



Speech by

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POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL

Miss SIMPSON (Maroochydore—NPA) (3.10 p.m.): In rising to speak to this bill, I note that there are a number of pieces of legislation which will be amended, most of which I certainly welcome. There are comments that I would like to make about some bills and I will seek responses from the minister.

Firstly, there is an amendment to the Police Powers and Responsibilities Act 2000 when vehicles are impounded or forfeited. This relates particularly to the issue of road hoarding, which has been a very topical issue and one that members from across the parliament have very strongly lobbied the government in regard to changing laws because it has a significant community impact in a lot of areas. Obviously it has had an impact on the Sunshine Coast. As vehicles have been impounded or potentially forfeited, it has raised awareness in the community. It continues to be an issue that will need ongoing monitoring and implementation with regard to police having adequate resources and good working relationships in our area with council rangers and looking at the other ways of trying to mitigate what has been a significant social nuisance.

There is an amendment also to the Bail Act and the Juvenile Justice Act which is 'to allow police officers other than officers-in-charge of police stations and police establishments and watch-house managers to grant bail'. While mentioning watch-houses, we would like to see taken into account in a number of areas the number of officers who have to be on duty in watch-houses and the fact that there is a need for additional staff above the complement in our area to adequately resource the police to do their job on the streets. Currently a lot of police are obviously involved in providing services such as watch-house services which take up a lot of their time. Their numbers are taken as part of the complement of the district. We would like to see more police added to that complement to address on-street issues in recognition that watch-house duties are extremely time consuming, as well as transferring prisoners elsewhere, and particularly transferring juveniles to appropriate areas.

The Corrective Services Act is to be amended to provide, according to the explanatory notes, 'a more efficient method of arranging for prisoners to appear before a court'. There is also an amendment to the Police Service Administration Act 'to provide for criminal history and antecedent checks be undertaken on persons applying for employment, or directly or indirectly employed by the Queensland Police Service'.

The amendment to the Prostitution Act 1999 is 'to abolish the Prostitution Advisory Council and increase the membership of the Prostitution Licensing Authority' and, allegedly, 'to address a health related matter'. I would like to make some comments about this in my position as shadow health minister and as the shadow minister for women's policy. There is currently a review that is being done of the prostitution licensing laws in Queensland by the Crime and Misconduct Commission.

It is interesting that as part of that review the CMC is looking back to the original aims of the Prostitution Act 1999. One of the aims of the Prostitution Act 1999 was, amongst other things, to try and help people leave the prostitution industry and to address issues of public safety and public health. The interesting thing is that the advisory council was supposed to report to a ministerial committee, which included the Police Minister as well as the Families Minister, the Minister Assisting on Women's Policy and the Health Minister.

On a number of occasions I asked the various ministers, 'What is happening to help women get out of prostitution, to help people leave this industry and what is happening to stop people taking it up?'

There has been no adequate response from the government. I have quite a file on the buck-passing between the Health Minister, in her capacity as the women's policy minister and the Health Minister, and the Attorney-General. It would be comical if it were not so serious. It was an aim of this legislation which has not been fulfilled.

The Prostitution Advisory Council was supposed to provide advice to the government, and government ministers in charge of those key portfolios were to oversee programs which were to assist people leave the industry. If those ministers had been successful in seeing adequate programs and safeguards put in place, surely they would have had the courtesy of not only advising the House when I raised those issues, certainly in the parliamentary estimates process. They should have also had the courtesy and professionalism to have raised that in their correspondence.

To date, the only answer they have been able to provide was that the legislation limits advertising as far as seeking to recruit people for the prostitution industry. I was able to say, 'Well, hang on a moment. I have proof where the law has been breached already in regard to people advertising, and quite clearly breached.' When my office and I sought to have these matters raised with the licensing authority, we found that there was a reluctance to pursue those issues. Eventually they did go around and talk to the people who breached the laws. I am talking pretty blatant stuff—a newspaper article with advertising and the phone number to ring; how people were needed to work; and if anyone wanted this work, to ring the number. That is why I am very sceptical about not only legislation but also the government's stated policy that it is trying to help people leave the industry.

I know people who have worked in this industry will tell members how difficult it is for a woman to leave the industry, given the fact that they often have drug issues that force them to stay in the game. They also have significant issues, usually being from a low socioeconomic clientele. They do not have a lot of educational opportunities and work opportunities. It can seem like good money and very glamorous, but once they are caught in the lifestyle it is hellishly difficult to break out and get out of it.

That is why I want to register my criticism that, having talked to women in particular who have managed to break free of this cycle and get out, who have a passion and a heart to help others live their lives and get free of the prostitution industry, it is time that we saw a similar passion and a heart from the government rather than, as we have seen to date, seeming to turn their eyes the other way when the law is breached and not put in place proper programs to illustrate the damage that this industry does particularly to women, though there are men also who are affected, and the damage that is also done when a realistic viewpoint is not presented. It does not matter whether it is legal or illegal. Having talked to girls who have been in the game, I am aware that it is an industry which has significant mental health issues, not only physical health issues. That is a real concern. In all the legislation and amendments before the parliament no mention is made of some of those significant mental health issues that they have to contend with. It is time that we saw this issue addressed, not just in the paperwork of legislation and not just in the press releases of the government but with some hard, cold facts of what is being done.

If the government is going to stand up in the summing-up on this bill and say, 'Well, it is happening,' I would like to see evidence of it. Certainly in the correspondence that I have had with government ministers there has been no evidence of any assistance to address this issue seriously. It is a significant issue. The voice of those who have been there in the industry and have got out needs to come out. I commend those who are starting to speak publicly, at great risk to their own personal security. It is an industry which does a lot of damage and has significant stigmas attached to it because of the damage that it does.

I welcome the provisions to toughen up liquor licensing laws. I wish to state on the record again that, although the liquor laws have been reviewed and changed in recent times, there has not been a corresponding increase in the number of liquor licensing officers to help implement those laws and also to provide adequate education for the increasing number of liquor licensees. A significant onus is being placed on licensees to do the right thing. Yes, it is appropriate for licensees to take responsibility, but there also needs to be an appropriate framework for implementation, with officers in the field providing ongoing education and enforcement of the laws.

In recent years it has become more difficult to assess whether there have been breaches of the laws, given the changes to dining requirements that no longer mean that kitchens have to be open in order for a premises to serve alcohol. It has become more difficult for those officers to do that work. I have to question why we change legislation yet do not see a corresponding increase in resources to ensure that licensees have access to adequate ongoing education and also that communities have the protection of these laws. The laws should not just be on the statute books; they should be implemented effectively through the provision of adequate numbers of officers in the field.

When this issue has been raised previously, the standard response from the government has been that we have hundreds of police, who are also supposed to be implementing these laws. I suggest, most respectfully, that honourable members look at the Liquor Licensing Act and consider how many police officers would be aware of all of the intricacies of the implementation of some of those

laws. Certainly, public intoxication is something the police often have to deal with. However, when it comes to the serving of alcohol in establishments, sufficient numbers of Liquor Licensing officers are needed to provide adequate monitoring, supervision and enforcement of the laws.

I note that there have been cooperative arrangements in particular in the Mooloolaba area, one of the key tourism areas on the Sunshine Coast, between Liquor Licensing officers, the police and council inspectors as well as licensed outlets. I commend those who have been involved in that process. However, that handful of Liquor Licensing officers is stretched over a significant number of regions. Given the increase in the number of licensed outlets, that is not fair to them and also to the communities. There is potential for there to be significant holes in the effective implementation of our liquor licensing laws.

One of the challenges faced these days is responding to the trend whereby people drink before they go out and present at a licensed premises. They might not initially appear to be intoxicated but could have consumed a lot of alcohol prior to arriving at those establishments. There has been a changing trend in the way people socialise and consume alcohol such that it is now consumed prior to going out. Perhaps unfairly, young people are often targeted over public drunkenness. Certainly, they are very visible. However, older people—people in their thirties and forties—are also engaging in public drunkenness. I am not just talking about alcoholics living in parks but about people who have a home and who engage in public drunkenness. This is an issue we need to address in our communities. This is not limited to communities with different cultural backgrounds; it is happening right across Queensland communities, particularly in tourism areas where there is greater access to licensed premises.

We welcome the advent of outdoor dining, with its ambience of a relaxed tourism lifestyle. However, there are significant issues with respect to access to excessive alcohol by individuals who are not coping. This impacts negatively on the rest of the community. This requires significantly more research as the demographics change, that is, not only concentrating on young people and their uptake of binge drinking but also looking at some of the other age groups, too, that have been involved in these practices. This has the potential to make our roads more dangerous. It also impacts on people who are trying peacefully to enjoy outdoor spaces, particularly when dining outdoors in summer.

I commend the minister for the provisions in the bill that seek to strengthen the penalties with regard to serving people who are already intoxicated. I also ask the government to consider how these laws can be better enforced. I emphasise also the importance of proper procedures being followed in terms of recording information from people found to be intoxicated. Statements should be taken to ascertain where they became intoxicated so that that information can be fed back into the system to our Liquor Licensing officers for follow-up. This is something that is happening around the state anecdotally on an ad hoc basis. This is an additional responsibility for the police, who are already very busy out on the streets. The correct protocols need to be followed. When officers identify people who are publicly intoxicated, they should take a statement from that person as to where they became intoxicated and their pattern of drinking so that if a licensed premises has been involved that can be followed up by Liquor Licensing officers. This happens in some cases. Unfortunately, it tends to depend largely upon there being local pockets of commitment from certain officers and is not applied consistently.

Carrying out blitzes at particular times with an emphasis on this trail of information to ensure that the issue is hit and problem outlets are targeted may be a more appropriate way to respond. However, I commend a more systematic way of ensuring that that information is gathered so that blitzes can be targeted at the few licensed outlets that abuse the privilege of holding a liquor licence. This also helps us to identify those in the community who have assisted people to engage in public drunkenness.