



Speech by

**Mr JIM PEARCE**

**MEMBER FOR FITZROY**

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Hansard 7 August 2002

**POLICE POWERS AND RESPONSIBILITIES AND ANOTHER ACT AMENDMENT BILL**

**Second Reading**

Resumed (see p. 2769).

**Mr PEARCE** (Fitzroy—ALP) (9.35 p.m.), continuing: In returning to the Police Powers and Responsibilities and Another Act Amendment Bill 2000, I wish to state that Minister McGrady has done what he should do. He has considered all the options and has consulted with representative community groups such as the RACQ, the Queensland Law Society, the Queensland Council for Civil Liberties and the Youth Advisory Council. Under the amendment bill now before the House police will be able to impound a vehicle used in the commission of a prescribed offence, which means circumstances that involve a speed trial, a race between vehicles or a burnout. The amendments do not change those I mentioned earlier under the Criminal Code or the Transport Operations (Road Use Management) Act 1995.

The amendments strengthen existing laws. Police will be able to impound the offending vehicle for 48 hours. However, before this can happen the police officer must arrest the person or issue a notice to appear in court. If a person commits a second prescribed offence within three years, the vehicle may be impounded for up to three months. A third offence within the three years could see the vehicle confiscated.

Parents or friends of an offender who are innocently caught up in the police action brought on by the behaviour of a person driving the borrowed car must be protected. The bill protects third parties but, in doing so, ensures that offenders experience the full force of the law for life-endangering actions. What the new laws do is make parents and other car owners think about the possible consequences of lending a motor vehicle. There is a responsibility on parents whose sons and daughters borrow the family car to observe just what is happening when the car is out of sight, but they should not be unduly penalised because a son or daughter has shown disrespect for their parents by ignoring the trust put in them.

I know some young people believe they will be targeted by police. We all know there is always a risk that a police officer will get carried away with the responsibilities allocated to him or her. However, it is not just this particular law that provides the opportunity for abuse of police powers. I believe that the credibility of the Queensland Police Service is at its highest and that it wants only to do the job it is empowered to do, and that is to enforce the laws of the state that we all have to live by.

If a police officer issues a notice or makes an arrest that leads to the impounding of a motor vehicle, the police officer must have the evidence to support the action taken. What we need to do as individuals is to be conscious of the need to remain within the boundaries of the law and, as a community, to be vigilant so as to ensure that police do not victimise anyone.

The bill before the House will not, unfortunately, stop road fatalities amongst our younger generation. In fact, the recent Developing Safer Drivers and Riders Conference hosted by the Travelsafe Committee held in the function room of the Parliamentary Annexe highlighted to me that there is still a lot of work to be done in the area of road safety if we as legislators are to be effective in reducing the number of fatalities in the 17- to 24-year age group.

The public in general believes that at least part of the answer to reducing road fatalities in that age group is driver training and driver education. I have been a strong advocate for driver training. As a national serviceman, I experienced driver training and I have always felt that I was a better driver because I had gone through what was considered a tough driver training program.

The conference heard from experts like Dan Mayhew, a man with 23 years experience in road safety and the current senior vice-president with the Traffic Injuries Research Foundation of Canada. We also heard from Mr Don Christie, a registered psychologist and educator with over 20 years experience in the area of road safety policy and programming and counter-measuring research development and evaluation. It was interesting to hear from Mr Mayhew and Mr Christie.

But questions are now being asked about the real benefits of driver training and driver education. There is sufficient evidence from respected research that strongly suggests that driver training and education as we know it is not achieving the outcomes that the public would expect. There are those people who are operating as driver trainers and educators who argued that they were in fact putting safer drivers on our roads.

It was very interesting to see the feelings between the two groups over the two-day conference. Mr Mayhew told the conference that there was insufficient evidence to conclude that driver education and training reduces crashes. He also said that the evidence is quite clear, with respect to traditional types of driver education and training programs, that they are ineffective in reducing crashes. In fact, some of these studies have shown that students who have undertaken driver education and training programs have a higher crash risk. Dan Mayhew went on to say later in his presentation—

We give them all these skills—we improve their ability and now they really do think they are skilled. There is a tendency to be over-confident in their abilities and to really push the envelope in terms of those skills.

What he was saying is right; he was on the right track. If we are honest with ourselves, it is experience that makes us better at what we do. We are putting young drivers on our roads with none or very basic skills. They learn the road rules and pass the necessary tests and then consider themselves to have the know-how to operate a motor vehicle in a safe and competent way.

I strongly believe, as I am sure everybody in this House believes, that it is only exposure to driving situations that will give them the experience they need. The risk will always be there. The question is: will they get through those situations without losing their lives or causing loss of life and/or serious injury to other road users? Educators and trainers have an important role to play in producing better drivers. The challenge for us is this: how do we maximise their expertise and fit it into a structure that ensures that we do it better than what we are doing today?

Hooning is a way of life for some of our young drivers. This issue is one about the behaviour and attitude of young inexperienced people who refuse to listen. The purpose of the bill is to give police the powers to deal with those behaviour and attitude problems. This is good legislation. The minister has done an excellent job in putting it together, and he should be congratulated for that. As the chair of the Travelsafe Committee, I believe that he is doing the right thing. He has the support of the community. I commend the bill to the House.

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