




Speech By  
**Stephen Bennett**

**MEMBER FOR BURNETT**

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Record of Proceedings, 11 February 2014

**POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Mr BENNETT** (Burnett—LNP) (8.24 pm): I rise to support the Police Powers and Responsibilities and Other Legislation Amendment Bill 2013. This bill delivers on the government's commitment to continually reduce red tape, and in this case blue tape, and bolster the effectiveness and efficiency of front-line police services. More importantly, the bill is another step towards helping the majority of Queenslanders who are law-abiding citizens to feel safe in their own communities. One of the important provisions in this bill is the introduction of laws to address the increasing occurrence of out-of-control events. Over the weekend we see reports of parties that have gotten out of control, and from the anecdotal evidence I get from talking to my constituents I know that there are many others we do not see on the news. The efficiency of social media and its ability to gather a crowd at short notice, in combination with excessive alcohol consumption and possible drug use and a mob mentality, can create highly volatile situations that sometimes do explode. Ordinary citizens should not have to put up with threats, violence and property damage in otherwise peaceful neighbourhoods. There is a clear expectation in the community that police need to be able to disperse these types of gatherings and also be able to put a stop to them as soon as there are signs of them getting out of control. What is more, our policemen and women should be able to perform these tasks without being impeded or assaulted with all manner of weapons in the process.

Some have suggested that this bill might be open to misinterpretation or abuse. However, the bill provides clear definitions of what constitutes an out-of-control event and the types of behaviours that are unacceptable. There is also a requirement for a senior police officer to authorise the use of special out-of-control event powers and I believe the measures put in place will ensure that laws resulting from this bill are not open to abuse or misinterpretation by our front-line men and women police officers.

Let me also address another expectation that comes across loud and clear from my constituents. Whenever we hear things like mobs or teenagers engaging in antisocial behaviour one of the first questions that is always asked is where are the parents. This bill at least goes some way to addressing that question. Currently there is no provision under the law for a parent or guardian to be held responsible for allowing their child to hold an event that gets out of control, nor can they be held accountable for effectively contributing to the situation through lack of supervision. The provisions in this bill challenge parents, who were in a position to prevent an out-of-control event from happening, to step up and take responsibility for their role and be liable for the consequences under the law. Having said that, I understand that there can be exceptional circumstances where parents are genuinely unable to prevent events spiralling out of control despite their best efforts and as such I note that the bill provides defences where reasonable efforts have been made and I commend the minister for including these allowances.

People are more than entitled to enjoy social gatherings, but the message from the people of Queensland is clear: gatherings that escalate to being antisocial and out-of-control will not be accepted. People want to feel safe in their own homes, neighbourhoods and communities. Another important objective of this bill is to help our police more effectively and efficiently gather evidence against offenders. This bill implements such practical measures as improving the requirement for senior officer approval for DNA samples to be taken from a person charged with an indictable offence. It also allows for implementing the resources of non-government laboratories.

The requirement for financial institutions to provide basic information in a timely manner when asked to do so will help officers in many cases more quickly compile the information necessary to obtain a search warrant. The expansion of what is authorised under a surveillance device warrant to include better planning of the installation of such devices is also a welcome development that will minimise the risk to people and equipment when such exercises are undertaken.

A concern that is regularly voiced in my community is the length of time involved in bringing offenders to justice and, conversely, the length of time that innocent people may be subjected to the judicial process. I believe that allowing police to do their job more effectively and making the process of gathering evidence more efficient is a huge step towards allaying those concerns.

Finally, I note the provisions of the bill to amend section 754 of the Police Powers and Responsibilities Act 2000. This is designed to ensure that sentences handed down by the courts to offenders who have intentionally evaded police meet community expectations. I refer to the report of the Legal Affairs and Community Safety Committee whose inquiry found that similar amendments were included in the Criminal Law (Criminal Organisations Disruption) Amendment Bill 2013 and so recommended that clause 39 of the bill be omitted. I note that the recommendations were supported in the government's response.

However, given the ongoing feeling of resentment in the wider community towards the leniency of sentencing that is often given to offenders, I fully support the objectives that the clauses seek to achieve. I thank the minister, his department and the committee for their diligence and hard work in bringing this bill before the parliament and for those efforts that seek to make our community safer and more enjoyable places.