



Speech By  
**Hon. Jann Stuckey**

**MEMBER FOR CURRUMBIN**

---

Record of Proceedings, 11 February 2014

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

 **Hon. JA STUCKEY** (Currumbin—LNP) (Minister for Tourism, Major Events, Small Business and the Commonwealth Games) (4.16 pm): I rise to contribute to the debate on the Police Powers and Responsibilities and Other Legislation Amendment Bill 2013 introduced to the House by the Minister for Police and Emergency Services, the honourable member for Bundaberg, on 12 September 2013. I commend him for responding in a timely manner to antisocial activities that have been causing havoc in our neighbourhoods by bringing before the parliament this piece of legislation to send a message that this behaviour will not be tolerated and offenders will face fines and punishment. I also acknowledge the good work of the Legal Affairs and Community Safety Committee. The objectives of this bill are numerous. However, they can be confined to three categories: firstly, reducing blue tape to enhance the efficiency and effectiveness of the Queensland Police Service, implementing an out-of-control event scheme and amending the evade police provisions to ensure the minimum penalty of 50 penalty units, or \$5,500, or the equivalent period of 50 days imprisonment is imposed.

A modern society and the advancement of technology have contributed extensively to the widespread issue of out-of-control events that are causing grief to communities throughout our great state. This legislation introduces tough new laws necessary to address this problem by proposing to insert the out-of-control event scheme into the police powers and responsibilities legislation. Whilst there are existing laws that assist police in dealing with a riot or an unlawful assembly, out-of-control events do not often reach this threshold. However, they are a serious problem and are affecting law-abiding citizens all too frequently. Absence of specific legislation and a spate of parties that spiralled out of control and into the streets resulting in injuries to police, ambos and bystanders prompted the Newman government to introduce these detailed amendments. This bill targets the person who set about organising the event, whether it be through social media or otherwise. They will face harsh and just punishment under these changes. Further, parents who allow their child to organise such an event or, indeed, contribute to these events will face severe penalties for their complacency or encouragement of this behaviour.

The LNP is by no means the 'fun police', as others may claim. Rather, we are motivated by an overarching commitment to ensuring residents feel safe in their homes and surrounds. As the police minister has indicated, the government recognises that only a small number of parties require the use of such a scheme provided by the bill and it is for this very reason that the use of powers contained in these proposed laws require authorisation by a police officer of at least the rank of sergeant. For an event to be deemed out of control, it must satisfy three criteria: it must be a gathering of 12 or more persons; three or more persons must engage in out-of-control conduct; and that conduct must be of such a nature that it would likely cause a person to fear violence to person or property or cause a person to reasonably believe a person would suffer a substantial interference to the rights or freedoms of a person or passage through or enjoyment of a public place.

The bill details clearly what will be deemed out-of-control conduct. Examples include unlawfully entering or remaining in a place, offensive or threatening behaviour, assault or—heaven forbid—exposing genitals. Police will be provided the power to stop a vehicle or enter a place without a warrant. These changes are focused on providing the mechanism for officers to stop these events occurring or acting swiftly to disperse crowds if they do occur. If any honourable members have ever witnessed one of these fracas, they will know that they can turn ugly and violent rapidly. Listening to the honourable member for Rockhampton arguing that a gathering of 12 is too low, all I can say is that numbers can escalate in a matter of minutes. Having experienced one such situation myself, I can attest that it is indeed terrifying to be caught up in.

Contravening a direction given by an officer at such an event will attract a maximum one year's imprisonment. If that action is accompanied by assault or violent behaviour, it will increase to a maximum three years imprisonment. Out-of-control events use an enormous amount of police resources and no longer will the good people of Queensland be continually expected to foot this bill. A court may now make a cost order against any adult, child or parent of a child offender who is found guilty of any offences contained in these amendments. This is in addition to any penalty they may also be liable for. There are a number of other minor amendments in relation to blue-tape reduction which the police minister has discussed in detail.

This bill is a practical, proactive way of addressing the serious problem that faces neighbourhoods throughout Queensland. In Currumbin, thanks to excellent police work and a cooperative community, a few years ago we were able to curb the actions of some out-of-control youth in the area who were taking over our streets and trashing anything in their sights. Once again I wish to commend the actions of current Assistant Commissioner Brett Pointing and Superintendent Jim Keogh with whom I joined forces some eight years ago to halt the disturbing trend of out-of-control parties in Currumbin. Just recently I convened a cross-border police meeting in my office with Geoff Provest, the member for Tweed, and high-ranking police officials from New South Wales and Queensland, and I thank the minister for allowing this to happen. Living in a cross-border community presents a unique set of challenges, and this meeting was a clear demonstration that New South Wales and Queensland authorities are communicating and working cooperatively to keep our crime rates down in our region and to track criminals across borders.

I again congratulate the police minister for bringing this bill before the House because it will give our hardworking and dedicated police the ability to respond to this serious issue that has worsened over time, particularly with the development of social media. Residents should not feel threatened or intimidated by events in their neighbourhoods or surrounding areas. This bill, alongside recent legislation that has passed through this House, has demonstrated this Newman government's unequivocal commitment to cleaning up our streets and ensuring Queensland is the safest place to live and raise a family. We are committed to providing our police whom we value with the legislative backing they need to get on with the job and deal with this unacceptable behaviour.