



Speech by

Mr M. HORAN

MEMBER FOR TOOWOOMBA SOUTH

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POLICE POWERS AND RESPONSIBILITIES AND OTHER ACTS (REGISTERS) AMENDMENT BILL

Mr HORAN (Toowoomba South—NPA) (5.44 p.m.): This Bill follows just a few short weeks after a similar Police Powers and Responsibilities Amendment Bill. The history of the Police Powers and Responsibilities Act was detailed the last time we debated the amendments to it. However, I will just briefly reiterate that it arose following the recommendations of the Fitzgerald inquiry. A CJC review of police powers started in 1990 and went through until 1994. Under the coalition Government, we had the Bingham review of 1996, which showed the need for the standardisation of police powers and responsibilities. In 1997, a large amount of consultation about police powers was engaged in throughout the State. Ten regional forums were held. It was a very important review of legislation. Consequently, after the relevant legislation came before the House, we had the Police Powers and Responsibilities Act 1997 and the associated code of responsibilities.

This Bill makes some further refinements to that legislation. The previous amendment Bill that we debated some weeks ago in this House was introduced to correct some doubt that was raised about police powers in relation to arrest warrants for juveniles. That amendment Bill cleared up that aspect of the Act. This Bill is going to bring about some further refinements to the Act. It contains a new Part 12A, which reflects the current register requirements under sections 72, 78, 112 and 117 of the Act. It brings those requirements together in one place for ease of reference.

A register will be one of two distinct types: a register of covert acts or a register of enforcement acts. Previously, under the register system there were three types of registers. This Bill simplifies the categories into two types: one for covert acts and the other one for enforcement acts, or the more general acts that are undertaken by police.

The Bill also contains requirements relating to the registers. Those requirements will be expressed in very clear terms instead of implied terms, as they existed previously. The intended links between the recording obligations and the disclosure obligations of the registers will be clearer. The Police Service, the Criminal Justice Commission and the Queensland Crime Commission will each keep their own registers. The chief executive officers of those agencies will have greater discretion about the way in which their registers are kept. An entitlement to inspect the register of covert acts will, in the case of the CJC and the Queensland Crime Commission, extend to the Parliamentary Commissioner. I ask the Minister if he would give a clear indication in his reply as to just where in the Bill it says that that entitlement is extended to the Parliamentary Commissioner.

The Bill also gives greater discretion to the chief executive officers of the Police Service, the CJC and the Queensland Crime Commission to allow an inspection of the covert register for other specified purposes. Also, in certain circumstances the chief executive officers will be permitted to direct that particular information in the register of enforcement acts not be generally available for inspection. The new Part 12A will recognise the conduct of joint operations. It will also allow for the relocation of information to another entity's register where that is appropriate. As well, to enable the delegation of the powers and responsibilities relating to the register, the Bill will amend the Criminal Justice Act 1989 and the Crime Commission Act 1997. Further, the Bill will amend the Crime Commission Act 1997 to remove any doubt that Queensland Crime Commission police officers are able to exercise powers under other Acts, for example, the Police Powers and Responsibilities Act 1997, and to maintain consistency with the register provisions under the Police Powers and Responsibilities Act 1997. I understand that

consultation has taken place in the development of this refinement of the Police Powers and Responsibilities Act within the CJC, the QCC and the NCA. Each agency has had the opportunity to comment on the various drafts of the Bill that has been prepared by the Office of the Queensland Parliamentary Counsel.

One of the key issues of the Police Powers and Responsibilities Act was accountability. This amendment makes clearer the accountability provisions of officers working in the Queensland Police Service, the CJC and the Queensland Crime Commission. It maintains any necessary responsibility of ensuring that, when undertaking covert operations, information is not disclosed in any way that would jeopardise that particular operation.

I understand that when the Police Powers and Responsibilities Act was initially drafted, it was always understood that amendments would be necessary as time went on and as certain things came to light, and that is really what the Bill is all about. The Bill simplifies the way in which the registers are kept. It clarifies the responsibilities relating to the provision of access to those registers—and only those registers—where people are able to be told certain information contained within them.

Another aspect of the Bill deals with the rights of solicitors acting on behalf of a client, or friends or relatives of a person to receive certain information about the whereabouts of that person. For example, if a person has been arrested by the police, certain information may be disclosed to a lawyer, friend or relative in relation to that.

The whole idea of the Police Powers and Responsibilities and Other Acts (Registers) Bill was formulated at a time of difficult policing and many issues have to be dealt with carefully. The legislation will certainly make things a lot clearer for police so that they understand what they have to do. In reading through the legislation, one can understand that the task of policing is becoming more onerous. There is a necessity for many things to be recorded, but that certainly can work to the advantage of all involved. If a record of events is kept, that certainly protects the operational police officers involved and it provides accountability and ensures that everything has been done in accordance with proper principles.

I turn now to what has been occurring in Ipswich in recent times. An editorial in the Queensland Times really summarises what is happening with the police stations in the Ipswich district. We hear that certain police stations will be closed, that certain police stations will be made 24-hour stations and that police beats will be established. Generally, there seems to be confusion and opposition in the Ipswich area, to the extent that the local member, the Treasurer, apparently had some discussions with the Minister on the matter. The next thing we hear is that the Minister has squashed the proposed changes. It is an indication that things are happening in an ad hoc way when the Minister has to step in following a plea from the local member. According to the paper, the local member, Mr Hamill, said that he did not have a clue what was going on. That shows a lack of direction from the Minister's office, and a lack of consultation. The editorial in the Queensland Times states—

"Just when is 'community consultation' consultation with the community, and when is it a case of 'here it is, how do you like it?'"

Many people will have had these thoughts.

Times they genuinely had been able to have a say in an issue of public planning—and times they thought their opinions mattered little.

It would be fair to say that the people of Ipswich have been able to make their views on the proposed new roads and inner-city plans for Ipswich well and truly known.

A community reference committee was established and held meetings for a year, which we attended and reported on.

But is police redeployment—more and more promoted as a partnership with the community—a similar matter?

Should there be early community consultation or do security issues preclude public input at too early a stage?

We reported yesterday and again today proposals to close Booval police station and scale back Kalbar and Harrisville.

In simple terms the trade-off is 24-hour police stations at Goodna, Yamanto and Karana Downs, as well as the Ipswich city station.

But when was the 'community consultation' into the proposed restructuring of police services in the Ipswich police district going to start?"

Obviously, the Minister has to get a handle on what is happening, particularly in the Ipswich area.

Apart from the member for Ipswich, Mr Hamill, members of the local government and community expressed concern over what was happening with the Kalbar and Harrisville police stations.

Because the Minister has been embarrassed into backing off over the Booval Police Station at the request of the local member, he had to squash the changes that were going to occur at the Kalbar and Harrisville stations. That is a pretty amateurish way to do things. Normally one would direct planning, hold meetings and conduct consultation with senior officers to gain an understanding of what is happening, and then one would check things out with the local members and the local community. In this case, the first anyone knew about it was when it bobbed up in the paper. The Minister has been forced to do a backflip and change the proposed arrangements.

This morning in the House, we spoke about the break-out from the correctional centre in Townsville. Everybody would feel greatly for the police, particularly those in the Tully area who were running a random breath test and were not advised of the break-out. It is not satisfactory that our police are out on the roads undertaking those tasks but are not given that sort of information. It is a substandard system if people can drive out of a correctional centre in a four-wheel drive that has full fuel tanks, supposedly on the relatively minor errand of taking rubbish to the dump, under the cover of darkness, and are not missed. The very basic act of recording who goes in and out of a correctional centre was not performed. The authorities probably did not even know where or why they were going. At the end of it all, behind all of that ridiculous drama——

Mr Borbidge interjected.

Mr HORAN: The Minister is over there. He knows; he is the responsible person. Despite the fact that it was a farce-like musical comedy, the people one really feels sorry for are the police officers who ultimately have to find and apprehend such people. It is embarrassing for them to know that those two people went through their random breath test, but how were they to know if they had not been advised that there was a break-out from the jail?

Those are just a couple of examples of how the system is starting to work under the current Minister. There is a ring-around-the-rosy business happening in Ipswich, where one minute a station will be downgraded and then it is not.

Mr Borbidge: They have improved a bit. Last time they were in office someone escaped on a horse.

Mr HORAN: Times have changed. We have moved from escaping on horses to escaping by Landcruiser. They certainly did it in style, in a nice Landcruiser with long-range tanks. It is interesting to know that they went to the dump in the pitch dark on a Saturday night.

Under the current Minister we are starting to see a system that is becoming sloppy, as evidenced by the farce of what happened in the Townsville correctional centre. In Ipswich, people are asking: are we going to have 24-hour police stations? Are we going to downgrade three or four stations in the Ipswich area? Will they be replaced by a police beat? At the eleventh hour, the local member, the Honourable Treasurer, became concerned. He did not know what was happening, even though Ipswich is his own patch. I do not think that the Minister knew what was happening either. Changes were made. Then they realised that next door, in another electorate, the public and the local government were not pleased with what was happening, so they had to change their proposals again. That is abysmal planning. Obviously in Townsville the supervision, direction and management coming from the Minister is not tight. As a result, such events have been allowed to happen.

Mr HORAN (Toowoomba South—NPA) (2.36 p.m.), continuing: When I was talking last night we actually came to the 6 p.m. debate, so I had to conclude my speech at that stage. At that time I was talking about issues in relation to Ipswich, about the problems that occurred as a result of, one might say, the indecision by the Minister as to what was to happen with particular police stations. As a result of public pressure, it would now seem that the police stations at Kalbar, Harrisville and Booval will be saved. I know that the people in those areas are particularly pleased about that.

I would also like to speak a little bit about the issue in relation to the Toowoomba Police Station. I want to say that I am grateful that, having had some discussions with the Minister for Police, he has agreed that during the country Cabinet deputations in Toowoomba on Sunday, 9 May he will endeavour to arrange a meeting between the Minister for State Development, the Minister for Public Works and Housing and himself with the Mayor of Toowoomba, myself and other interested parties regarding proposed development that would take in the police station, or part of it. This development involves the Commonwealth Government selling off the post office, the Queensland Government selling off the adjacent courthouse and the Police Service selling whole or part thereof of the existing old police station and constructing a new police station on vacant land adjacent to the courthouse in Hume Street.

One of the important considerations is that the police station is a very important facility for Toowoomba. It is important that, in the construction of the new station, the police are able to obtain what is necessary for them to continue to operate from the central part of the city—to be able to have their storage, to possibly have their regional office and to be able to have their communications, garaging and so forth. That is one of my major concerns as the local member, that through this

meeting we make sure that the police are very adequately catered for. Along with our hospital, the police station is one of the most important institutions, and it is important that the police have the appropriate amount of land. At the same time some very exciting proposals have been put forward by a number of organisations for an inner-city development of Toowoomba, based on the heritage style of the old courthouse, post office and possibly police station or part thereof. I thank the Police Minister for his courtesies in endeavouring to meet with that deputation on Sunday, 9 May.

Finally, I want to thank the staff of the Minister's office and the Police Service for the briefing on this Police Powers and Responsibilities and Other Acts (Registers) Amendment Bill. They are always very helpful.

The amendments contained in the Bill are solely about the operation of the registers. It is important that these registers operate in a very functional and efficient way and that accountability is maintained. Also, in maintaining that accountability, it is important that we respect the operational needs of the Police Service, the Criminal Justice Commission and the Queensland Crime Commission and the fact that they need to operate in ways that do not destroy what they are endeavouring to achieve. The Opposition supports the Bill.
