




Speech By
Hon. Bill Byrne

MEMBER FOR ROCKHAMPTON

Record of Proceedings, 14 September 2016

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

 **Hon. WS BYRNE** (Rockhampton—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (5.48 pm), in reply: Can I start by thanking all members for their contribution to this debate and their support for the bill. The bill represents practical improvements in the powers of police and the authorised fire officers, which will have immediate positive impacts on front-line services. I think that is widely acknowledged. It is important that state borders do not inhibit the free flow of information and intelligence between Australian law enforcement bodies, and the merger of CrimTrac into the Australian Crime Commission ensures valuable information will be delivered to front-line police, allowing an effective and timely response.

Firearms and explosives dogs do important work in the sweeping of areas prior to large gatherings of people in public places. The expansion of public areas in which these dogs can operate is a significant public safety enhancement. This bill also addresses issues surrounding searches for knives in vehicles. A knife attack—it is becoming more obvious and prevalent—and even the threat of a knife can have a devastating physical and mental consequence upon the victims. The use of a knife in armed robberies is prevalent in this state due to the easy accessibility of knives. While access to knives cannot be halted completely, those people who carry a knife in a vehicle in public without a legitimate reason should not have the availability of a knife to opportunistically commit crime.

People who do have a valid reason for carriage of knives and that type of weapon have nothing to fear and are protected by this legislation. The carrying of knives for primary production, fishing, normal utility purposes and a range of other purposes is not threatened by this legislation. The carrying of knives in public by gangs, drug couriers and others, such as would-be armed robbers, is a target for this legislation and it will be effective in that regard.

The power will not noticeably increase the search of vehicles by police. Section 32 of the PPRA already prescribes numerous circumstances where police can search a vehicle without a warrant—for example, where it is reasonably suspected a person possesses unlawful dangerous drugs, stolen property, weapons or explosives. These matters are already addressed in current legislation. The circumstances are primarily linked to a reasonable suspicion of the commission of an offence. To stop and search a vehicle without a warrant for a knife, police will need to reasonably suspect that a vehicle contains a knife unlawfully in the physical possession of the occupant of the vehicle. The inclusion of possession of a knife alongside existing powers to search a vehicle for explosives, firearms and other types of weapons will ensure police have clear powers to search for any item unlawfully possessed that may be used to cause harm to the public.

I would now like to specifically address some of the points raised by members in the debate. Clearly, the central issue is the clause that has been largely reflected on by those in the House. The approach that I have taken and the government has taken is that we want to see the committee process operate. A piece of legislation that goes through this House should be appropriately scrutinised by a

committee, and particularly so in the circumstances of this parliament not having an upper house. I think we all recognise there is a contribution to be made by a committee; otherwise, what is the point in having a committee process if a committee is not able to act in the fashion that is expected and provide advice to government and people such as me about the veracity of pieces of legislation?

I am entirely comfortable with a bill that has my fingerprints on it going forward to a committee and the recommendations from that committee coming back and causing further consideration by government and by me. I see nothing unreasonable in that. That is exactly what the committee process is about. The essential component of this is about removing this clause, and I will speak to that during consideration in detail. What I can say is that this bill in its current form is widely supported. We are not necessarily going to step away from the elements of the clause we choose to remove. I just think there are probably grounds there to go forward and do a full consultation on the elements of that amendment that we are withdrawing from the bill. On that basis, I commend the bill to the House.