers and Responsibilities and Another Act Amendment Bill. I hope I will be able to add something to the debate that has not been raised by other honourable members, but that is probably doubtful. I live in a fantastic part of the Gold Coast. Mudgeeraba is very close to the centre of town and only a few hundred metres away from the Pacific Highway, which provides quick and easy access for me to the rest of the electorate, the Gold Coast and Brisbane.

However, all too often the quiet nights that I rarely have at home are disrupted by the sounds of engines revving and brakes screeching. They are the sounds of people street racing. For the most part, they are young men who are not locals but who have come to that part of the Gold Coast in highly modified cars. They gather in large groups, often at the Hungry Jacks outlet just off the highway at the Robina turn-off. They take off either north or south on the Pacific Highway anywhere from after 10 o'clock at night till 3 o'clock or 4 o'clock in the morning. Others use the back streets of Mudgeeraba and Tallai and the Mudgeeraba-Advancetown road especially as a speedway.

I am not worried about losing sleep. I can deal with that. I am more concerned about the senseless loss of life that I fear can and does occur as a result of the antisocial driving behaviour that these people are displaying. Every time I hear these noises, I brace myself for the crash, which I have heard happen. I dread seeing the newspaper the next day for fear of reading about another road fatality. I am not suggesting at all that this sort of driving behaviour which we have come to call hooning leads to road carnage, but it is an indisputable fact that inexperience and unsafe driving practices such as speeding on local roads—most particularly speeding—are major factors in our road toll. The other thing I do every time I hear these noises is ring the local police station and report it, not the next morning but straightaway. I try to do that most of the time. Through my newsletters and my discussions with constituents I ask them to do the same. They often complain to me about hoons in their streets who wake them up. They fear that their lives are being put at risk. Hoons are destroying the peaceful amenity of their lifestyle.

I speak with local police officers regularly. They have always reiterated the importance of making an immediate complaint. They cannot be everywhere at once. We can never have enough police officers to have them parked in every local street all night waiting to catch people driving unsafely. They need to be able to record a pattern of behaviour and offending in order to launch effective countermeasures. They can do this only if members of the community tell them where and when they have seen or heard offenders. Of course, immediate complaints also mean that there is a chance that a mobile unit can be dispatched and catch offenders in action.

The other thing the police have told me is that people involved in this form of antisocial driving—speeding, doing burnouts and racing—are highly mobile. They travel all over south-east Queensland to partake in these activities and are pretty organised. They have scant regard for the law and the current legislation appears to have little deterrent effect. That is why this legislation is so necessary. It is time to get tough. We have to get tough, because the community has had enough of the noise and damage to property. They have had enough of being held to ransom—that is how they feel—by people who do not care about anyone else's safety. They have had enough of being afraid of

getting out and driving at night around their local streets or letting their kids cross the street for fear that they will be run over by somebody racing up the street.

I hate to use the terminology 'hoons'. I accept the comments made by the previous speaker. However, the community has come to identify and recognise people taking part in this sort of dangerous and antisocial driving behaviour as hoons. If they do not like this, that is tough. The life that we save might just be theirs. In fact, it is more likely to be theirs. I for one have had enough of reading stories in the *Gold Coast Bulletin* about young people who have wrapped themselves around telephone poles and trees in single-vehicle accidents and inevitably died as a result of driving at high speeds. These are not accidents; they are incidents caused by stupid behaviour.

As a member of the Travelsafe Committee, I have spent the past 18 months considering a raft of research and information concerned with reducing the road toll. I have met with and listened to experts in road safety from throughout Australia and overseas and I have tried to make sense of the frightening statistics put before me. Some months ago, the committee was briefed by the state traffic support branch on the topic of hoons and antisocial behaviour. At this briefing I was pleased to learn that a statewide police system for the recording of complaints against road users had been established in July 2000 and that it had a specific offence code for the capture and recording of hoon behaviour. In the first 18 months of its operation, by April 2002, 5,530 traffic complaints had been recorded and over 17 per cent of these complaints related to hooning. For a single complaint category that is a pretty significant number. Of the 409 hoon related complaints made in 2001, 156 came from the south-eastern district—the region which includes the Gold Coast. As the *Gold Coast Bulletin* has frequently reported, the Gold Coast and the Pacific Motorway are favourite haunting grounds for hoons. I take this opportunity to commend the *Gold Coast Bulletin* for the very responsible attitude it has taken in the way it has reported these issues on the Gold Coast.

For the benefit of honourable members and for anyone else who may be interested, I seek leave to table a graph. It is a telling diagram showing the extent of the problem in the south-eastern district.

Leave granted.

Mrs REILLY: The State Traffic Task Force is using this information to guide the operations of the Traffic Response Group—or the hoon squad—which was established in January this year. In targeting antisocial driving behaviour of hoons, the TRG has participated in a number of major operations and by April had issued almost 1,500 infringement notices and made over 30 arrests. It is an ongoing source of frustration for both TRG and other officers that these very practised organised hoons just do not care. They are not deterred by minor fines and demerit points. They will continue to drive unlicensed if they have to. They seem to have the money to pay the fine and keep going. What is the answer? Clearly, it is to take their means of breaking the law away from them—that is, to take their cars away, hit them where it hurts the most. That is what this legislation will finally give the police the power to do.

It is tough legislation but it is fair, as members before me have said. It is fair because we could have done what they do in New Zealand—that is, cars are confiscated for 60 days and then crushed. Many of my constituents would have been over the moon at such a proposal! New South Wales has also confiscated cars since 1996. But here in Queensland the Beattie government does what is best for Queenslanders and for our state's unique aspects and problems. This legislation is another example of a fair but tough approach to crime and law and order. It includes a raft of provisions to protect third parties whose cars might have been stolen, hire companies and even mums and dads who may have innocently let their children take their BMW out for the night.

The bill also includes safeguards to protect the legal rights of innocent parties and, very importantly, requires police to commence proceedings against a driver by way of arrest or a notice to appear. In other words, police have to put those proceedings in writing and have to give reasons for taking action. It is only after a third offence that a vehicle will be confiscated, so offenders do get plenty of warning. I am satisfied that those safeguards to civil liberties are included in the legislation. I feel comfortable knowing that it will be reviewed in two years, and that is the appropriate time at which to look at what other aspects could be improved within the act.

I have to make mention of the threats reported in the media by some hoons, and there is no other word for these people, particularly those who threaten to take out police lives and others to escape capture in any way they can. That demonstrates that they have a lack of regard for the law and for human life. In relation to people who make those sorts of threats, I am very happy to see the full force of the law come down on them. I only wish we could crush their cars and ban them from driving for life, because they do not deserve to be sharing the road with the rest of us if they make those sorts of threats to human life. Thankfully, there are only a very small number of such selfish and evil people behind the wheel. For the most part, people want to show off their cars and their work because they are proud. They love these things. It is only when they decide to use suburban streets or the freeway to race their friends that they become hoons and take part in illegal and very antisocial activities.

A number of people have raised with me the idea of providing a safe place for racing, something like Operation Drag that the police used to run at Carrara. In fact, there are some people looking at setting up a similar sort of facility in the Gold Coast hinterland because it is thought that this may go some way to alleviating the problem—that is, giving them a safe place in which to race their cars, share their stories and show off their motor vehicles. I am a little hesitant to endorse such a facility without very careful consideration because I am afraid that we can encourage a speed or a racing culture when in fact we may be able to divert particularly young people into perhaps more safer practices that are an outlet for their creative abilities. I am also concerned about the impact on local residents who will inevitably live near such a facility. There is also the fact that many people will still want to have the thrill of speeding or racing on local streets, because that is where they get their kicks. That is why this law is needed to stamp that sort of thing out. I would be interested to see how such proposals develop down the track.

I want to finally acknowledge the personal commitment of our local Gold Coast City councillor, Ted Shepard, in tackling the hooning issue. Over many months Councillor Shepard has become known as a bit of a one-man hoon crusader. He regularly drives around Mudgeeraba late at night trying to catch hoons in action and reports activities to police. That is all well and good—and I do not have a particular problem with it, and I am sure the community appreciates his efforts—but I would like to see the council put more effort into deterring speed street races and put in place more speed management provisions like traffic calming devices in local streets. It should put its money where its mouth is and spend a little money to work with us to put in place some practical measures for speed management in local areas. It is incumbent on all sectors of government and community leaders to manage the hooning problem together. In the meantime, I fully endorse the provisions of this legislation. I will be interested to see the results that ensue within the next two years. I commend the bill to the House.
