



Speech by  
**Curtis Pitt**

**MEMBER FOR MULGRAVE**

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## **POLICE LEGISLATION AMENDMENT BILL**

**Mr PITT** (Mulgrave—ALP) (4.57 pm): I rise to make a very brief contribution and give my support to the Police Legislation Amendment Bill 2010, introduced by Minister Neil Roberts at the last sitting. Some of my colleagues have covered the various elements contained in the bill, such as the power to issue on-the-spot fines for public nuisance, public urination and associated offences, which is hard to argue with—however, some of those opposite have attempted to do so whilst maintaining they support the bill.

I want to focus my remarks today on those sections that deal with the assessment of criminal history records for employment screening purposes. Section 10.2A of the Police Service Administration Act 1990 authorises the commissioner to disclose criminal history records, with the consent of the relevant person, to third parties for employment screening purposes via CrimTrac or another police service. Disclosure of criminal history records under this provision is subject to non-disclosure provisions of other acts, including the Criminal Law (Rehabilitation of Offenders) Act 1986.

The National Police Checking Service Support System, NSS, implemented nationally in May 2010, now provides the opportunity for a more efficient means of transferring criminal history information between police services. The previous inefficient process characterised by manually vetting and transferring records in hard copy by fax and courier has been replaced by an online vetting and electronic records transfer solution.

The implementation of NSS is, however, reliant on the ability of jurisdictions to re-use the full criminal history information data-set the Queensland Police Service and other jurisdictions currently make available to the National Police Reference System. This removes the need for jurisdictions, including the Queensland Police Service, to send to CrimTrac and use two separate sets of criminal history information.

During the recent implementation of NSS the QPS identified a deficiency in the legislation that prevents the QPS from re-using the criminal history data the QPS currently electronically provides to the National Police Reference System for employment screening purposes—that is, secondary use. The QPS also identified that due to the operation of section 10.2E of the PSAA the transfer of records containing spent convictions information to other police services via NSS results in an unauthorised technical disclosure of criminal history information to CrimTrac as the administrator and broker of information via NSS. To allow for the full implementation of NSS by the Queensland Police Service and to take full advantage of the efficiencies associated with the electronic vetting and transfer of records between jurisdictions, Queensland Police Service vetting officers need the ability to manage, review, vet and transfer criminal history records from one system.

As such, the bill will remove legislative impediments in the Police Service Administration Act to enable the use of full criminal history information already provided to CrimTrac through the National Police Reference System for use in assessing criminal history records. The amendments will also authorise the technical disclosure of full criminal history information to CrimTrac in facilitating the brokering of vetted records between police services. The amendments will not change the requirements that the final disclosure of a person's criminal history to a third party can only be undertaken with the person's written consent and limited to current adult convictions. The new process will also enhance accountability through a data trail auditing function. In short, this bill seeks to enhance the efficiency and effectiveness of the Queensland Police Service and in my view gets the balance right in terms of community safety and the rights of the individual. I commend the bill to the House.