




Speech By
Jennifer Howard

MEMBER FOR IPSWICH

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COUNTER-TERRORISM AND OTHER LEGISLATION AMENDMENT BILL

 **Ms HOWARD** (Ipswich—ALP) (8.10 pm): I rise to speak in support of the Counter-Terrorism and Other Legislation Amendment Bill 2015. Recent events and the high national terror alert provide a cogent argument for the examination of our current counterterrorism laws. Over the last decade we have seen a variety of terrorist events at home and abroad.

I, as the member for Ipswich, with the largest operational Air Force base just a few kilometres outside of my electorate—the RAAF base at Amberley—that employs over 5,000 uniformed and civilian personnel, many of whom live in my electorate, and all members of this House must be cognisant of this threat. Accordingly, we must carefully consider how far and how wide the special powers we give to police and law enforcement should be in order to meet this threat.

An important part of this bill is aligning police powers in legislation with contemporary operational environments. In addition to extending the application of the preventative regime in the Terrorism (Preventative Detention) Act, the bill will extend its extraterritorial application. The bill will similarly extend the extraterritorial application of the Public Safety Preservation Act.

The Terrorism (Preventative Detention) Act and the Public Safety Preservation Act currently are limited in their operability in the maritime environment to within Queensland's coastal waters. That is from the low-water mark to within three nautical miles seaward of the territorial sea baseline.

Whilst the crimes at sea cooperative scheme applies, the substantive criminal law and law of criminal investigation, procedure and evidence offshore out to a distance of 200 nautical miles seaward of the territorial sea baseline or to the end of the continental shelf where it extends further, the operation of the Terrorism (Preventative Detention) Act and the Public Safety Preservation Act are not similarly extended by the scheme. The bill will extend the extraterritorial application of the Terrorism (Preventative Detention) Act to the same area to which the crimes at sea cooperative scheme extends Queensland's substantive criminal law and law of criminal investigation, procedure and evidence.

This extraterritorial application will enable the use of the Terrorism (Preventative Detention) Act powers where the Queensland Police Service interdicts a vessel within the adjacent area. This will also include circumstances where the Defence Force was handing back control of the incident to police following its interdiction of the vessel.

The bill also extends the extraterritorial operation of the Public Safety Preservation Act so that it applies outside Queensland to the full extent of the extraterritorial legislation power of the parliament. This includes powers relating to emergency situations, terrorist emergencies and chemical, biological and radiological emergencies. This will enable police to exercise the emergency management powers necessary to effectively deal with the emergency to protect Queensland citizens, even though the origin of the emergency is outside Queensland.

This bill will also enable the declaration of a motor vehicle or vessel as a declared area for a terrorist emergency prior to the arrival of the motor vehicle or vessel within the state. The ability to

interdict vessels outside of Queensland's coastal waters creates a significant buffer to protect Queenslanders from acts of terrorism. The amendment will also ensure that the declaration of a motor vehicle or vessel as a declared area for a terrorist emergency continues despite the motor vehicle or vessel departing from Queensland for a short period.

While technical in nature, these amendments better align police powers to responsive police practice in the event of a critical incident or emergency. We should hope that they are not required ever to be used, but we must be prepared for when they may need to be. I commend the bill to the House.