



Speech by

GEOFF WILSON

MEMBER FOR FERNY GROVE

Hansard 25 November 2003

POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL

Mr WILSON (Ferry Grove—ALP) (4.55 p.m.): It is my pleasure to rise in support of the Police Powers and Responsibilities and Other Legislation Amendment Bill 2003. Recently we celebrated the first anniversary of the Beattie government's antihooning legislation, brought in to address illegal and dangerous driving behaviour across the state. I know that this legislation deals with a whole range of policing matters, but I wish to focus on the antihooning legislation. I think it is one of the key initiatives of this portfolio in this term that is having an incredibly warmly received impact in every local community throughout the state.

The laws have been highly successful and, as I said, warmly welcomed by the community. Since 4 November 2002, 876 cars have been confiscated across the state for 48-hour periods. Only six cars have been confiscated for three months as a result of a second offence. I think these figures speak for themselves in highlighting the effectiveness of these laws in deterring hoon behaviour. The changes in this bill will further tighten these laws. There are a number of detailed changes which have a significant impact upon the effectiveness of this legislation.

In the past, people charged a second or multiple times with road hoon offences could escape having their car impounded for three months or forfeited by pleading not guilty and committing further offences while awaiting trial. As the legislation now stands, a person must first be found guilty of a prescribed offence and then commit another offence before an application for a three-month impoundment can be made. It was never the intention of the legislation to allow repetitive offenders to escape justice through a loophole of this nature.

A new section 59AA of the police powers act determines when a person is taken to have been charged for the purpose of the division in terms of the impoundment of or application for impoundment of vehicles. Additionally, the replacement of section 59H corrects an unintended limitation in the act that allows a person to continue to commit prescribed offences without the risk of a three-month impoundment or forfeiture of a vehicle when previous prescribed offences have not yet been heard and determined by a court. The amendment allows for an application for a three-month impoundment or forfeiture of a vehicle to be made to a court where a person either has been previously found guilty of a prescribed offence or offences or has been previously charged with a prescribed offence or offences which have not yet been heard and determined. The section also allows for a combination of prescribed offences for which a person has been found guilty or has been charged but which have not yet been heard and determined.

A new section 59I complements the amendments by requiring a court to adjourn the hearing of an application where a charge has not yet been heard and determined until the driver has been found guilty of the relevant number of offences. The court is also required to order the return of the vehicle to its owner unless a person has previously been found guilty of a prescribed offence, in which case a discretion rests with the court. The section also requires that a person not sell or dispose of a vehicle subject to an impoundment order which has not been heard or determined.

A new section 59LA provides a court with a determined method for calculation of the order of offences so that a person may not escape the intent of the legislation as they have in the past. It does not matter in which order offences are heard and determined by a court. As I say, there is no escape from the act.

These changes will allow our antihooning legislation to work to full effectiveness. Amendments will also be made to section 7 of the Bail Act to allow police officers other than an officer in charge of a police station or police establishment or a watch-house manager to grant bail to a person in custody. The amendment is necessary so that an officer in charge does not have to be recalled to duty to grant bail. Clearly, an officer in charge cannot be expected to be available 24 hours a day to grant bail. There is no reason why the senior police officer on duty at a station should not grant bail to the relevant person. Bail can currently be granted from a police station. A person does not have to be taken to a watch-house in order to obtain bail.

Additionally, a watch-house manager in a major watch-house such as Brisbane cannot be expected to attend to every consideration of bail. A watch-house manager, understandably, has managerial functions to perform associated with operating the watch-house without the need to personally grant bail on every occasion. Additionally, a new section 40 declares that any bail granted by a police officer other than an officer in charge of a police station or a police establishment or a watch-house manager in the period since the commencement of the Police Powers and Responsibilities Act 2000 is not invalid. In other words, the section is necessary to ensure that bail granted remains valid and that any offence committed which may relate to a bail offence or a bail hearing can be heard and determined by a court.

In conclusion, can I say a word of congratulations to the Minister for Police in relation to the Neighbourhood Watch Program operating in the Ferny Grove police division. The minister may recall—I am sure he does—that in late March of this year he, along with the Police Commissioner, were kind enough to attend and be guest speakers at a large public meeting that I convened in Arana Hills, the objective being to reinvigorate Neighbourhood Watch in that area and associated suburbs, and to encourage new people to attend and get involved in existing committees and to establish committees where committees are not presently operating.

I am pleased to be able to report to the minister through the House today that on Saturday the new superintendent for Brisbane west, Superintendent Carew, was able to officially launch a new Neighbourhood Watch for a section of Arana Hills. Also in attendance was Inspector Tony Brame, who has had a big role in Brisbane west in helping me and local residents—

Mr McGrady: He used to be in Mount Isa.

Mr WILSON: Yes. He carries an excellent reputation not only from Mount Isa but also, I am told, from the Petrie division. Some of my colleagues were regretfully telling me this morning they did not know why they had lost him. That is how valued he is as an active community worker in the Queensland Police Service. There is a lot of interest in the Neighbourhood Watch Program in that area, and we hope to be able to set up a new Neighbourhood Watch in Samford Valley shortly. Hopefully, that will spread to other areas as well. With those few words, I commend the bill to the House.