



Speech By
Hon. Bill Byrne

MEMBER FOR ROCKHAMPTON

Record of Proceedings, 14 September 2016

**AUSTRALIAN CRIME COMMISSION (QUEENSLAND) AND OTHER
LEGISLATION AMENDMENT BILL**

Second Reading

 **Hon. WS BYRNE** (Rockhampton—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (4.10 pm): I move—

That the bill be now read a second time.

The Legal Affairs and Community Safety Committee has examined the Australian Crime Commission (Queensland) and Other Legislation Amendment Bill 2016 and it tabled its report on 2 August. I would like to take the opportunity to thank the committee for its consideration of the bill and for the valuable work that the committee undertakes. In its report, the committee made one recommendation, namely, that the bill be passed, and I thank the committee for its support of the bill.

I will indicate at this time that I intend to propose one amendment to the bill. This amendment has been circulated in my name. The amendment relates to clause 12, replacement of section 439 of the bill. The clause redrafts section 439 of the Police Powers and Responsibilities Act 2000 to allow the judiciary discretion to admit evidence of admissions or confessions where there is noncompliance with the relevant safeguards. The committee report contained a government members' statement of reservation which recommended the bill be amended to delete the proposed amendment to section 439 of the PPRA.

The Palaszczuk government places the utmost respect in the committee process and is committed to comprehensive consultation with the legal community when it comes to changing laws which are perceived to reduce evidentiary safeguards. Accordingly, in deference to the committee process, the amendment I have proposed is the omission of clause 12 from the bill. Any changes to section 439 of the Police Powers and Responsibilities Act 2000 need to be carefully considered in full consultation with legal and law enforcement stakeholders.

The bill addresses issues within a range of acts including the Australian Crime Commission (Queensland) Act 2003, the Police Powers and Responsibilities Act 2000, the Weapons Act 1990 and the Fire and Emergency Services Act 1990. I will briefly comment upon these amendments in turn.

In the current global climate it is imperative that we have the capability to detect threats to our community at the earliest opportunity. Accurate and timely information sharing with other law enforcement agencies assists in achieving that objective. Consequently, this state's relationship with organisations that facilitate this information sharing is paramount.

On 1 July of this year, the Australian national police information sharing agency, CrimTrac, merged with the Australian national crime intelligence agency, the Australian Crime Commission. I am proud to say that Queensland has been a leader among other Australian jurisdictions in the timely introduction of legislation that assists in the inception and recognition of this collaborative agency. This bill ensures that the sharing of information with other agencies will continue.

The bill will also amend the Police Powers and Responsibilities Act to allow a firearms and explosives detection dog to be used in more public places. This will assist in delivering a safe and secure Commonwealth Games as well as generally adding to the security capability of Queensland and the safety of the community more broadly.

Police are increasingly using new technology and methods of detecting offences. The ability of a police officer to instruct another officer to make an arrest will be valuable where, for instance, the instructing officer views an offence from a police helicopter or via CCTV and is then able to instruct an officer in a better position to make an arrest. This power is an important addition in meeting the needs of front-line police.

Additionally, this bill makes clarifying amendments to the Weapons Act. The government acknowledges that many people in our community carry knives for a legitimate purpose, whether it is work related or for a range of other lawful reasons. However, these amendments will ensure that criminals who have no legitimate reason for carrying a knife or a weapon in a vehicle in public will cease to have free reign to do so. Police will also be provided with a clear power to search a vehicle where it is reasonably suspected a vehicle contains knives that are possessed unlawfully. These changes serve to protect the community and provide police with the resources needed to perform their duties.

Finally, this bill changes the Fire and Emergency Services Act to allow Queensland Fire and Emergency Services to request information about the identity of the person responsible for fire safety in a building from the Residential Tenancies Authority or any other person who may be able to provide that information. The Queensland Fire and Emergency Services will often investigate persons in charge of premises who are not complying with fire safety installations through provision of functional smoke alarms, access to fire escapes and adequate emergency lighting. This investigative power will ensure the safety of the community and visitors to our state from those providers of accommodation who place profits ahead of safety.

This bill provides the necessary legislative framework to ensure police have the capacity and capability to respond to issues relating to public safety so that they can continue to keep all of us safe. I commend the bill to the House.