



Speech by

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MEMBER FOR CURRUMBIN

Hansard Thursday, 21 May 2009

CRIME AND MISCONDUCT AND SUMMARY OFFENCES AMENDMENT BILL

Mrs STUCKEY (Currumbin—LNP) (5.43 pm): In speaking briefly to the Crime and Misconduct and Summary Offences Amendment Bill 2009 introduced into the House on 23 April this year by the Attorney-General and Minister for Industrial Relations, I acknowledge that the opposition will be supporting this bill. The explanatory notes state that the primary objective of the bill is to make amendments to two acts: the Crime and Misconduct Commission Act 2001 and the Summary Offences Act 2005. I wish to contain my remarks to the amendments to the Summary Offences Act 2005.

In his second reading speech the Attorney-General notes that Queensland already has at its disposal a range of criminal offences that could apply to rock-throwing conduct. However, the government did judge it essential to create a specific offence directed at rock throwing and other dangerous conduct such as directing a laser pointer at a vehicle.

It would appear that recent public uproar and frightening incidents have prompted the government to look at ways to strengthen existing laws and make them more specific. The proposed offence does not depend upon proof of malicious intent and applies where the behaviour may jeopardise the safe use of the vehicle but does not apply to vehicles parked in a car park or driveway. There is provision, though, for cars stationary at traffic lights or stuck in a traffic jam—which I must say on the Gold Coast we are very well used to—to be covered by the rock-throwing offence. Senseless damage to unsupervised stationary vehicles and other property happens on an all-too-frequent basis and is extremely difficult to police as the acts often happen in the middle of the night and often in private locations.

Unfortunately, there are numerous examples in past years of incidents that would be covered by this amendment. Late last year on the outskirts of my own electorate of Currumbin an outrageous attack was delivered upon an ambulance as it headed to an emergency with lights and sirens blaring. On the night of 21 December 2008 two paramedics were travelling in an ambulance along the Pacific Motorway at Palm Beach when, in what can only be called an extremely reckless and dangerous act, a 15-centimetre steel bolt smashed through the windscreen of the ambulance and left the paramedic driver with glass in his eye. He required hospital treatment but showed incredible commitment to his job by continuing on with the emergency call-out, to a woman lying unconscious in a Gold Coast park, before seeking help himself. The cowards who participated in this deadly activity have not been caught and, not surprisingly, they have not come forward. Whether this incident was a deliberate attack on a Queensland ambulance or not, actions such as this put so many lives in danger. Projectiles such as rocks, marbles and metal bolts, as we saw in the incident I mentioned, become lethal weapons when thrown at vehicles. They can be just as lethal as stabbing or shooting.

Another major problem that is on the rise and needs to be urgently addressed by this government is known as glassing. Similar to the offence of rock throwing, a glass can be used as a missile but it can also be used as a hand-held weapon. Both of these actions are unacceptable attacks on largely innocent and unsuspecting individuals that need to be addressed in our society. I applaud the government for identifying rock throwing as an offence deserving of a specific amendment. However, urgent attention must also be

given to bring in new laws to curb the incidence of glassing in our local licensed venues. It is hoped that the government will bring in new legislation in this regard soon.

As with the above example of a missile attack on a Queensland ambulance, more and more assaults are being committed on our dedicated Queensland Ambulance Service operators as they go about their business of saving lives. Together with the majority of the general public, and I am sure members of this House, I voice my utter disgust and contempt for those who physically harm our ambos as they act in the course of duty.

As is the case in other suburbs, some overpasses and bridges in the electorate of Currumbin do not have adequate fencing to stop either rock throwing or bridge jumping, which is another hazardous activity. The installation of high protective fencing warrants immediate attention because, as we know, finding the culprits in rock throwing is always going to be a hard task. Therein lies the major obstacle to the success of this legislation. A large number of incidents occur from overpasses to our major roads and to vehicles travelling at around 100 kilometres per hour. By the time the victim of the missile has the opportunity to stop safely on the road, the offenders have well and truly left the scene. And the victim is not able to provide a description of the offender due to the fact that they probably did not even see them, only realising something was amiss when the rock or other object hit their vehicle.

We have heard from other honourable members about personal experiences of missile attacks, and I can attest to the fact that it is a terrifying experience indeed. A few years back I was travelling along the M1 near Exit 92, which is in Currumbin, doing the 100-kilometre limit. As I attempted to move into the left lane so that a truck could pass me, a rock the size of a child's fist hit my windscreen, making a sound like a gunshot. Momentarily stunned, I soon realised what had occurred and was truly thankful that the rock had hit on the passenger side of the windscreen and I had been able to maintain control of my car. I must also say that I was very pleased that I did not have a truck on my car's rear end!

Another factor that will hinder a degree of this amendment's success is the shortage of adequate police numbers on the Gold Coast and, with the huge workload they have, the chance of securing an arrest is very limited. News that approximately seven officers will be transferred from the Palm Beach Police Station to the new one at Reedy Creek will stretch our thin blue line even more.

Rock throwing is a very serious offence and has the potential to permanently maim or kill and is deserving of recognition in this legislation. This government, however, needs to recognise that its obligations to protect Queensland's public does not stop there. It needs to upgrade some of these hot spots where the incidents occur and instal CCTVs to protect the public. We need to make sure that any offender who is apprehended is dealt with and given meaningful penalties. The penalty of two years jail does not apply to juveniles. As most rock-throwing offenders who target moving vehicles are juveniles, a school education program needs to accompany the new legislation to highlight the fact that the act of rock throwing can be lethal and is not just a funny prank. Our youth must be made aware of what the dire, if not deadly, consequences of their actions can be.

Whilst I have said that I applaud the intent of this amendment to the Summary Offences Act, unless juveniles receive a substantial penalty, this legislation, according to a number of our state's law enforcers, is impotent. Kids as young as 10 and 12 have been caught chucking rocks and other items at cars, and there is a real concern in our community from residents and youth workers that because some of these kids, if they are caught, receive only an admonishment, they go on to do graffiti, break and enters and take drugs. This is no exaggeration.

One case recently brought to my attention involved a 12-year-old who had been fined 20 times for various offences including many of the above. The police are powerless to do much. The parents are at their wits' end and the child does not care. If there is no intervention, this child will be a seasoned criminal by 16, with poor education and little hope of a life outside bars once, or should I say if, they reach adulthood.

As stated, the intent of this amendment is sound but has not dealt with the critical issue of preventing our youth from participating in this behaviour, which can well lead to more serious criminal acts if offenders are not penalised in a way that affects them directly.