Legal Affairs and Community Safety Committee

Response to Submissions for the Police Powers and Responsibilities and Other Legislation Amendment Bill 2018

TITLE OF BILL: Police Powers and Responsibilities and Other Legislation Amendment Bill 2018

REPORT OF: Queensland Police Service

DATE: 13 July 2018

INTRODUCTION AND SUMMARY

On 12 June 2018, the Police Powers and Responsibilities and Other Legislation Amendment Bill 2018 (the Bill) was introduced into the Queensland Parliament and referred to the Legal Affairs and Community Safety Committee (the Committee) for consideration.

The primary purpose of the Police Powers and Responsibilities and Other Legislation Amendment Bill 2018 (the Bill) is to give effect to recommendations made by:

- the Queensland Police Service (QPS) internal review of police powers to investigate high-risk missing persons; and
- the 2011 review of the evade police provisions by the (then) Crime and Misconduct Commission.

The QPS has provided a written briefing to the Committee about the Bill. The Committee sought public submissions on the Bill and requested the QPS provide a written response to these submissions by 16 July 2018.

The following submissions have been received by the Committee:

Submission Number	Submitter Name
1	Crime and Corruption Commission
2	Bar Association of Queensland
3	Protect All Children Today
4	Queensland Law Society
5	Queensland Council of Unions

The QPS response to these submissions is as follows:

Submission 1 – Crime and Corruption Commission

The Crime and Corruption Commission (CCC) supports the Bill. The aspects of the Bill addressed by the CCC have been outlined below.

Evade police provisions

The CCC acknowledges that the proposed amendments to the evade police provisions of the *Police Powers and Responsibilities Act* 2000 (PPRA) may adversely affect the rights of vehicles owners. However, the amendments provide an appropriate balance to reduce the danger to the community potentially brought by police pursuits and also act to promote the detection and prosecution of evasion offences.

High-Risk Missing Persons

The CCC supports the introduction of the high-risk missing person (HRMP) scheme and advises that the proposed judicial oversight for establishing a missing person scene is appropriate. Additionally, the CCC supports and accepts its proposed review of the HRMP powers as part of its research function.

Controlled activates and controlled operations

The CCC advises that while the proposed amendments to the *Racing Integrity Act 2016* relating to controlled activities and controlled operations do not of themselves amount to major crime or corruption under the *Crime and Corruption Act 2001*, they are associated with organised crime and corruption, and are difficult to effectively investigate and enforce. As such the proposed amendments are supported.

Access information orders to storage devices seized with a crime scene warrant

Support is given by the CCC for the powers to apply for a judicial order requiring access information to storage devices seized during the execution of a crime scene warrant. The CCC holds the view that these powers should be consistent with section 154 (Order in search warrant about the information necessary to access information stored electronically) of the PPRA. It advises that the judicial oversight is appropriate for the proposed amendment.

Queensland Police Service comments to CCC issues
The QPS notes the support provided by the CCC for the Bill in its submission and confirms that its views have remained consistent throughout the bill development process. The QPS will ensure that the exercise of the HRMP powers will be appropriately recorded to assist the proposed CCC review.

Recommendation:
No Change.

Submission 2 – Bar Association of Queensland
The Bar Association of Queensland (BAQ) does not support certain aspects of the Bill as detailed below.

Including Commonwealth child sex offences as reportable offences in Queensland

The BAQ is concerned that three of the 10 *Criminal Code Act 1995* (Cth) child sex offences that the Bill will include as reportable sex offences in Schedule 1 of the *Child Protection (Offender Reporting and Offender Rehabilitation and Offender Prohibition Order) Act 2004* (Qld) will unnecessarily capture children who engage in sexting.

The Commonwealth Criminal Code offences of concern for the BAQ are sections:

- 471.20 (Possessing, controlling, producing, supplying or obtaining child abuse material for use through the postal or similar service);
- 471.22 (Aggravated offence—offence involving conduct on 3 or more occasions and 2 or more people); and
- 471.26 (Using a postal or similar service to send indecent material to person under 16).

Corrective Services Act amendments

The BAQ opposes the 12 month change to parole applications once refused for life sentenced prisoners and ask the Government to refer the issue of non-mandatory sentencing to the Queensland Sentencing Advisory Council (QSAC).

Crime scenes

The BAQ does not support the simplification of the crime scene offence definition or the reduction of the threshold offence from an offence punishable by at least 7 years imprisonment to an indictable offence punishable by at least 4 years imprisonment.

The BAQ states that the amendments cannot be justified given the proposed reduction of the threshold offence would result in most offences under the Criminal Code (Qld) being included rather than only the serious offences. The BAQ also expressed serious reservations on the use of the term may in the application of crime scene powers at places other than were the crime scene threshold offence occurred.

Additionally, BAQ notes the exercise of crime scene powers represents a significant imposition on the rights of owners and occupiers of properties who may have legitimate reasons for not wanting their properties searched by police, and are not suspected of committing any offences.

Access information orders for storage devices seized at crime scene

The BAQ has significant reservations about police being able to access information on a storage device located at a crime scene without first obtaining a search warrant, particularly given the new crime scene threshold.

Missing person warrant powers

The BAQ cannot comprehensively comment on the merits of the proposal as:

- there is no empirical research and data regarding the success of missing person scenes;
- documented experiences from other State and Territories; and/or
- evidence showing the inadequacies of the PPRA in enabling police to investigate missing persons in Queensland.

The BAQ seeks specific situations the proposed amendments are intended to target. BAQ stated that if the intention is to enable police to focus more time and attention on investigating missing persons at an early stage, then a more appropriate solution may be to increase policing resources.

Finally, the BAQ believes police should be required to have probative evidence that a person is 'high-risk' before being able to establish a missing person scene under s 179E or, alternatively, apply for a warrant before being able to establish any form of a missing person scene.

Queensland Police Service response to BAQ issues

Including Commonwealth child sex offences as reportable offences in Queensland

The proposed extension of Schedule 1 (Prescribed offences) of the *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004* (CP(OROPO)A) is the result of a policy decision made at a national level. This is an important amendment aimed at enhancing the protection of children who are at risk of sexual offenders.

From the outset it is important to note that the CP(OROPO)A is not limited to adults who commit sexual and other serious offences against children, nor is it intended to apply an additional penalty to a person who commits prescribed offences against children. Rather, it provides an opportunity for police to engage in early intervention strategies, to detect and disrupt future offending, including referral to support agencies.

The statistics cited by the BAQ informing the average age of child exploitation offenders as 14.3 years is not representative of the reportable offender cohort in Queensland. In fact, in Queensland at this time, there is one 17 year old child on the child protection register.

Notwithstanding the diversionary and restorative provisions of the *Youth Justices Act 1992*, it is important to note that there are additional layers of protection to prevent children who do not pose an ongoing risk to the lives and sexual safety of children from being placed on the child protection register.

Children are only placed on the child protection register when the offending is of a serious nature and reflected in the related court outcome. The CP(OROPO)A includes specific protections for children under section 5(2)(c)(i), (ii) and (iii) which excludes entry on the register when the offender, as a child, committed a single offence of possessing or publishing child pornography.

In addition to the CP(OROPO)A protections, the Office of the Director of Public Prosecutions Guidelines 5(v)(a) and (b) states a child should not be prosecuted for an offence in which they are also a complainant and for sexual experimentation involving children of similar ages in consensual activity, which would include sexting. However, in circumstances where there is evidence of coercion, grooming or there is an imbalance of power, a child, upon conviction and sentence, may be placed on the child protection register. It is important to note that some children do sexually offend against other children outside the realms of what is considered normal sexual exploration. For this reason, it is not appropriate to arbitrarily limit the age to 'at least two years younger' than the offender.

When a child is placed on the child protection register, their risk to the lives and sexual safety of children is assessed using an empirically validated risk assessment tool and additional information available to police. Where the commissioner of police is satisfied, on reasonable grounds that the offender does not pose a risk to the lives or sexual safety of 1 or more children, or of children generally, the commissioner may suspend the person's reporting obligations by virtue of section 67(C).

For those very few children who are required to report to police, one report is required to be made in person, the remaining reports can be made on-line or by telephone and the period of reporting is half that of an adult convicted for the same offence. While contact with other children (reportable contact) is required to be reported, continual reporting about contact with the same child is not required nor is there a requirement to report incidental child contact as defined in section 9 of the CP(OROPO)A. Reportable contact is an important mechanism to disrupt and prevent the grooming cycle.

Crime scenes

The QPS finds the multiple definitions required to determine if crime scene powers can be activated are impractical. Under section 170 of the PPRA, a police officer may apply to a

Supreme Court Judge or a magistrate for a warrant to establish a crime scene at a place. Under schedule 6 of the PPRA, crime scenes are defined as *primary* or *secondary crime scenes*, before relying on further definitions of *serious violent offence* and *seven-year imprisonment offence*. Other Australian jurisdictions do not distinguish between offences that relate to primary and secondary crime scenes. The amendments in the Bill provide a singular inclusive, workable definition of 'crime scene'.

The application of crime scene powers currently requires a seven-year imprisonment offence. This is the highest crime scene threshold in Australia.

The QPS finds the seven-year imprisonment offence threshold prevents forensic police from gathering evidence from crime scenes where other serious offences have been committed such as:

- s 316A (Unlawful drink spiking) of the Criminal Code, 5 years imprisonment;
- s 328 (Dangerous operation of a vehicle with circumstance of aggravation (Whilst adversely affected; excessively speeding or racing or previously convicted of DOMV) of the Criminal Code, 5 years imprisonment;
- s 359E (Stalking) simpliciter, 5 years imprisonment;
- s 57 (Discharge a weapon in/through/towards/over a place) of the *Weapons Act 1990*, 4 years imprisonment;
- s 40B (Reckless conduct-category 1) of the *Electrical Safety Act 2002*, maximum penalty 5 years imprisonment where a person exposes an individual to a risk of death, serious injury or illness;
- s 31 (Reckless conduct-category 1) of the *Work Health and Safety Act 2011*, maximum penalty 5 years imprisonment where a person exposes an individual to a risk of death, serious injury or illness;
- s 21 (Reckless conduct-category 1) of the *Safety in Recreational Water Activities Act 2011*, maximum penalty 5 years imprisonment where a person exposes an individual to a risk of death, serious injury or illness.

The use of crime scene powers at workplaces is particularly important given the 2011 Memorandum of Understanding (MoU) between the QPS and the Department of Justice and Attorney General. That MoU outlines that the QPS will lead investigations into reportable workplace deaths and all other serious workplace or electrical incidents until the QPS determines that there is no issue relating to the incident that they need to progress further.

In relation to the use of the word may in the s 163B definition of a crime scene, this is a direct carry over from the current definition of a secondary crime scene contained in schedule 6 of the PPRA. The use of the word may has not been problematic.

In recognising there may be legitimate reasons for an occupier not wanting a crime scene warrant executed at their dwelling, the existing safeguards around crime scene warrants will continue to ensure the rights and liberties of occupiers are maintained, by ensuring:

- police must make a sworn application for a crime scene warrant to a Supreme Court Judge or a magistrate;
- where applicable, an occupier may make submissions to the issuing justice which must be taken into consideration before the warrant is issued. The occupier may also apply to the issuer for an order revoking the warrant if the application was made in their absence and without their knowledge, or the occupier had a genuine reason for not being present.
- police must provide suitable alternative accommodation where the occupier cannot continue to live in their dwelling while a crime scene is established because of a direction given by police, or damage to the dwelling by police.

Access information orders for storage devices seized at crime scene

The QPS acknowledges BAQ would prefer police to obtain an access information order under a search warrant under sections 154 or 154A of the PPRA instead of the proposal under a crime scene warrant (s 178A). However, sections 154 and 154A of the PPRA are worded very specifically to only allow an application for an access information order under a *search warrant* or after a search warrant has been obtained and the storage device seized.

The Bill inserts a new section 178A (Order for access information for a storage device at or seized from a crime scene) of the PPRA to allow police to apply to a judge or magistrate for an access information order for storage devices seized, or to be seized, under a crime scene warrant.

The amendment is similar to existing powers contained in sections 154 and 154A of the PPRA that allow police to apply to a judge or magistrate for an access approval order for storage devices seized when executing a search warrant. An important distinction is that a search warrant can be applied for in relation to any offence (s 150) whereas a crime scene warrant is only in relation to a crime scene threshold offence.

Section 178A will alleviate the frustration of frontline police trying to access locked electronic storage devices such as mobile telephones and computers that have been lawfully seized under a crime scene warrant but the person in possession refuses to provide police with the password or other information to access the device.

Missing person warrant powers

The BAQ states there is limited empirical research and data relating to missing persons in Australia. They cite the most recent publication to be the Australian Institute of Criminology publication *Missing Persons in Australia* (2008).

The QPS contends that the 2017 Australian Institute of Criminology Research Report *Missing persons: Who is at risk?* provides more recent missing persons data and policy. The report discusses the application of risk and measurement of vulnerability in missing persons (p. 13) and vulnerable groups who go missing such as children under the age of 12, persons suffering mental conditions and expressing suicidal ideology (p. 18). The determination of a missing person to be at high-risk at section 179C in the Bill has been guided by this information. Additionally, the Australian Institute of Criminology Statistical Bulletin 01, November 2006 provides further statistical data.

In relation to the success of missing person scenes, no other Australian jurisdiction has similar missing person powers as those proposed under the Bill. Some Canadian provinces have missing person legislation that generally allows police to make an application to a justice of the peace for an order to obtain specific information about the missing person, or to search a private dwelling or other place for a minor (generally a person under 18 years of age) or a represented adult. A represented adult is a person who is captured under the relevant adult guardianship legislation. For police to apply for an order to search for the minor, or the represented adult, they must have a reasonable belief that the missing person may be located at the premises.

The Alberta *Missing Persons Act* came into effect in 2012. That Act underwent a 5-year statutory review in 2017 by a Parliamentary Committee. The committee made 17 recommendations mainly around the information aspect of the orders and annual reporting. No criticisms or recommendations were made by the committee in relation to orders searching for missing minors or represented adults.

Also, in 2017 the Netherlands released draft legislation for consultation to allow Dutch police to apply for search warrants to search places for information as to the whereabouts of high-risk missing persons.

The BAQ seeks evidence that the proposed missing person powers will address inadequacies in the PPRA to investigate missing persons. In this regard, the new powers will provide an investigative option for police to search a place with a warrant in relation to a high-risk missing person where existing criminal investigative powers do not apply.

BAQ requested specific situations the proposed amendment is intended to target. Those situations occur when there are missing persons who have been classified as high-risk under the legislation. They are 'high risk' as it is reasonably suspected they are likely to suffer serious harm if they are not found as quickly as possible. This would potentially capture scenarios such as:

A 14-year-old girl is reported missing by a parent who last saw the child when the child left home to walk to school. It is out of character for the child to go missing and she has no access to money. She is always reliable with no history of truancy. The child did not arrive at school and there are significant concerns for her safety. She has not accessed her social media accounts, mobile telephone or public transport Go-Card since her disappearance.

A 40-year-old married woman is reported missing by a close friend who states she was in the process of divorcing her husband. It is out character for the woman not to be in contact with her friends and her young children. The missing person has not accessed her telephone, bank accounts or social media. There is a history of domestic violence between the woman and her husband. Inquiries with support agencies and friends has failed to assist. The husband travelled interstate around the time of his wife's disappearance and is not cooperating with police.

The BAQ believes the only safeguard required when police establish a missing person scene in urgent circumstances without a warrant under section 179E is the authorisation of a commissioned officer. This is not entirely correct. In addition to obtaining the commissioned officers authorisation in urgent circumstances, investigating police are also required to apply to a Supreme Court Judge or a magistrate as soon as reasonably practicable for a missing person warrant in order to justify establishing the missing person scene. This is similar to where a crime scene has been established and a crime scene warrant must then be applied for from a Supreme Court Judge or a magistrate as soon as reasonably practicable under section 166(1) of the PPRA.

The QPS does not consider the factors to be considered when determining whether a missing person is high-risk as being too broad or subjective (s 179C(3)). These factors are considerations for the relevant police officer, judge or magistrate when determining if there is reasonable suspicion a missing person may suffer serious harm if they are not found as quickly as possible. No one set of descriptors will cover the wide and varied set of circumstances in which a person may go missing. In some cases, one single factor may justify a missing person being high risk, while in another case a combination of factors may indicate high risk.

Corrective Services Act comments to BAQ issues

With regard opposing the 12 month change to parole applications once refused for life sentenced prisoners, under the current legislation, if an application for parole by a life sentence prisoner is refused, these prisoners can apply for parole every six months. The current period of time is the same for all prisoners. The amendment recognises that for those imprisoned for a significant period, the level of risk is unlikely to change within a relatively

short period of time after a refusal to grant an application for parole. The proposed amendment allows the parole board to set a lesser period of time for which a prisoner can reapply for parole. For example, a prisoner may be nearing completion of a rehabilitation program and the parole board may choose to hear a further application after the date the prisoner is due to complete the program. The proposed amendment does not apply to exceptional circumstances parole.

To extend the period between parole applications for life sentenced prisoners is not inconsistent with the approach already taken to prisoners under the Dangerous Prisoners (Sexual Offenders) Act 2003 (DPSOA) or to the prisoners serving an indefinite sentence under Part 10 of the Penalties and Sentences Act 1992 (PS Act). Sections 27 and 28 of DPSOA, provides for annual reviews of a continuing detention order after the first review is done; and section 171 of PSA provides for reviews at intervals of not more than two years after the first review is done.

The BAQ's proposal to ask the Government to refer non-mandatory sentencing to the QSAC, is beyond the scope of the Bill.

Recommendation:
No Change.

Submission 3 - Protect All Children Today

Protect All Children Today (PACT) supports the Bill and sees the proposed changes as government remaining responsive to community needs. They directly support the proposal for police access to a missing person's place of residence regardless of consent by the occupier and understand the need for an occupier to be notified of a HRMP application. PACT also supports the proposal for alternative accommodation to be provided to occupiers where appropriate and the CCC review of the HRMP powers.

PACT supports the change to PPRA crime scene powers to better align with other policing jurisdictions in Australia by removing the distinction between primary and secondary crime scene powers and definitions. Similarly, PACT supports clause 25 of the Bill concerning access to information on storage devices seized under a crime scene warrant and the Bill's proposed inclusion of an additional 10 Commonwealth child sex offences are reportable offences in Queensland.

PACT supports the proposed amendments of the *Corrective Services Act 2006* as it relates to the suspension and cancellation of parole as it should be in the best interest of public safety and likely to better protect vulnerable children and young people.

Overall, PACT hold the view that the appropriate balance between individual rights and liberties and the protection of the broader Queensland community has been met.

They provide specific comment relating to the following aspects of the Bill.

Missing person warrant powers

While supporting the HRMP model, PACT holds the view that the automatic classification of a person under 13 years as a HRMP should be extended to all persons under the age to 18 years due to their likely level of vulnerability and inability to protect themselves and additionally that a person's history be considered as a contributing factor.

Queensland Police Service comments to PACT issues

The HRMP powers require the consideration of a number of critical factors (s *179C When a missing person is high-risk*) to determine whether a missing person should be categorised as high-risk for the purposes of establishing a missing persons scene. Given the number of criteria for police to consider, the QPS holds the view that there is sufficient scope for a missing person aged between 13 and 18 years of age to be defined as a HRMP if the circumstances exist.

General provision about high-risk missing persons - section 179s

PACT supports the urgent establishment of a missing person scene at the approval of a commissioned police officer. They also extend this support to include, *'...to another nominated person as required.'*

The QPS has carefully considered the safeguards and urgency of the exercise of missing person warrant powers and considers that the prior approval of a commissioned police officer is appropriate and will not impede the urgency of any HRMP investigation being undertaken.

Recommendation:
No Change.

Submission 4 – Queensland Law Society
The Queensland Law Society (QLS) does not support certain aspects of the Bill as detailed below.

Access information orders for storage devices seized at crime scene

The QLS states that the new section 178A of the PPRA does not reflect existing sections 154 and 154A of the PPRA on which it is based as the words only accessible are missing. This would consequently allow police to demand access information for any computer connected to the internet regardless of any nexus to the place or device.

Missing person warrant powers

The QLS is concerned about the privacy implications associated with missing person warrants in that police will be able to enter and search for the missing person or for information about their disappearance without a criminal offence being suspected. The QLS states that section 179T offers limited protection on the use of criminal evidence that may be located in the search.

The QLS does not support section 179E of the PPRA that will allow a commissioned police officer to authorise a missing person scene in urgent circumstances prior to the warrant being obtained.

Expanding the notice to appear service address options for traffic matters
The QLS is concerned the amendment to include the most recent place of business or residence could mean that police would use an old address that the person may no longer work or reside at.

Requiring a magistrate to issue a fail to appear warrant under the PPRA

The QLS states this amendment is misconceived and does not materially change the issue of the warrants.

Searching a person for a breach of the peace

The QLS does not support the searching of every person detained for a breach of the peace. They feel it is an unnecessary an intrusion into the civil liberties of law abiding citizens.

Crime scene definition

The QLS claims reducing the threshold offence may open up the preferred use of crime scene warrants over the use of search warrants by police.

Queensland Police Service comments to QLS issues

Access information orders for storage devices seized at crime scene

The issue identified by the QLS in section 178A of the PPRA (in the Bill) regarding the omission of the words only accessible has already been rectified in the Bill. The QLS had previously identified this issue in earlier consultation with the QPS. Consequently, section 178A(5)(a)(iii) and (b) now make reference to only by using the access information and only by using the storage device respectively.

The amendment of the Bill to reflect this issue is identified at page 28 of the Explanatory Notes to the Bill.

Missing person warrant powers

The QLS had made reference to section 179T of the PPRA (in the Bill) that placed a restriction on the use of criminal evidence seized during a missing person warrant search. Section 179T had restricted the use of such evidence to an offence punishable by at least a maximum of 4 years imprisonment. Section 179T is no longer in the Bill but it had been included in a previous consultation draft which QLS provided comment on.

The rationale for the need for this provision appears to be that police officers should not use high risk missing person powers as a quasi-search warrant power allowing them to gain entry to a place and, through chance discovery, obtain evidence that would allow offenders to be prosecuted for offences that are not serious.

The QPS holds that there currently are enough checks and balances in the HRMP scheme to prevent this occurring such as:

- the criteria to be met for establishing a HRMP scene;
- commissioned officer approval;
- judicial oversight; and
- the fact that police must obtain a warrant unless as a matter of urgency it is necessary to establish a HRMP scene;

The QPS considers the proposed provision (s 179T) would have acted against the interests of the community by in effect prohibiting police officers conducting investigations into criminal offences. It is very arbitrary to suggest that police should be able to investigate any offence that carries a maximum penalty of 4 years imprisonment while police should be stymied in investigating offences that carry a lesser penalty.

It is noted that there are many instances under the *Police Powers and Responsibilities Act 2000*, where police officers may gain entry to a place without a warrant. For example, a police officer may enter a place if the officer reasonably suspects there is an imminent risk of injury

to a person or damage to property. There is no limitation placed on police about evidence that may be obtained through chance discovery.

For further response regarding high risk missing persons see the Queensland Police Service response to the BAQ.

Expanding the notice to appear service address options for traffic matters

Service of a NTA via registered post is commonly used to commence proceedings for contested infringement notices. Consequently, there is a time period of several months between issuing the infringement notice and serving the NTA to allow the matter to be contested in court. During that time period, it is not uncommon for a person to have changed their address but not advised the Department of Transport and Main Roads of the new address for the purposes of their driver licence and registration details. The current model prevents service of the NTA at the updated address, only the driver licence or vehicle registration address. The intent of the proposed amendment is to rectify this issue and allow the service to occur at the most recent address. It is illogical to suggest a complainant police officer would, given the option, effect service at an outdated address when a more recent address is known to police.

Requiring a magistrate to issue a fail to appear warrant under the PPRA

The Chief Magistrate made the request that section 389 of the PPRA be amended to ensure that all magistrates actually issue a fail to appear warrant when a defendant does not appear in court. If the presiding magistrate so wishes, the warrant can still lie on file pending location of the defendant. The amendment will ensure administrative consistency regarding the issue of the warrants.

Searching a person for a breach of the peace

The QLS had made comments based on the original consultation draft of the Bill. The final Bill has restricted the searching of detained persons only when they are to be transported by police. This will ensure officer and offender safety. The omission of this caveat was a drafting mistake in the consultation draft and has been rectified in the Bill.

The amendment of the Bill to reflect this issue is identified at page 28 of the Explanatory Notes to the Bill.

Crime scene definition

See the Queensland Police Service response to the BAQ regarding crime scenes.

Recommendation:
No Change.

Submission 5 - Queensland Council of Unions

The Queensland Council of Unions (QCOU) supports the Bill and sees the HRMP and crime scene amendments as supporting the prevention of domestic and family violence. The QPS notes the advice from the QCOU and acknowledges that its submission requires no further consideration.
