




Speech By  
**Shane Knuth**

**MEMBER FOR DALRYMPLE**

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Record of Proceedings, 11 February 2014

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

 **Mr KNUTH** (Dalrymple—KAP) (5.17 pm): I rise to speak to the Police Powers and Responsibilities and Other Legislation Amendment Bill 2013. There is an amendment in regard to the offence of evading police. This section of the bill introduces mandatory sentencing as an alternative to ensure that a sufficient deterrent exists following the decision of the Queensland Police Service to move towards a more restrictive police pursuit policy. I think that is very understandable. The explanatory notes state—

On 6 August 2013, the Cairns Supreme Court delivered a decision in the matter of *Commissioner of Police Service* ... The decision suggests that alternative penalties for evading police offences could include a range of sentencing options, including probation or suspended sentences. Sentencing options such as these, particularly in circumstances where such an option is not comparable with a fine of 50 penalty units ...

I do agree that there is a big concern with regard to evading police, which can result in something happening in many different circumstances that is more catastrophic, such as death. So supporting measures that strengthen those sentencing options is something that I definitely agree with. In terms of submitters' responses, the Caxton Legal Centre wrote in their submission that the bill is unnecessary due to existing police powers which appear more than adequate to deal with out-of-control events and that, moreover, the bill infringes upon an individual's freedom of association. This is also a concern of other submitters and it has been mentioned a few times. It was also raised in relation to the attack on motorbike riders which happened on a whim and was as a result of a brawl on the Gold Coast when there were already appropriate police power laws in place to deal with outlaw bikies.

When you impose legislation upon people, you have to look at its long-term effects and how it will affect the quality of life for many people. I would like to express concern over these knee-jerk reactions that are not thought out. For example, these tough bikie laws have resulted in small businesses suffering to the point of going bankrupt. Ivan, the Mingela publican, is one of those who is now suffering every weekend. He would put a pig on the spit, and over 100 motorbike riders would turn up—

**Mr DEPUTY SPEAKER** (Mr Watts): Order! I remind the member for Dalrymple to stay relevant to this bill, please.

**Mr KNUTH:** We have another one here that says 'blue tape reduction'. The bill will grant the police powers to—

... issue a notice requiring a financial institution to provide information in relation to whether a person holds an account name and the account name or number ...

I have great concerns about that in regard to the invasion of privacy. Likewise, you do not want politicians making decisions about police being able to access these accounts, especially when it involves partygoers. I think that this is probably a little bit overdone. When we look at the policy

objectives of this bill, which are to give the police more powers, we do not want to have a knee-jerk reaction. Everyone likes a party. The 'fettagate' scandal was on the front pages of the *Cairns Post* and in local papers across Queensland, and there was raging and I believe that a bill was not even paid. The Speaker of the House did ask for silence on the balcony here at Parliament House, and when there was silence in here, all we heard outside was LNP ragers. Likewise when the Attorney-General was having a birthday party and poppers were pulled out—

**Mr DEPUTY SPEAKER:** Order! I will remind the member for Dalrymple to speak to the bill in front of him.

**Mr KNUTH:** So yes, there is a point in this, but we have to ensure that there is no doubling up. At the same time we need to lead by example, as we saw three years ago when six LNP members had to be assisted to walk in here and vote because they were that blind drunk—

**Mr DEPUTY SPEAKER:** Order! I will ask the member to take his seat, please. Pause the clock. I will ask the member for Dalrymple to withdraw those comments.

**Mr KNUTH:** I withdraw those comments. As I was saying before about introducing mandatory sentencing as an alternative to pursuits, I believe that that is a big issue and police are hindered in the very difficult work that they do. Back in the old days there was a lot of rural land and that was a bit of a cultural thing in a way, but many of these places are now more urbanised. I can understand where the government is coming from in that regard and I wanted to bring that to the attention of the House.