




Speech By
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MEMBER FOR MACALISTER

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**POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION
AMENDMENT BILL 2022; POLICE POWERS AND RESPONSIBILITIES AND
OTHER LEGISLATION AMENDMENT BILL 2023**

 **Mrs McMAHON** (Macalister—ALP) (4.21 pm): I am not quite sure what those last couple of minutes were about, but I am rising to speak in support of the Police Powers and Responsibilities and Other Legislation Amendment 2022 and the Police Powers and Responsibilities and Other Legislation Amendment Bill 2023 before the House. My committee, the Economics and Governance Committee, inquired into the 2022 bill and I will briefly cover the amendments in that bill before turning to the second. In making my contribution, I note that I choose not to speak to the amendments in the Child Protection (Offender Reporting and Offender Prohibition Order) Act other than to say that what we do in this House impacts the safety, lives and wellbeing of young people now and into the future. No-one is going to sit back and trawl through the debate here, years from now, to see who blames whom for what laws or loopholes that were created. Our laws are not perfect, they never were perfect, and all we can do is seek the best ones we have in our circumstances. I wish laws as strong as these had been around decades ago, I really do, but the reality is we will do what we can when we can, and let's try to avoid the finger-poking.

The other aspect in this bill which I wanted to address with that particular amendment that the member for Mermaid Beach seemed to have missed when he was in the committee is that the QPS, with the increased reporting times, reported that their staff within that unit whose job it is to task and follow up the reporting of those offenders was actually increased from 22 to 42 just last year. The staff are actually there and ready; in fact, it is almost a doubling of the staff. In terms of the police being resourced to deal with that increase in reportable offenders, I point out to the House that the resources are there.

I wish to now address the area of the bill that seeks to address one of the most frequent causes of concern and outrage in my electorate, and that is hooning. We have all heard and seen them—hoons at the lights, in the wet—and if we have not necessarily seen the offending behaviour, then we see the telltale signs down the middle of our roads and intersections the next day. What many may not realise is the level of organisation that goes into hooning events, not only for the one-off opportune or show-off acts but also the highly coordinated and communicated events which see large numbers of hoons gather at locations on short notice and can appear to just as quickly disperse when law enforcement become aware of them. The other aspect to these types of offences that were not present when I was involved in policing hooning behaviour in Logan and the Gold Coast was the ability to film and upload or even broadcast these offences live. In fact, that internet notoriety often spurs these offenders on to engage in more dangerous activities than before.

The amendment bill seeks to create new offences under the Summary Offences Act which are often seen in conjunction with or seen to promote or encourage these type 1 vehicle related offences. A new offence will be created of willingly participating in a group activity involving a motor vehicle used to commit a speed trial, racing, burnout or other hooning offence which will include organising,

promoting, encouraging and filming or publishing film or photograph of a motor vehicle being used for a hooning offence. It should be noted that the filming and publishing provision must be connected to the encouragement or promoting of hoon offences. This means that those members of the public who film evidence of hooning offences for the purposes of reporting offending behaviour to police or authorities are not captured. I would again advise all members of the House that the QPS does have an ability for members of the public to upload videos to report hooning offences.

I also note that the increased penalties have been included in vehicle registration offences associated with hooning. Offenders seeking to evade being identified in hooning offences by either their own filming or being filmed by the network of road safety cameras around this state will often attach false plates to their vehicles. Currently it is a \$287 ticket for someone who attaches false plates. When the offence is associated with a vehicle used in a hooning offence, that penalty will be increased to over \$570. That is for the ticket. Obviously, should the matter be dealt with by a court, then the magistrate may impose fines of up to \$5,750.

I would like to now turn to the 2023 Police Powers and Responsibilities and Other Legislation Amendment Bill. Of note in this bill is the expansion of the police drug diversion program. This involves expanding the definition of a minor drugs offence and increasing the scope of people eligible for the drug diversion program. This amendment starts with the proposition that drug addiction is a health issue, not a criminal issue. I reject the premise that this is some progressive leftie take on drugs.

If I look at the opposition's statement of reservation citing that no evidence was forthcoming, that there was limited consultation and a lack of community support and acceptance, I would ask those opposite what rock they had been hiding under for the past decade. The National Drug Strategy 2017-2026 was crafted under their conservative federal government, one that recognised the community-wide benefits citing an evidence informed approach that diverts people into health interventions and away from the criminal justice system. Let me repeat: the National Drug Strategy, released under the LNP, sought to divert people away from the criminal justice system and into health interventions.

As for no evidence, I am not sure where the opposition members in the committee were when they heard the results of the current police drug diversion program. Since it commenced in 2001, 158,000 people had been diverted and 72 per cent of those who completed the drug diversion program did not reoffend in the post-evaluation period—72 per cent! I am sure some members of the opposition would like to see 72 per cent in some of their polling. Other jurisdictions reported the same levels of success with their diversion programs. The QPS provided that information to the committee, yet the opposition members still could find no evidence. I was on the front line in Logan and the Gold Coast when the drug diversion program was first introduced in 2001, and I can tell you that it did make a difference in how long it took police to deal with drug matters.

As for limited consultation, there are a significant number of inquiries already conducted and recommendations already made around the expansion of drug diversion: the Youth Justice Strategy, the Queensland Alcohol and Other Drugs Plan, the plan for Queensland's state funded mental health, alcohol and other drug service to 2027, the Queensland Mental Health Alcohol and Other Drugs Strategic Plan, the Women's Safety and Justice Taskforce's *Hear her voice* report, the parliamentary committee inquiry into the opportunities to improve mental health outcomes for Queenslanders, the Queensland Productivity Commission's inquiry into imprisonment and recidivism, and the *Queensland drug and specialist courts review—final report*. After all those inquiries and reports, with all those experts at both the state and federal level, the opposition think we need more time to consider it.

As for lack of community support and acceptance, the *Courier-Mail* did in fact publish an article today—an actual article supported by an independent survey which canvassed thousands of Queenslanders from Cairns to the Gold Coast, not the Facebook poll cited by the member for Burdekin. It showed that Queenslanders were in support of the measures contained within this bill pertaining to expanding a minor drugs offence to include other illicit drugs. If you want to get your details from the *Courier-Mail*, go right ahead. I table a copy of that article.

Tabled paper: Article from the *Courier-Mail*, dated 19 April 2023, titled 'In favour of drug laws' [513](#).

I heard the member for Burdekin's story about the young woman and her descent into drug addiction. I commend anyone who can come back from that, but how would that young woman's story have ended if she had been imprisoned for drug offences or had convictions been recorded? What does her family look like now? What would her job prospects look like? It is great that a young woman can have her rehabilitation funded and paid for by family, but let's be realistic; this is not happening for even a fraction of drug addicts out there.

Honourable members do not have to take my word for it; I have only spent a couple of decades on the front line. How about the AMA Queensland, which said it has been—

... calling for urgent drug law reform for several years and welcomes the introduction of the Bill.

They stated—

Those at risk of addiction also need prevention and early intervention measures such as mental health support and education about drug harm.

That is drug diversion. What about the Mental Health Commission? They stated—

The Commission welcomes the *Police Powers and Responsibilities and Other Legislation Amendment Bill 2023* that includes the expansion of the Police Drug Diversion Program ...

...

Justice focused approaches are inconsistent with contemporary evidence, best practice and the harm reduction pillar of the *National Drug Strategy* ...

We want Queenslanders to thrive. We want Queenslanders who have addiction issues to have the opportunity of intervention at the first opportunity. If police offer those referrals, then those Queenslanders will have the opportunity to thrive and be part of a community.