



Speech by

**CAROLYN MALE**

**MEMBER FOR GLASS HOUSE**

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**POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL**

**Ms MALE** (Glass House—ALP) (6.16 p.m.): It is a great pleasure to rise here this afternoon to the talk about the Police Powers and Responsibilities and Other Legislation Amendment Bill 2003. This is certainly a very important bill which contains a large number of major reforms. It is all about community safety and providing the members of our community with a chance to ensure their safety in the community and to look after our young people as well. I am certainly going to spend the first part of my speech talking about the amendments in relation to crossbows and then I will discuss some of the other issues in a little bit more detail.

The use of crossbows in Australia for both sporting and recreational purposes is believed to be increasing. Crossbow shooting in Queensland is undertaken for both sport and recreational purposes. Sport shooting is conducted under the guidance of Archery Australia Incorporated and the World Crossbow Shooting Association Incorporated. Sporting archery, including crossbow competition, is conducted by 17 clubs throughout Queensland under the auspices of Target Archery North Queensland and the South Queensland Archery Society. Importantly, crossbows are also used by marine biologists, arborists and veterinarians. The Queensland National Parks and Wildlife Service uses crossbows to capture and relocate crocodiles. I am glad it is them capturing and relocating crocodiles instead of me.

Crossbows are a cumbersome but relatively silent weapon that requires the use of physical strength to load. They are a single shot weapon and are ballistically comparable with other types of archery bow and they are certainly efficient hunting weapons. There is no doubt that the crossbow can be a dangerous weapon if it falls into the wrong hands, as proved by the recent shooting of two high school students in New South Wales. The potential danger of crossbows is evidenced by the fact that both students were injured by a single bolt fired from the crossbow when it passed through one student and wounded the other. The crossbow used was purchased via the Internet from a company in South Australia which had imported the weapon from a Canadian company. Weapons of the type used in the shooting of the school students are prohibited in New South Wales.

Known offences that have taken place over the past six years include a double murder in Brisbane in February 1997, a siege in Mackay in June 2000, a planned prison escape in May 2001, the slaughter of kangaroos at Wacol in July 2001 and a siege in Brisbane in October 2001. On 1 July 2003 the Australasian Police Ministers Council agreed that all jurisdictions would prohibit or require licensing for access to crossbows. As a result, the Beattie Labor government is moving to regulate the possession and use of crossbows through the extension of the existing licensing and registration scheme contained in the Weapons Act 1990 to crossbows. The amendment bill contains a number of amendments to the Weapons Act that will have the effect of requiring a person who possesses a crossbow as identified in the Weapons Categories Regulation 1997 and has a genuine reason to do so to obtain a licence to continue to lawfully possess that crossbow.

Section 11 of the Weapons Act provides that the following are genuine reasons for the possession of a crossbow: sport or target shooting; recreational shooting; an occupational requirement, including an occupational requirement for rural purposes; collection by a collector of weapons; or another reason prescribed under a regulation. The bill provides that a crossbow is any crossbow designed to be discharged by the use of two hands that, when discharged, is capable of causing damage or injury to property or capable of causing bodily harm.

A person who lawfully owns and possesses a crossbow that is temporarily inoperable or incomplete is still subject to the licensing and registration requirements under the Weapons Act. This bill does not alter the existing prohibition relating to the possession of mini crossbows.

In order to facilitate the transition to licensing, this bill provides that the proposed amendments will commence by proclamation or on 1 November 2004, whichever happens first, after the bill has been assented to by the Governor. In addition, this bill provides a transitional provision that declares a person who applies for a licence for a category M crossbow and is in lawful possession of a crossbow immediately before the crossbow commencement day is taken to have adequate knowledge of the safety practices for the use, storage and maintenance of the weapon.

These amendments to the Weapons Act provide a commonsense approach that reflect community concerns about the unlawful use of weapons and uphold community safety by ensuring that our communities feel safe. Further to that section, shanghais and swords are certainly something that we have taken into consideration in this bill. Currently, under the Weapons Act a person must not have possession of a knife and engage in conduct likely to cause death or injury, unlawful destruction or damage to property, alarm to another person, or be in physical possession of a knife while under the influence of liquor or a drug. This amendment will make sure that that provision is extended to swords and shanghais.

I was contacted by some of my local people who were involved in the sport or the art of re-enactments. When they first heard about what was going to happen with swords particularly, they were concerned. After discussions with the minister, I am assured that those people will still be able to continue with their sport and the conditions that are placed on them will not be onerous at all. Certainly, they are responsible people. They keep their weapons covered on the way to their festivals and tournaments. They use them appropriately, they store them appropriately and bring them home. So I think that they are well and truly catered for in this bill and the provisions of this bill will not be any burden on them at all.

As I said earlier, this bill contains significant legislative amendments to a number of acts. One of those acts is the Police Powers and Responsibilities Act, which is amended to specify clearly when a vehicle may be impounded or forfeited for a road hoon related offence. As we have heard many times in this chamber, the issue of hooning in our communities is one that causes a great deal of distress to people—whether that be the people doing doughnuts and burnouts on the side of the road or those who are actually involved in the dangerous drag-racing that we see and the competitions that they have on our main roads where they slow down the traffic so that others can race ahead of it. All of this behaviour is dangerous behaviour. People need to realise that having a car and having a licence is a privilege, not a right, and that privilege needs to be used in a responsible manner. I am a member of the Travelsafe Committee. In the two and three-quarter years that I have been a member of that committee, I have seen far too many incidents of death and destruction that have occurred to innocent people because of the inappropriate use of motor vehicles. Any legislation that we can put in place that removes these people from the roads and, in this case, removes the vehicles by which they are committing an offence and endangering the lives of innocent people who are going about their daily business, is excellent. The more that these irresponsible people see that this government is serious about hooning and getting those people off the roads, then the more chance we have of the incidence of these offences decreasing.

Certainly, the large number of road users in our electorates are all law-abiding citizens who want to do their best to make sure that they drive their vehicles capably. But it is a shame that we have to put in place legislation such as this bill, which deals with those irresponsible few who make life a misery for everyone else.

Another part of the Police Powers and Responsibilities Act that this bill amends relates to allowing for the search and seizure of a potentially harmful thing or a volatile substance so that it will prevent that person from inhaling or ingesting it. Predominantly, that amendment refers to chroming and the use of aerosol paints and other aerosol products that are used by young people and, I am told, some not-so-young people, in our communities. I think that it is very important that we have this amendment. Certainly, in the past when children or adults were involved in chroming and were affected by the drug, it was a matter of just removing them from that drug. This amendment actually gives the police officers the chance to question the person involved and if they believe that there is a likelihood that they will continue to ingest the substance the police can seize that substance from that person. The amendment also allows police to take the young offender, which I think is an appropriate word, to a safe place, whether that be a hospital, their parents' home, or some other safe place. It also allows the police to make sure that, if necessary, an ambulance is called and the offender can be taken to a hospital if that is the most appropriate form of treatment.

It is sad in this day and age that we have to deal with the issue of chroming. I do not believe that it was around when I was young, which was not that long ago. I think that we really need to look at the way in which our society is structured. When I was growing up, my parents would make sure that

they knew where I was and what I was doing. When my parents did not know where I was, everybody else in the community seemed to know what I was doing. There was a sense of community where people would look after the young people in their care. We would not have 12-year-olds and 13-year-olds roaming the streets at night and we did not have these sorts of issues. As a community, we still need to have a look at ourselves and make sure that we take responsibility for not only ourselves and our children but also the children of other people and that we pull people into line when we see that they are not doing the right thing.

Various other acts are amended by this bill. I am sure that my colleagues will ably deal with those amendments throughout the rest of this debate. I take this opportunity to congratulate the minister on his commitment to community safety, for his commitment to road safety and for his commitment to the young people in our society. I congratulate his departmental officers and his ministerial officers who have helped get this legislation to where it is today and I commend the bill to the House.