



Speech by

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POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL AND POLICE SERVICE ADMINISTRATION AMENDMENT BILL

Mr LANGBROEK (Surfers Paradise—Lib) (9.44 pm): It gives me great pleasure to rise tonight to speak in this cognate debate to the Police Powers and Responsibilities and Other Legislation Amendment Bill and the Police Service Administration Amendment Bill 2006. In echoing the words of the shadow spokesman and other members who have spoken before, I want to congratulate the minister on bringing this legislation forward. I come from an electorate and a region that has a higher number of hoon related offences than anywhere else in the state. When I served on the Surfers Paradise Community Consultative Committee, which is made up of members of the Police Service and local community members, the greatest number of complaints that we received were always about hoon related offences. I also know that our local police in Surfers Paradise and on the Gold Coast are very frustrated with the number of drink-driving offences and offenders who are caught. Even though they are warned that there are going to be activities on a Saturday night where they may well be caught, there is a particularly high percentage of people who come to the Gold Coast who think that they are going to get away with these sorts of offences.

As I say, I think it is great to see that the minister has amended legislation about impounding vehicles. It was good legislation when it was brought in by the former member for Mount Isa, I think. There were obviously problems there about impounding and costs and this bill is now modifying the legislation, as the member for Broadwater said earlier, to capture the costs when people do not pay for the cost of towing and storage of impounded vehicles. It is good to see the legislation being modified in that way and there is bipartisan support for the bill generally and also support within the community for what we are doing here tonight. As I say, I congratulate the minister for that.

I also attended the Road Safety Summit referred to in the minister's second reading speech, and I am glad to see that some very positive initiatives have come out of that in terms of legislation with regard to young drivers that the transport minister has announced will take effect from 1 July next year—the reform initiatives that Queensland is leading the way on—and also all of the other initiatives about impounding, some of which we are seeing in tonight's legislation. It is the cost, though, that probably concerns me. It is good to see that we are trying to make sure that we get the costs from offenders for recovering their vehicles. Motor vehicle impounding powers for prescribed offences will get our support, but I am concerned that the Police Service's resources may be significantly impacted on in carrying out the administrative functions of this act.

If the government diverts core resources away from the police department without sufficient additional funding, then the intention of the bill will not be fully realised and of necessity will not reduce the number of offenders driving motor vehicles who may be constantly offending against traffic laws. Impounding motor vehicles will not necessarily solve the problems of repeat offenders and in particular drink drivers. Offenders will have access to friends' and relatives' vehicles as well as purchasing new vehicles. Trends overseas, in particular in the United States, have shown a trend of young offenders

driving cheaper vehicles who are happy to let the police have the vehicle because they have access to other motor vehicles from second-hand dealers and family, and that certainly can happen here as we see certain vehicles go down in value in that they are not as expensive to buy brand new. Obviously as they devalue then people will say, 'I don't really care if you have the vehicle,' and they will not care about losing it.

Then we will have the police left with the problem of disposing of vehicles of little value and attempting to recoup storage and transport fees. Parents will often pay the fees for the impounding, which will not affect their general financial status. On the other hand, less financial families will be impacted on in attempting to support family members who have had their vehicle impounded. These family members will use other methods to gain access to motor vehicles. Perhaps other alternatives that we may consider would be increasing premiums on insurance or registration of motor vehicles of a parent who constantly provides access to motor vehicles for an offender.

I would also support the impounding of motor vehicles and motorcycles that are defective or modified inappropriately, providing again that it does not impact on the Police Service budget. The difficulty in ensuring that this law is complied with does not lie in the notion of rights and liberties of individuals but in the need to protect the rights and liberties of the community and victims of road trauma. The potential for harm to the community should outweigh the civil libertarian rights of individuals in favour of, and a need for, a bipartisan desire to be safe, secure and have a reassurance that the roads are a safe place to travel on, and this government needs to fulfil its obligation to provide the safest roads in Queensland for our citizens on a daily basis. We have to balance the rights of people who are very aware of their rights with the responsibilities that they are expected to also demonstrate.

The improved amendments are necessary to ensure that persons who act illegally on our roadways are properly dealt with. There is a definite need for zero blood alcohol concentration to be applied to those drivers who have been suspended as a result of a drink-driving charge. This will provide some measure of certainty to our community that these people will not continue to drink drive whilst under a charge without a substantial penalty being imposed.

However, recent research by CARRS-Q, a road safety research centre at the Queensland University of Technology, demonstrated that recidivist traffic offenders will most likely reoffend, even though these provisions will be enacted. This legislation will have little impact on those drivers, although it is acknowledged that they make up only a small minority of daily road users. This is a problem in society. We see it with schoolies as well—people who think they can do whatever they like with no consequences. I do not really know how we can deal with that apart from education processes. Perhaps other alternative legislation and strategies should be adopted first, as outlined in the February 2006 Queensland Road Safety Summit. I already have referred to the young driver reform initiatives since Queensland and New South Wales have experienced a number of multiple fatalities of young people in the past few weeks.

Obviously the legislation in the past has had little impact on recidivist drink drivers, and more research and strategies need to be considered in regard to these offenders. In addition, the government has been slow to enact legislation to deal with drug driving, which appears to be increasing, particularly around entertainment centres and liquor licensing facilities. More needs to be done to address this issue and strengthen the powers under the liquor licensing act.

Furthermore, the government should provide more education to juveniles and the general public about the dangers and consequences of drink and drug driving as well as improving the legislation and the research on these important issues of road safety. Perhaps more funding from the revenue collected from speed cameras should be allocated to centres of research, such as CARRS-Q, to address policy and solutions to our growing road toll in Queensland. We have continued to have over 300 deaths per year on Queensland roads for the past four years.

I want to turn now to the Police Service Administration Amendment Bill 2006. Once again, I am supportive of the amendments to this bill, provided the government has properly resourced the Queensland Police Service to deliver the needed administrative requirements regarding media information. The implementation of the Crime and Misconduct Commission report, *Striking a balance: an inquiry into media access to police radio communications*, and in particular media access to the computer-aided dispatch MatCAD system, should address the government, media, community, Crime and Misconduct Commission and police department's concerns about the provision of information to the media highway in a legal way.

The commissioner's discretion to release information will need to be balanced against the operational imperatives of policing within the rule of law. Media interest is important for a democracy to be aware of issues and interests affecting the public in general and individuals in particular. However, informal arrangements between police and the media for or against sharing information has been a vexed issue for decades. The CMC report provides some clarity to the issue, and it provides a range of alternatives for the implementation of how this information can and should be shared with the general public.

The police commissioner has a legal and moral obligation to protect our society against crime and disorder and to provide reassurance but, at the same time, the office of the commissioner has to maintain the freedoms enjoyed in a democratic society, including the involvement of the media in those democratic rights and obligations. The CMC report also requires that the MatCAD system be introduced as secure digital communications are introduced throughout Queensland. Furthermore, the report recommends that the—

Commissioner of Police invites news directors, editors of media outlets with authorised access to the dispatch data-feed, and representatives of media peak bodies, to form a joint committee to meet on a regular and continuing basis, to provide opportunities for ongoing dialogue between the major stakeholders and to provide a forum to consider any concerns raised by stakeholders, including media organisations refused authorisation by the Commissioner (Recommendation 13).

The recommendation should be transparent to the public and parliament and reported on in the Queensland Police Service annual report. The nexus between operational safety, public safety, individual privacy, public interest disclosure, accountability and public interest on media and police issues are all questions of moral right and wrong in relation to a complex problem. I believe the answer is appropriately addressed in the CMC report, which has found a balance to be more fully considered by this parliament and Queensland society.

The permission currently given to the media by the police commissioner to access radio systems which are not secure digital communications has not been addressed in this legislation. In time, the government will fund the police for the continued rollout of digital radios throughout Queensland. That will most likely include other government services, including Emergency Services, as well as the whole-of-government radio requirements. This raises a couple of questions, including whether the government will require further changes to other acts and require those departments with digital, secure communications to provide a MatCAD system solution to all media outlets. How will the government ensure that the provision of information to the media is not unduly fettered by bureaucrats? There are also issues about whether freedom of information questions will be raised about prerecorded information, which may then be kept for further scrutiny by the government, judiciary or other monitoring agencies.