



Speech by

Robert Messenger

MEMBER FOR BURNETT

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TERRORISM, ORGANISED CRIME AND ANTI-CORRUPTION SURVEILLANCE BILL

Mr MESSENGER (Burnett—NPA) (8.00 pm): First of all, in rising to speak in support of the Terrorism, Organised Crime and Anti-Corruption Surveillance Bill, I would like to acknowledge the dedication, decency and courage of the members of the Queensland Police Service—members who daily risk their lives to fight organised crime. Of a morning they put on that blue uniform not knowing if a morgue assistant is going to take it off them at night.

A government member interjected.

Mr MESSENGER: I am surprised to hear members of the government laughing about that, because that is the reality that these very courageous and dedicated human beings face. I would think that members opposite would pay a little bit more serious attention.

The Queensland coalition's Terrorism, Organised Crime and Anti-Corruption Surveillance Bill is a common-sense bill that is aimed at delivering the vital tools and resources that are needed to tackle organised crime and corruption. How disappointing it was to hear a brand-new Premier be so negative about such positive, proactive legislation that is designed to protect the lives of our loved ones and our family members. The Premier made all the excuses in the world for why Queensland cannot have the telephone intercept powers that this bill creates. I expect to hear more excuses. The most popular excuse is, 'It's the Commonwealth's fault. We need a PIM. We need checks and balances.'

This argument is very shallow and lacks any intellectual effort or rigour at all. A year 3 student at Agnes Water Primary School, if presented with the Premier's argument, would say, 'Wait a minute. This legislation is working in every other state in Australia. Other Labor premiers in other states are not coming up and making the same pathetic excuses. So why are these tired old excuses being rolled out in Queensland?' We are entitled to ask that question. Other Labor premiers are working quite well with the federal government. Why has Queensland not found the ability to cooperate with the federal government over the increase in telephone tapping powers? The member for Redlands talked about front-end protection. For me, the term 'front-end protection' is merely code for 'We don't want the CMC or the members of the Queensland Police Service listening to Labor Party politicians' telephones without Labor Party politicians knowing about it.' That is the bald fact.

This legislation would provide the CMC with telephone interception capabilities where necessary. This is not a new concept. As I have said, it is already available to all other similar bodies throughout Australia and has been for several years now. By not having telephone tapping powers that are at least equal to those that exist in other states and territories, we have become the weak link in Australia's fight against terrorism and organised crime. This legislation would simply bring us into line with the rest of Australia. Queensland is supposed to be the Smart State, but currently we are behind the times and dangerously behind the times because the stakes can never be higher. We are gambling not only with own lives but also with the lives, the good fortune and the legacy of future generations.

The Queensland coalition, along with the Queensland Police Service, the CMC, parliamentary committees and the general community have been calling for these telephone tapping powers for some time now. But this government has typically ignored those pleas and has continued to adopt a softly-softly approach to criminal law reform. I would like to refer members to a submission to the parliamentary joint committee on the Australian Crime Commission. It states—

The adequacy of legislative and administrative arrangements, including the adequacy of cross-jurisdictional databases, to meet future needs.

As economic and crime markets become increasingly globalised the major issues under this heading from a state perspective will revolve around the difficulties associated with investigating national activity which can be substantially hampered by jurisdictional differences. From a Queensland perspective, the absence of state based legislation allowing access to telephone interception powers continues to be a frustration.

...

The CMC and the QPS have been jointly arguing for the introduction of Queensland based telecommunications interception ('TI') powers for the past decade. The continued absence of TI powers severely impedes the capacity of Queensland law enforcement to detect, investigate and dismantle organised crime activity in this state. TI powers, which are available to federal agencies and in all other state jurisdictions, have enabled law enforcement agencies elsewhere to secure arrests in circumstances where traditional law enforcement techniques alone would have been insufficient.

TI provides an investigative capacity far advanced from the more resource intensive alternative of Call Charge Record ('CCR') analysis. Where CCRs can be used to establish association only, TI product can establish the nature of the association. CCRs, when cross referenced against other investigative tools, can suggest a criminal course of conduct, whereas TI product can result in evidence of the criminal act able to be tendered in court. Alternatively TI can prove the innocence of an association allowing allocation of investigative resources for other purposes.

Both the CMC and the QPS can currently access information resulting from TI, and TI itself, by entering into joint operations with agencies which have these powers, principally the ACC and Australian Federal Police ... and less frequently other state agencies.

And this is the killer—

In practice however access is not so easily obtained. The AFP and ACC have their own national intelligence and investigative priorities which consume significant portions of their resources. Requests for access to TI by way of a joint operation made by Queensland agencies must compete for resources against these national priorities.

We need to have policing priorities based on our own Queensland priorities. Queensland TI legislation would allow local access to TI product in accordance with state based priorities and would ease some of the external demand for resources in terms of the federal agencies. The report states further—

Organised crime in Queensland is characterised by a number of significant criminal identities who have been involved in organised crime activity for a number of years and have successfully evaded prosecution. As time progresses they become more experienced in terms of the way they operate and increasingly more difficult to investigate. Were TI powers available in Queensland it is highly likely that a number of these criminal identities would have been successfully prosecuted or at the least had their activities curtailed.

Queensland has become a breeding ground for organised crime. We are the organised crime capital and training ground of Australia, because we have become the weak link in law enforcement activities around Australia. In fact, Queensland has become a laughing-stock not because of the magnificent efforts of the Queensland Police Service but because of the bungled management that is coming from the Queensland Labor Party and its inability to arm the Queensland Police Service with the legislative powers and also the physical resources that it needs.

There are many reasons members opposite should support this bill. One of those may be economic. The legislation will save us money. There is a cost in human misery, in terms of health and society, that will not go away. The best that this government can do is to try to cover it up, to paper over the cracks and pretend that it is not happening. We cannot go on like this. We need every cent we can get. The Premier has just rung up \$53 billion worth of debt for the next three years on the state bank card. We need to crack down on organised crime so we can at least save some money because it does have a cost—not only an economic cost but a moral cost and a cost in morale within the Queensland Police Service. By passing this legislation, the government would dramatically increase the morale of ordinary rank and file members who are leaving this service in record numbers. There is an exodus from the Queensland Police Service.

Mr Moorhead: It's not true.

Mr MESSENGER: It's not true? Let us talk about the SERT teams—

Time expired.