



Speech by

Peta-Kaye Croft

MEMBER FOR BROADWATER

Hansard Tuesday, 28 November 2006

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

Ms CROFT (Broadwater—ALP) (9.12 pm): Tonight it is my pleasure to rise to speak in support of the Police Powers and Responsibilities and Other Legislation Amendment Bill 2006. The aspects of the scheme that I would like to outline relate to the towing and disposal of impounded vehicles under the scheme.

Currently, a vehicle impounded under the hoon impoundment scheme is towed in accordance with existing Police Service agreements to tow and store impounded vehicles. The Queensland Police Service has found the requirement to meet initial impoundment costs to be very expensive and the recovery of costs from drivers and owners of impounded vehicles ineffective. The ineffectiveness of the existing cost provisions was identified by a 2006 QPS submission to the parliamentary Travelsafe Committee inquiry into vehicle impoundment for drink drivers. The submission identified financial records that indicated that, as of 12 January 2006, the Queensland Police Service had paid \$198,000 for the towing and storage of vehicles impounded since the commencement of the hoon vehicle related impoundment scheme. Of this, only about \$70,000 had been recovered through the State Penalties Enforcement Registry.

To address this ineffectiveness and reduce the financial impact of the impoundment schemes on the state, this bill makes key amendments to chapter 4 to clearly provide that the state is not liable to pay any costs of removing and keeping a vehicle impounded under chapter 4 of the Police Powers and Responsibilities Act. This approach will mean that all costs incurred by a towing operator to remove and store a vehicle impounded under chapter 4 of the Police Powers and Responsibilities Act must be paid for by the driver/owner of the vehicle following the end of the initial impoundment period or the three-month impoundment order. Further, those costs must be paid for before the vehicle is released from a holding yard.

I will speak briefly about forfeiture. Currently, the existing provisions within chapter 4 enable the commissioner to administratively forfeit a vehicle under two months from the end of the period of impounding. Given that a large number of vehicles may be impounded annually, there will be substantially increased numbers of impounded vehicles that are not recovered by owners. Consequently, this bill reduces the existing period to 30 days. The bill moves to address concerns that may be made by towing and storage facility operators in relation to the large number of vehicles that may be unclaimed.

The bill also enables the commissioner to administratively forfeit and sell, transfer, or dispose of a non-recovered impounded vehicle to meet impoundment costs. There are essential requirements that must be met prior to the forfeiture of an impounded vehicle. Firstly, it must be established that the impounded vehicle was not recovered by the owner within 30 days of the end of the initial impoundment period or the police cannot find who owns the vehicle. Secondly, the commissioner must ensure that notice is given of the proposed sale or disposal of the vehicle by way of newspaper advertisement, but if the owner of the vehicle is not known the Police Service web site may be used to give notice. Thirdly, the

commissioner must give written notice of the proposed sale of the motor vehicle to the owner if the owner is known. However, if the name of the owner of the vehicle is not known or the owner cannot be located, the notice may be given by making the information about the proposed sale available on the Police Service web site. The changes that have been included in this bill will address some of the issues that have been raised by the police.

I take this opportunity to thank the minister for recently opening the Biggera Waters police beat in my electorate. The police beat is working very well and has been greatly supported by the community, including the local chamber of commerce. Many people refer to it at our regular police consultative committee meetings. It has been really great for the area. I thank the minister for the financial commitment of \$480,000 that made it possible, and I thank all the police for the fantastic work that they did—

Ms Spence: And thank you for your hard work in getting that police beat, too.

Ms CROFT: We are delighted to have it. It was a great outcome for the local community. Once again, I thank the minister and I commend the bill to the House.