



Speech by

## Robert Messenger

MEMBER FOR BURNETT

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### TERRORISM LEGISLATION AMENDMENT BILL

**Mr MESSENGER** (Burnett—NPA) (12.39 pm): The Terrorism Legislation Amendment Bill is one of the most important bills to have come before this House and I am pleased to have an opportunity to speak to it and offer my support. This legislation is an acknowledgement that the Free World, including Australia and its states, is in a battle against fanatics and extremists who would stop at nothing to do harm to our families, friends and fellow Queenslanders as part of a broader global strategy to weaken our Free World traditional systems of Christian, democratic and, in Australia's case, Westminster government, in order to impose their culture and their way of life on us.

The extremists and fanatics who commit these barbaric acts of terrorism, and we all well remember those acts—the Bali nightclub bombings, the September 11 hijackings and the Spanish train bombing—will not stop until their culture and their way of life is dominant worldwide. That is an important point that all lovers of freedom have to remember. No concessions, dialogue or negotiations will appease these people and stop them in their quest to overthrow our Free World traditional systems. These terrorists that this legislation seeks to guard and protect us against will employ any means to achieve their quest using conventional and non-conventional methods, including civilian aircraft filled with innocent travellers, homemade backpack bombs and truck and car bombs, all controlled by suicidal fanatics who believe that they will be generously and gloriously rewarded in an afterlife because of their murderous actions.

There is no doubt that if these fanatical terrorists are able to obtain the worst and most deadly of all weapons—nuclear, biological, chemical or a combination of the three—they would use them. According to a book called *Command*, edited by James McLucas—

The detonation of the atomic bombs over Hiroshima and Nagasaki in August 1945 brought about a revolution in warfare. At Hiroshima in less than a second more than 78,000 Japanese were killed by the combined effects of heat and blast. Many survivors were to perish later through the effects of radiation.

The book continues—

The nuclear age had begun. By 1949 the USSR had tested its first A bomb. By 1954 the hydrogen bomb had been produced. In terms of command it was simple what this meant. The A bomb and its more powerful successors, the H and R bombs, changed the nature of war more completely than had the introduction of gunpowder to the battlefield three centuries before. Atomic power when used in a bomb is an explosive and fearful and widespread destructive force.

A suicide bomber who wants to blow themselves up, and as many others as possible, would not care if it is a nuclear weapon or a homemade explosive device which ends their life. The stakes are no higher in this fight against terrorism. That is why this legislation is so important. There are no formal or conventional front lines in this fight against terrorists and their perverted ideology. The front line will be the place in a state or country—more likely in a city—where maximum destruction, loss of life and, importantly for the terrorists, publicity about that destruction and loss of life can occur. That fact ensures that if an act of terrorism is carried out in Queensland, more than likely it will be members of the Queensland Police Service who will be the first on the scene and the first to respond. This is an important point which I will return to later in my speech.

The bill follows on from some very important COAG meetings with the federal government about responding to terrorism. I think it is important that we acknowledge the work of the federal government through the statesman-like leadership of the Prime Minister, Mr John Howard, in taking the lead in addressing the very real threat of terrorism. The federal government has shown real leadership when dealing with the threat of terrorism and all Australians should recognise that leadership. Further, it is important that we take a moment to acknowledge the law enforcement officers around this country who work tirelessly to protect our borders from terrorism. I am privileged to acknowledge in my speech the lives of those Australians that have been lost in this fight against terrorism.

Just yesterday the federal government rolled out a stronger police presence at our state's airport. Queensland police have been seconded to the Federal Police to conduct duties. They are receiving better pay and conditions than this government has offered them at a state level. It is on this point that we should speak briefly about police conditions. If we fail to adequately support and resource our Police Service Queensland's response to terrorism will be weakened.

In speaking to the bill, let me address the amendments to the Disaster Management Act 2003, part 2 page 6, where the power to direct during disasters will now include terrorist emergency powers. Police officers and designated officers will now have the power to direct people in particular areas under terrorism emergency powers. Police officers are responsible for the management of terrorist situations. It is at this point that we should ask how our police will be able to effectively respond to terrorist situations when they do not even have a designated police helicopter.

It is a major priority for police and has been recognised for a long time. Police officers across the state are calling for it. I have been calling for a police helicopter for some time. The police unions have been calling for a police helicopter for some time. In fact, the whole of Queensland is shocked that we are the only state in Australia that does not have a dedicated police helicopter. It is perplexing that we do not. It seems that the police minister and her Labor colleagues, along with their Commissioner of Police, cannot see it as a priority when everyone else can. The *Police Journal* of June 2006 states—

The use of helicopters in support of traditional policing strategies is not something quaint, nor is it something new to the 21st Century. Throughout history, police departments have utilised technological advancements in an effort to improve their ability to fight crime and maintain public safety. Helicopters represent one such technology which has impacted significantly on improving the way modern day policing is being conducted worldwide.

A police helicopter would allow for a safe and holistic survey of any areas affected by a terrorist attack, not to mention the many other areas of policing that would benefit from the use of a police helicopter.

Further to the subject of a police helicopter, I pose this question to the House, as I did to the Minister for Police and Corrective Services during the estimates process: how can Queensland have a credible and effective anti-terrorist policy when we do not have a police helicopter? The forward-looking infra-red camera is able to detect people in all conditions. It is especially effective at night when terrorist activities are likely to be carried out.

**Government members** interjected.

**Mr MESSENGER:** I hear the interjections and the babble coming from the government backbench. They obviously have not properly researched the subject or realised just how powerful a tool this helicopter could be. I was at a rally outside this chamber a couple of weeks ago when en masse 5,000 police and their families supported the introduction of a police helicopter. Maybe those members opposite think those 5,000 police and their families were merely whistling Dixie.

It is important to talk about the Explosive Ordnance Response Team, which manages detection dogs, and how grossly underresourced it is. The Explosive Ordnance Response Team, commonly known as the bomb squad—and I am sure those opposite would realise the relevance of the bomb squad in response to this terrorism bill—recently put in a request to the state government for almost half a million dollars worth of desperately needed equipment to do their job. It has had to do this because up until now the state government has not funded any of the bomb squad's equipment or hardware. Instead, the unit had to rely solely on federal government funding. I know it is an incredible set of circumstances that the Queensland bomb squad is funded by the federal government, but it is the case. This neglect by the state government has finally caught up with it. The unit can no longer function unless vital equipment is obtained.

It concerns me that the commissioner and the police minister have attempted to deny this disturbing underfunding of a crucial police unit. The EORT is the first response to any terrorist threat. It has render-safe firearms, which are weapons that are capable of firing projectiles into a package or a vehicle which they suspect may have a bomb in it. They are desperately low on that ammunition. Several new weapons are needed.

The Explosive Ordnance Response Team also defuses located suspect packages, but it now desperately needs new bomb suits as the suits that it currently has are too old and have been retired. The

Explosive Ordnance Response Team also uses bomb robots to defuse suspect devices. That is, it uses them remotely so that they do not place police at risk. They desperately need a small robot unit, as the only other one they have is a decade old and it does not work. This government's policy that we are seeing here has been repeated time and time again in many other departments. It is a characteristic of this government that it fails to adequately plan for future contingencies.

The Explosive Ordnance Response Team also has the responsibility of identifying suspect devices by using X-ray. Currently it has one computer X-ray system for the entire state. All of the older units are redundant because they rely on films that are no longer manufactured. One X-ray response system for an entire state, once again, is a disgusting and distasteful state of affairs for Queensland police.

It concerns me that my office was contacted by concerned police today explaining that the most recent bomb dog training course was postponed until January or February next year due to a lack of resources. The bomb squad is supposed to have five bomb dogs and currently only has three. It has not been at full strength for the entire year. I hope that the Premier—even though he is not here—and the Minister for Police and Corrective Services are listening. They certainly have not demonstrated a capacity to listen, comprehend and understand what this community, especially its police officers, have had to say over the last few years.

We have a major crisis in our police terrorist response unit. Maybe if the police minister started listening to real police instead of listening to selected advisers she might realise that there are serious problems with resources in crucial areas of the service and that those deficiencies compromise our response to terrorist threats. Even in Tasmania—which has a police helicopter, by the way—its part-time bomb squad has a million-dollar budget from its state government for equipment alone. This government should be ashamed of itself, quite frankly.

I support this bill because it gives police the effective powers to manage terrorist emergency situations. I know that under a Queensland coalition government we would far better manage budget finances to ensure that our Police Service is far better resourced. What I am concerned about is that this government has failed to even consider phone-tapping powers to address the threat of terrorism. It is a very real threat, and law enforcement agencies around the world have phone-tapping powers. We do not. The CMC has been calling for phone-tapping powers for years. The Queensland coalition has been in full support of this need, yet once again the Beattie Labor government has failed to listen to these key law enforcement agencies to give them the power that they need. How ridiculous does this state look without such crucial powers—so much so that we have to go to other states or the Commonwealth for help so they can get phone-tapping powers on our behalf. That is the situation that we face here in Queensland.

In supporting the Terrorism Legislation Amendment Bill, I say to the government that it now has to wake up. It is time for a cold shower and to come back to reality. Come back to the 21st century and start listening to police concerns—I have outlined many today—about the real and threatened security of the state. If we do nothing, then the consequences rest solely with this government. It is one thing to put legislation through parliament—pieces of paper—it is another thing completely to properly resource our police officers, who will be the front-line fighters against terrorism.

As I mentioned before, I attended the recent police rally. There are a number of serious concerns which the police officers of this state and their families have that will impact on our response to terrorists within this state. If we cannot have a police force trained and equipped with the latest 21st century crime-fighting tools, then the risk of a successful terrorism act being carried out in Queensland increases.

At the beginning of my speech I outlined the worst-case scenario. God forbid that ever happens to any city in our state, but it is high-risk stakes in this particular matter. As I have mentioned, a police helicopter is essential. On the subject of a police helicopter, we are not talking about a heavy-lift helicopter; we are talking about an observational platform that could provide strategic support and observation in a terrorist situation. I would suggest that for any terrorist situation managed in any western country a helicopter provides vital images and communications with people on the ground which would provide a very timely and effective response to any terrorist action. The technology that I have seen in observational helicopters allows infra-red cameras to beam through to next- or three-generation phones, for example, scenes from the air. They are very effective pieces of equipment and they are not expensive. We are probably looking at about only \$1,000 an hour operating time and that includes a pilot.

This Friday I will be visiting the Gold Coast and Mayor Ron Clarke. Once again, he is the mayor of a large centre and he is keenly aware of the need for a police helicopter. We will be going for a test flight in a helicopter to see all the benefits. I might invite the police minister along as well. It is a small observational helicopter. Once again, it is not a helicopter costing \$4,400 an hour. It is a helicopter that would cost \$1,000 an hour. It is well within the budget of this government. I would suggest that this government has had proposals put to it before and it would cost this government maybe only \$200,000 a year. The additional money needed to run a helicopter could be sourced from private sources.

Sitting suspended from 1.00 pm to 2.30 pm.

**Mr DEPUTY SPEAKER** (Mr O'Brien): Before calling the member for Burnett I recognise in the public gallery students and staff of the All Hallows' School in the electorate of Brisbane Central, which is represented in this parliament by Mr Peter Beattie.

**Mr MESSENGER:** I continue to speak to the Terrorism Legislation Amendment Bill. I acknowledge that in Queensland the legislation that introduced the principle of preventative detention was the Terrorism (Preventative Detention) Act 2005. When the act was enacted the government promised to undertake a process of review in order to satisfy concerns raised in a number of quarters, including by the then Queensland coalition, about specific provisions of the legislation. This bill is the result.

The bill amends the Terrorism (Preventative Detention) Act 2005 for a number of key reasons. These include: to allow the issuing authority for final preventative detention orders to order Legal Aid assistance for the duration of detention for a detainee without legal representation; to provide that an issuing authority for final orders can direct the applicant to provide further information to a detainee where the issuing authority is not reasonably satisfied that the written summary fairly and accurately informs the detainee of the nature and cause of the application; to provide that contact between a detainee and security-cleared lawyer is not monitored unless the issuing authority orders that contact be monitored; to provide that a detainee is entitled to contact a lawyer on any matters; to require that a police officer who is detaining a person must apply for the revocation of the preventative detention order or a prohibitive contact order as soon as practicable when satisfied that the grounds on which the order was made no longer exist; to provide that police questioning of a detainee must be electronically recorded except under limited circumstances; to allow police to undertake a search including the removal of clothing of a person taken into custody under a preventative detention order where police suspect the person of carrying an item that may result in loss of life or serious physical harm; and to exclude records or activities done under the Terrorism (Preventative Detention) Act 2005 from the operation of the Freedom of Information Act 1992.

The Queensland coalition supports these amendments to the act. The act, which does limit the civil rights of suspected terrorists, is necessary to protect the community. These amendments will generally enhance the rights of suspected terrorists by giving them access to appropriate legal advice without running the risk that legal advisers giving that advice are themselves supporters of terrorism. Lawyers advising suspected terrorists in the USA have been charged with actively assisting the terrorists for whom they are providing legal defence.

The bill amends a number of other acts—the Public Safety Preservation Act 1986, the Disaster Management Act 2003 and the Police Powers and Responsibilities Act 2000. I speak now to the Police Powers and Responsibilities Act. We know that police are the people most likely to respond to a terrorist act. It is important that these front-line defenders of our freedom—the thin blue line—act as a cohesive force and have an effective and strong morale. In recent years there has been poor morale in the Queensland Police force. Poor morale in the Queensland Police force will by its nature lead to a less effective reaction to terrorism as will fewer police on the ground.

Queensland has had the highest rate of separations, resignations and retirements of any police service in Australia. From 1 July 2006 to March 2007 there were over 180 separations. Until recently our police were paid significantly less than their interstate counterparts. That underpayment of our police officers contributed to the exodus from the Police Service. Once again that impacts on our state's ability to respond effectively to terrorism and terrorist acts.

Our police were underpaid by as much as \$8,000 a year when compared to their colleagues in New South Wales, Victoria and the Australian Federal Police. Clearly, something must have been wrong if so many police left the police force. It did not happen overnight. Once again it comes down to the issue of proper planning on this government's behalf. The loss of specialist Queensland police who respond to major incidents such as armed sieges and bomb situations is particularly worrying. This year there will be 113 police moving from regular duties to airport security. That process has already started.

On top of that, the 2007-08 state budget funds only 200 extra sworn police positions compared to an extra 350 in the last budget. All the time we hear members opposite—and the Premier included—boasting and bragging about the 1,500 people who come to our state every week. It stands to reason that if there are an extra 1,500 people coming to live in this beautiful state every week then to maintain our police to population ratio surely we need to add in the vicinity of four police officers per week to the force. Is that happening? No, I do not think so.

As a state we need to be able to properly resource our service and that means addressing front-line policing numbers. The other issue is that once police graduate in this state there are very few incentives to remain in a front-line position. If an officer wants to improve their pay and pursue promotion the incentive is to move out of their front-line policing position. It is incumbent on us and also the government to start thinking about ways of keeping those police in their front-line positions and valuing those police who choose to make their career in a front-line policing position.

There are a number initiatives that I have discussed with the union. One of those is a gunslinger's allowance, as they term it. That is an increase in operational shift allowances. That is one way of doing it. Maybe a 30 per cent operational shift allowance would keep front-line police on the beat.

The combination of fewer recruits being funded, 113 police being lost to airport security, specialist police moving to the Australian Federal Police—our highly trained SERT operatives moving en masse; I think as many as 20 SERT officers, the best of the best, are moving—will limit and degrade our response to terrorism in Queensland. I am glad to see that the police and corrective services minister is in the chamber this afternoon. I welcome her input into this legislation and, importantly, her solutions to these problems.

This will be the first year we will see a drop in police numbers. That will leave the state more vulnerable to a wide range of criminal activities including terrorism. The Queensland Police Union has reported that staff shortages have meant more and more officers are having to work alone just to make sure cars are out on the roads. There are safety concerns for our officers. The incentives to be a police officer are not great. This government needs to do more to attract people to the Queensland Police Service to ensure that we have enough police to protect and serve our communities.

I must commend the Queensland Police Union for the advertising campaign that it has run. I honestly believe that that advertising campaign raised the profile of policing. It was a very effective campaign which in a realistic and graphic way showed what it is like to be a police officer. I honestly believe that it did wonders for recruiting new officers within the Queensland Police Service. I believe that this government should in that case offer to pay for the production of that ad—

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order, member for Burnett! I have sat through your entire dissertation here this afternoon. I think I have been very lenient in allowing you to stray from the direct purpose of the bill, but I do think that it is now time for you to return to the specific provisions of the bill. Thank you.

**Mr MESSENGER:** Thank you for your timely advice, Mr Deputy Speaker. Once again, I turn to the Terrorism Legislation Amendment Bill and speak to part 3 on page 7 relating to the amendment of the Police Powers and Responsibilities Act and merely make the point for members opposite that police will be the front-line response to any terrorist acts. If we can find any way of strengthening that response—God forbid that a terrorist act does occur—there will be fewer people's lives lost. One way we can reduce that loss of life is of course by having a very strong Queensland Police Service. I am speaking to those particular points of the bill. Police do a wonderful job, and I am sure you would agree, Mr Deputy Speaker, protecting the community. But once again they need sufficient resources and deserve a decent wage to do what can be a very difficult and life-threatening job. I am most concerned about the lack of morale within the Police Service—most concerned. Part of the erosion of that morale can be laid squarely at the Premier's feet. He can wear the blame for that, because he has used the Police Service as a political football in recent times.

**Mr DEPUTY SPEAKER:** Order, please! I have asked you once to return to the provisions of the bill. You are also now verging on tedious repetition. I ask you again to return to the specific provisions of the bill before the House. Thank you very much.

**Mr MESSENGER:** Thank you, Mr Deputy Speaker. I of course refer to the Terrorism Legislation Amendment Bill once again as it relates to the Police Powers and Responsibilities Act as contained on page 7 in terms of part 3. Mr Deputy Speaker, you would know of a police rally that happened outside this chamber, and I referred to it earlier. Just in closing, I want to talk about some of the police officers' reactions. They called for a number of initiatives which would of course help in our fight against terrorism. The Premier himself was going to speak to that rally, but I think he got wind of the fact that 5,000 police officers were going to turn their backs on the Premier should he speak to them.

In closing, terrorism is an act of war and I want to reflect on the role of war in human history and the part that politics plays in war. A definition of 'war' by noted historian von Clausewitz is that war is a continuation of political intercourse with the intermixing of other means. Another theory of war is that it happens when one group of people tries to impose their culture on another group of people by force. A parliament such as we have here is designed to reflect different cultures—different political cultures, and culture for me is an all-encompassing word relating to how people do business and relate to each other, from banking and finance right through to artistic endeavours. It reflects our values. This is a place where we can do battle. We have two different political cultures here. We have the culture on that side and the culture on this side. A parliament is where we can do battle with words and ideas in a peaceful way. A country or state can change its political culture without bloodshed. I praise the people and the countries that seek cultural change in a peaceful manner, who offer the other cheek when wrong is done to them—unlike terrorists, who refuse to talk and enjoy killing the innocent.