



Speech by

Mr JIM PEARCE

MEMBER FOR FITZROY

Hansard 7 August 2002

POLICE POWERS AND RESPONSIBILITIES AND ANOTHER ACT AMENDMENT BILL

Mr PEARCE (Fitzroy—ALP) (5.53 p.m.): As outlined in the explanatory notes under 'Objective of the legislation', the amendment bill before the House allows for the seizure and impoundment or forfeiture of vehicles being driven in contravention of certain provisions of the Criminal Code and the Transport Operations (Road Use Management) Act 1995. The amendment bill also provides a method of addressing a further type of hoonish behaviour referred to as lapping, the subject of constant complaints to police. I am certain that every member in this place has had complaints from their constituents through their electorate office or when they are out on the street or in the shopping centre. Hooning is a big issue. It is a road user behaviour problem that impacts on the quality of life in our communities. It is a dangerous practice and puts at risk not only those who are active participants but also other road users and innocent bystanders.

Hooning refers to a number of practices that are antisocial in the use of a motor vehicle. Many of these are covered under offences set down in existing legislation and regulations. The offence of the dangerous operation of a vehicle is covered under the Criminal Code Act. Careless driving of a motor vehicle, racing and speed trials on roads and placing injurious matter on a road come under the Transport Operations (Road Use Management Act) 1995. The Transport Operations (Road Use Management) Road Rules Regulation provides for penalties for offences such as starting or driving a vehicle in a way that makes unnecessary noise and smoke; wilfully starting or driving a vehicle in a way that makes unnecessary noise or smoke which causes the wheels to spin; driving a vehicle with a noisy instrument attached or on which a noisy instrument is used; ringing a bell or sounding a horn other than allowed by the road rules; and the driver or passenger playing a noisy instrument in a vehicle. Existing transport legislation is aimed at the driver's behaviour, with offences for hooning including excessive noise, smoke and interference or damage to roads. Existing legislation also contains offences for unsafe driving and applies equally to all persons who drive in a dangerous or careless manner.

Despite offences and penalties being in place, the problem of hooning continues to grow. People's quality of life is being impacted upon. Hoons are doing dangerous things and putting other road users at risk, and legislators cannot ignore this. Police must be given the power to reduce the risk, but it has to be done so that it is effective and in a way that does not compromise the integrity of the existing penalty and sanction regime. I know that in the development of the legislation before the House the Minister for Police looked closely at what was introduced in other states. It was considered necessary to introduce legislation where confiscation and impoundment could be used as a deterrent. The minister has tackled an issue that the public has been demanding action on, and I congratulate the minister for doing that.

To get some idea of the enormity of the issue, we need to look at the number of hoon offences detected by the Queensland Police Service. These are offenders the police have actually caught in the act. When I tell members these figures, they must take into consideration the number of those who get away with it on a regular basis. Between January 2000 and 1 November 2000 the Queensland Police Service detected 15,553 hoon offences. For the same period in 2001, there were 14,510 detected offences. Hooning as we know it—in fact, as most people in the community know it—is all about acts of dangerous driving that can lead to serious injury or death.

There would not be one honourable member in this place who has not, during their lives, experienced in one way or another the impact of loss of life of young men and women as the result of drivers doing stupid things behind the wheel of a car. Having good fun and enjoying life can so often lead to loss of life. Families are left heartbroken. Friends are traumatised and left wondering how and why. Emergency services and medical staff are affected emotionally. Sometimes it is innocent people who are injured or killed and for what—the madness and stupidity of someone else? Big powerful cars in the hands of inexperienced drivers, along with other factors such as speed, alcohol, road conditions and attitude, are a cocktail for potential disaster. The public expects good government to put in place laws that are effective but fair. The police, whom we, the public, expect to enforce the laws, must have the legislative support of the government.

Debate, on motion of Mr Pearce, adjourned.
