




Speech By
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MEMBER FOR MAROOCHYDORE

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COUNTER-TERRORISM AND OTHER LEGISLATION AMENDMENT BILL

 **Ms SIMPSON** (Maroochydore—LNP) (3.39 pm): The price of freedom is eternal vigilance. Keeping our communities safe in the face of new and emerging threats of terrorism requires new legislative tools to empower our police and counterterrorism forces to do their job. The Counter-Terrorism and Other Legislation Amendment Bill 2017 expands those powers to strengthen those means of vigilance to hopefully prevent the evil acts which are intended to cause great harm and death as well as fear.

Terrorist attacks not only cause real, physical harm but also remove people's peace and safety to get on with living their lives. We want people to feel safe. However, more than that we want them to be safe. Knowing that some will criticise the need for this legislation, I would respond by saying that it would be negligent for those in a leadership role to have an 'I feel safe' approach to public safety if that is used as an excuse to do nothing or not do enough in the face of growing intelligence of high-risk threats of harm and realised terrorism attacks. That is why I support the intention of this legislation even though some have asked whether it is necessary. Unfortunately, it is. There have been growing examples tragically here on our shores as well as overseas that indicate it is required. Barcelona may seem a long way away, but the terrible loss of a little Australian boy in that recent attack indicates that our citizens can be affected anywhere. In Sydney we have also heard of recently foiled alleged terrorist attacks.

Leadership has a responsibility to act when shortfalls in the strategies to keep people safe are identified, and one of those changes has to be adequate legal tools so our police are able to respond legally and in a rapid and timely way. However, it is appropriate that questions about checks and balances are also asked in this chamber, in our committee process and by stakeholders. Providing appropriate checks and balances on power of course is important. That is why any legislation should and must be subject to timely review. I hope that one day the legislation that is before us is not necessary in its current format, but we are advised by those who are at the front line of keeping us safe that they need this toolkit to keep us safe.

This bill amends the Public Safety Preservation Act 1996, the PSPA; the Police Powers and Responsibilities Act 2000, the PPRA; and the Terrorism (Preventative Detention) Act 2005. The times we are living in mean that global conflicts have come into our local streets and communities, as we have seen in recent events more particularly down south and we believe other incidents have been averted elsewhere. At this time the work goes on to ensure that we do not see a repeat of what we have seen down south.

The nature of terrorist attacks has changed with the use of technology and the changing modus operandi. As noted in the explanatory notes, contemporary terrorism methodology has seen a shift from hierarchical cells making detailed plans for mass casualty and infrastructure attacks to low-tech, lone actor terrorist attacks. Low-tech attacks perpetrated by an individual or small group are very hard to detect and disrupt. Low-tech attacks can involve using readily available weapons such as knives, vehicles, firearms or improvised explosive devices. This explains why there has been a move to

empower police to search a person and vehicle without a warrant for anything relevant to a terrorist emergency in a declared terrorist emergency. The search powers enable police to seize anything that may provide evidence of the commission of an offence or anything that the person may use to cause harm to any person. This has been extended to electronic devices, particularly mobile phones, in such terrorist emergencies.

The bill also provides police with the power to require people in a declared terrorist emergency to provide their name, address and date of birth and provide evidence of the correctness of the details provided. This has come out of international experience where people leaving the scene of an incident include those who are or who could have been victims as well as those who may have been the offenders who cloak themselves in the crowd. That is the reason why people will be required to give their identification.

The declaration of an emergency situation is addressed in this legislation. The devolution of who can declare an emergency situation and whether there are enough checks and balances in that process is quite extensively covered within this committee report. I believe it is important to ask about checks and balances. We should not be frightened to ask whether the monitoring and scrutiny of that is robust enough. That is why in a few years time potentially this legislation will be reviewed again. Once again, it has been shown that there is a need for appropriately trained people at the right time and the right place to take action and to be able to address and avert greater harm. The training of those who are in the front line of declaring these situations is vitally important. While the legislative tool is there, we also have to ensure that in reality there is a rigour in how that is brought about. There is also clarification in regard to electronic devices and how they can be used as a surveillance device, the enhanced operational effectiveness of PPRA surveillance device powers and the power to dispose of explosives.

In bringing my contribution to a close what I want to emphasise is this: I doubt there are many members of this parliament who will ever have to front up to a coroner's court to explain whether their actions were sufficient in keeping people safe, and I certainly hope nobody in this place has to do that. Our police, however, face that very real situation. That is not code for 'anything goes' in regard to the powers we put in their hands to keep us safe—far be it from that—but we must ensure that when they are going in there to keep us safe they know they have the legal authority to do it and they are doing all they can to keep us safe, and hopefully they will not have to face a coroner's inquiry as to whether they did enough. They are the ones who often have to make the call. They are the ones who are often faced with very real and sometimes tragic circumstances beyond anyone's control. Where we have the ability to hopefully avert those disasters—those tragedies caused by those with evil intent—we must do all we reasonably can do to keep our police safe so they may come home to their families and keep our communities safe.