



Speech by

## Hon. Neil Roberts

MEMBER FOR NUDGE

Hansard Wednesday, 20 May 2009

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### TELECOMMUNICATIONS INTERCEPTION BILL

**Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (5.14 pm): I am pleased to speak in support of the Telecommunications Interception Bill 2009. Telecommunications interception has long been recognised as an appropriate and effective tool for fighting serious and organised crime. With the passing of this bill, the police will be able to gather vital evidence by telephone communication methods, which are less likely to be compromised during installation and monitoring.

The bill will allow the Queensland Police Service and the Crime and Misconduct Commission to lawfully and independently intercept and monitor telecommunications services, landlines, mobile phones, the internet, SMS messaging and other evolving forms of communications which are used by criminals involved in serious, major and organised crime. Importantly, Queensland agencies will no longer need to enter into joint arrangements with other agencies to gain access to telecommunications intercepts.

In certain circumstances, telecommunications interception will be able to be used in the investigation of serious criminal offences including murder, kidnapping, serious drug offences, terrorism and corruption. Other offences for which telecommunications interception may be used include offences punishable by maximum periods of at least seven years imprisonment where the offence involves risk of loss of life or serious injury, serious damage to property, child pornography, serious loss of revenue to state or federal governments, or organised crime involving certain other offences.

Telecommunications interception will substantially enhance law enforcement outcomes in Queensland by enabling both the Queensland Police Service and the Crime and Misconduct Commission to be declared 'intercepting agencies' under the Commonwealth government's Telecommunications (Interception and Access) Act 1979. Telecommunications interception will also assist in increasing timely pleas of guilty and convictions for serious and major criminal offences, which will cut down on court preparation and appearance.

The Victorian police have undertaken comprehensive research on the use of telecommunications interception material in criminal prosecutions. That research has shown the following: Victorian prosecutors use telecommunications interception evidence in 85 per cent of serious criminal cases where such evidence is available; over the past decade, prosecutors have gained a 93 per cent conviction rate on prosecutions where telecommunications interception is produced as evidence in serious crime; and in 90 per cent of successful prosecution cases when the accused pleads not guilty in the first instance, the plea changed to guilty with the introduction of telecommunications interception evidence.

Through the timely delivery of relevant and accurate information captured through telecommunications interception, senior police will be much better placed to make informed decisions which will impact on the conduct and direction of major policing operations, including investigation time frames and resource deployment. Importantly, telecommunications interception will contribute towards enhancing overall community safety whilst also minimising the physical risks normally associated with the placement of undercover and surveillance operatives in the field. It will also assist in the safeguarding of covert methodologies utilised in sensitive police operations targeting major and organised crime.

The incidence of serious, major and organised crime in Queensland is a significant concern for this government and the general community. This bill will ensure that our law enforcement agencies have the technological tools needed to be effective in the fight against organised crime. I commend the bill to the House.