

THE GREAT AUSTRALIAN RIPOFF

Never before, in the history of this proud nation, has the general populace been ripped off so cleverly and blatantly by the very people we empowered to protect and keep us from harm, and that is the government and the police.

Despite the governments policy of secrecy regarding just how much revenue is collected annually from speed detection devices, it is generally accepted that last year somewhere in the vicinity of One Billion Dollars was lifted from motorists pockets.

Whether you are accepting of current speed limits on our National Highways is somewhat moot, this article merely points out the unbalanced playing field we have complacently accepted in this country and how this veritable police state and policy of zero tolerance to motorists is impugning our civil rights. We have been bombarded with media policies of "Speed Kills", "Every K over is a killer", very cleverly, resulting in a social conscience that makes us think twice about defending ourselves in court on speeding fines even when we know that fine is inaccurate or bogus.

Statistics released here in Australia, if you believe the police, would have us believe that they are winning the war against the carnage on our roads but the reality is far different.

Figures can be distorted and in the not so distant past when the police tried to tell us that they had reduced the road toll in Victoria as a result of speed detection devices it was quickly and publicly pointed out that the only reason they had dropped was because pedestrian deaths had been averted by newly designed pedestrian crossings.

Perhaps as a parallel we should look more closely at a civilized country like America. In 1997 the American president realised that the entire public highway system and speed limits were run by the major insurance conglomerates. In an effort to eliminate this imbalance he actually raised the speed limit quite substantially. A remarkable thing then happened. The road toll dropped immediately to its lowest in recorded History [sic 1965] and has stayed down ever since. Likewise accidents, insurance claims and time spent on the roads.

That statistic just can't be argued with. Several civilised countries have followed suit with the same results and more interestingly, it has been people power in those countries that have had these dreaded speed detection devices removed entirely.

It should be noted that the American speed increase was only designated for highways and expressways, the speed limit within town and built up areas has not varied.

This article is designed to point out that we have allowed governments and the police to make us a nation of sheep; policies and a bombardment of television ads have dulled us to the point where we allow those in power to do our thinking for us. That is not what our forefathers fought and died for and to be more succinct, it is un-Australian.

Wake up Australia. These detection devices are a sick joke and worse still, they are that

inaccurate and prone to error, they should never have been introduced in the first place. Our apathy and complacency allowing the ever gradual increase in speed detection devices to rip us off to an unbelievable level will only guarantee that we are leaving a legacy for future generations. When your now 5 year old grandson, in 13 years time proudly rings you from the transport office and tells you that he has not got his driving license, then arrives home in tears with a tale of how police hiding behind bushes and hidden speed cameras have eliminated his points in one drive home, then hang your heads in shame. By our present silence we are allowing this rip-off to become the norm. Pretty soon it will become accepted policy and we will have lost the chance to balance the whole unbalanced playing field back to an acceptable level.

In the more recent past I have been asked to put my point of view forward on National television programs regarding speed detection devices for the reason that I have, by defending myself in court, with no help from technical experts or legal representatives, soundly beaten all the speed detection devices we have here in Australia.

You could view this as just someone who had found some loopholes and has exploited them but my agenda is far more extensive than that. I help people defend themselves in court against speeding fines. I do this so each and every person who walks through the justice system becomes somewhat of an expert on just how the court system works. In all cases they are horrified at just how unbalanced the system actually is and become committed to changing it back to a law that works for everyone, not just the police. In turn they can help friends; relatives etc and gradually turn the tide against what I believe to be an unjust system.

By researching the current detection devices I was shocked to learn just how inaccurate they are and prone to giving erroneous or false readings. Every device the police use is a derivative of microwave radar and it doesn't matter how carefully the police calibrate the internal workings of the mobile radar [Doppler], The speed camera [Photo Radar] and the dreaded Lidar or Laser gun, they are all susceptible to outside interference. This outside interference has always been known about by the police and when these devices were originally introduced they were under the strict guidelines of the national safety committee. That committee asked that these devices only be used in areas designated as black spots and high accident zones. When state government's realised the enormous revenue these devices were raising they turned a blind eye when the police "Changed the rules". Totally ignoring the safety committee's

recommendations and the fact that they know these devices are error prone, the police have now adopted an “Anywhere Anytime” policy where they do their darndest to hide these devices behind every available hiding place, consistently use them near airports, under high and low voltage power lines etc etc etc.

Although I prefer to keep the faults of these devices to myself so I can help those who seek my help, I will give you just some of the facts on a couple of these devices that may just help you to wake up and answer the do gooders when they extol the virtues of our current system. The photo radar or speed camera will often go to the source of the strongest signal. That just may be the Mack truck boring down the outside lane while you are well in front of it, sitting on the speed limit in the inside lane!

The Lidar or Laser gun is nothing but a sick joke. It is essentially a hand held pistol like device, with open sights that at 300 metres has a beam width of over 1.2 metres! This is no pin point accurate device that paints a little red dot on your chest like you see in the movies folks, the beam on this little gem goes out in ever widening circles. When you combine that with the limitations of the human eye, the normal tremor of the human hand and the fact that on the road we are moving targets, you have a recipe for disaster. Time and time again I have sat in courts and listened to cops trying to convince a court that they got an “accurate reading” on motorists at distances exceeding 300metres by aiming their Lidars at, wait for it, the number plates of those vehicles!! That superhuman ability is simply not within the range of human eyesight and it’s about time the courts stopped swallowing this rubbish unquestionably.

To further unbalance the game, the police have recently passed legislation whereby if you wish to question either the accuracy of their speed detection devices or the operators then you must give them 21 days clear notice in writing so that they may bring along their “Own” experts to court. One could reasonably be forgiven if you were to wonder why, if these devices are as dead accurate as they have made them out to be, why would they actually need to pass that sort of law?

The erosion of our civil rights is an issue that particularly concerns me. To give an example of this is the policy of Traffic police when they pull a motorist over who is suspected of speeding. The very first question they ask you is “why were you speeding”.

They know full well that when a motorist is pulled over, he or she is very likely to be in a state of physical shock and likely to blurt out anything. The answer to that seemingly innocent question is usually a mix of “sorry officer, I wasn’t watching my speed”, or, “sorry officer, I didn’t realise I was going that fast”.

Those last two answers have just guaranteed that you will lose in court should you seek to challenge the matter. The Police have a tape recorder usually hidden under the shirt or jacket of their left shoulder. They don't tell you that they are recording you and the question is one of entrapment. They actually coerce you into making a "confession" and to my way of thinking that sucks....Furthermore, if you take these matters to court then they bombard you with forms and advertising literature to say how easy it is to plead guilty, nothing whatsoever is given to help you actually defend yourself even though it is our fundamental right to do so.

One of the primary reasons there is zero tolerance for motorists and a perceived large amount of tolerance for repeat offender criminals is that motorists do not avail themselves of our justice and court system the way crims do. If a crim gets caught breaking into a house with a sack full of stolen goods, he goes to court. In his defense he will bring up all sorts of extenuating and mitigating circumstances as to why he committed that crime. It may be that he came from a broken home, was a recovering alcoholic and part time drug user at the time and whether we like it or not, all those circumstances are seen as mitigating by the Magistrates and the sentence and fines are reduced accordingly.

Good people of Australia, please wake up! Exactly the same rules apply to motorists. There may have been a reason why you were exceeding the speed limit; anything from keeping up with the traffic flow to a recent phone call where a family member had taken ill, to any good reason why you just may have been speeding. Explain these to the magistrate in court and you will find you are actually listened to. You may not have the whole matter dismissed but in many cases, the fines and according points are reduced to an acceptable and fair level.

Remember what I said way back in this article. It is my job to teach people the intricacies of court procedure and the law, the many avenues they have to defend themselves, the nasty little tricks the police prosecutors get up to, and how to win in court. I do this to educate people and make them somewhat experts themselves. Hopefully, as has happened in many civilised countries worldwide, when enough of us defend ourselves against these ridiculous fines, governments will be forced to look closely at what has been going on and do something constructive about it. The next time you get pulled over for speeding and the cop asks you why you were speeding, simply answer, "I wasn't officer and if your equipment says I was, then I would strongly suggest there must be something wrong with your equipment".

It is your civil rights that cop is trying to infringe folks and you are under no obligation to answer such a question. Simply remain courteous and be forthcoming with your license and registration. This tactic may send the cop into somewhat of a hissy fit but it is the correct one to follow, you are not under arrest and under no obligation whatsoever to answer questions that may be sued against you later on should you wish to challenge the matter in court.

Another reality check is the common misconception that to challenge speeding fines costs an arm and a leg. Let me tell you that if you send that infringement notice back in and elect to go to court, several things happen. The first is that everything goes into limbo, while the matter is unresolved they can't take any points off you, they can't take any money off you, and they can't take your license off you either! If you defend the matter and lose, the most it will cost you is the original fine the cop issued you with plus \$65.50 in court costs. If you win it costs you exactly nothing. If it takes a year for the matter to come to court as happens in many busy court areas and you are short on points, then you have just extended your license for that period of time...

While I'm sure the police will scream unfair with this tactic, the reality is that it is our right to do so under the law. How many crims have you heard of that have told a magistrate they are guilty and asked that magistrate to award them the maximum penalty under the law?

Conversely, heavy penalties are handed out by the traffic police every day with absolutely no tolerance for any circumstance that may have caused you to speed and that includes the fickleness of their own speed detection devices! It is time for action good people of Australia, the little ripple I started several years ago now by beating them at their own game has now gained national awareness. So far I have helped over 1700 people nationwide to fight speeding fines. Those people have shown extraordinary courage and in most cases have been pushed over the edge to the extent where they have seen the "system" rip them off and leave them feeling like a criminal by the unswerving intolerance shown to them by the police who booked them. In most cases they knew they were not speeding, or explained mitigating circumstances to the police at the time. Even though traffic police have discretionary power to lessen or even dismiss these fines before they write out the ticket, they show no mercy whatsoever. It is up to us.

The time is right now to decide whether we are going to lay down like a nation of sheep and allow this rip-off to continue or whether we are going to build the little ripple into a veritable Tsunami and have these horrid, inconsistent, civil rights impugning speed detection devices removed altogether and a more tolerant approach shown to law abiding motorists.

Scott R Cooper
Speeding Fine Consultants