



Speech by

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POLICE POWERS AND RESPONSIBILITIES AND ANOTHER ACT AMENDMENT BILL

Mr LEE (Indooroopilly—ALP) (12.03 p.m.): It is my great pleasure to rise in support of the Police Powers and Responsibilities and Another Act Amendment Bill 2001. Covert surveillance is an essential part of modern investigations into serious offences such as drug trafficking and homicide. The effectiveness of covert surveillance became painfully evident for corrupt New South Wales police officers during the Wood royal commission of inquiry. The public was repeatedly exposed, through the television news media, to the secret video footage of corrupt officials sitting in vehicles taking dirty money. The evidence gathered was, without doubt, a vital part of that inquiry. Much of that surveillance and surveillance activities like it that are conducted in Queensland would simply not be possible without a clear power to use force to covertly enter such places.

The use of surveillance devices is often the only means of gathering the essential evidence necessary to prosecute serious offenders. In Queensland the use of highly intrusive surveillance devices is limited to investigations into serious indictable offences, which are indictable offences involving serious risk to, or actual loss of, a person's life; serious risk of, or actual, serious injury to a person; serious damage to property and circumstances endangering the safety of any person; serious fraud; serious loss of revenue to the state; official corruption; serious theft; money laundering; conduct relating to prostitution or SP bookmaking; child abuse—and that includes child pornography—and an offence against the Drugs Misuse Act 1986 punishable by at least 20 years' imprisonment.

The amendments clarify the power to use reasonable force to ensure that this essential tool is available for the investigation of these serious offences. Also, unless the circumstances create a risk of serious injury to a person, the authority of a Supreme Court judge must be obtained before the use of intrusive surveillance devices can commence. However, these powers are not only important for the investigation of offences committed in Queensland. Sometimes surveillance warrants issued in Queensland also relate to offences committed in other states or where the offence involves a number of different jurisdictions.

For example, if a serious offence such as a murder is committed in New South Wales and the suspect for the offence is living in Queensland, Queensland authorities may provide investigative assistance to the New South Wales authorities. While the New South Wales authorities may monitor the suspect's Queensland telephone service without any assistance under federal laws, they need the assistance of Queensland law enforcement bodies to use the surveillance powers under the Police Powers and Responsibilities Act.

Surveillance warrants are sometimes issued with respect to the investigation of serious interstate offences. Likewise, there will be circumstances in which Queensland authorities make approaches to other jurisdictions for help. This cooperative approach to interjurisdictional assistance results in benefits for Queenslanders as, without such cooperation, Queensland would soon gain the reputation as a haven from interstate investigation and prosecution.

The evidence gathered through covert video and audio surveillance is generally irrefutable and can be as damaging as a video recording of drugs being packaged or an audio recording between two alleged offenders about the way a murder was committed. The evidence gathered is often so damaging that the alleged offender can readily only plead guilty to the offence, saving the public an expensive and protracted criminal trial. It is for these reasons that it is a great pleasure and an honour to support this bill.