




Speech By  
**Michael Crandon**

**MEMBER FOR COOMERA**

---

Record of Proceedings, 5 September 2017

**COUNTER-TERRORISM AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr CRANDON** (Coomera—LNP) (2.43 pm): I rise to make a short contribution to the Counter-Terrorism and Other Legislation Amendment Bill and report No. 62 of the Legal Affairs and Community Safety Committee. As has already been pointed out, the primary objective of the Counter-Terrorism and Other Legislation Amendment Bill 2017 is to amend the Public Safety Preservation Act 1986, the Police Powers and Responsibilities Act 2000 and the Terrorism (Preventative Detention) Act 2005 to enhance public and police officer safety and to ensure police are able to respond rapidly and effectively to terrorist attacks and other critical incidents which pose a serious risk to life. Further objectives of the bill are to enhance the operational effectiveness of surveillance device powers under the PPRA and amend the PSPA and the PPRA to provide power for police to destroy explosives. The final objective of the bill is to repeal the Queensland Police Welfare Club Act 1970.

Putting things into context, Australia is facing the most significant ongoing threat from terrorism in our nation's history. We have seen an escalation of terrorist related activity with four terrorist attacks having been committed, with three resulting in fatalities, and a dozen or more imminent planned attacks having been disrupted. Not only is the threat of terrorism increasing; it is becoming harder for law enforcement intelligence agencies to detect and disrupt. A worrying aspect of what is happening in this area is the low-tech attacks that we have heard about so many times around the world perpetrated by individuals or small groups that seem to be exponentially harder to detect and disrupt. Indeed, often it is an individual—a lone individual, a lone wolf as they are referred to—that takes these activities on. There is no visibility or planning often, little or no direct communication between terrorist groups and the attackers and limited time delay between intent and action. They just get it into their head, they see an opportunity, they wait for the right volume of pedestrian traffic to be where they intend to go and then they perpetrate one of these horrendous acts.

The purpose of amendments to the Public Safety Preservation Act 1986 clarify that police search powers include the power to search devices such as mobile phones or tablet computers in a declared emergency situation or declared terrorist emergency, give police the power to require a person to provide assistance to access a person's electronic device in a declared emergency situation or declared terrorist emergency, and provide police with the power to take and use a person's biometric information to establish or confirm the identity of a person in a declared emergency situation or declared terrorist emergency. There is also the insertion of division 4 relating to extraordinary emergency powers into part 2 relating to emergency situations of the PSPA to provide police with the power to control movement of persons; search a person without a warrant; require a person's name, address and date of birth; collect and use biometric information; and require access information to enable a search to be conducted on an electronic device, among other changes being introduced in that act.

With regard to the Police Powers and Responsibilities Act 2000, the bill will amend this act in a number of ways, including clarifying that a surveillance device, warrant or emergency authorisation can authorise the use of an existing device as a surveillance device—that is, any type of device. In fact,

there were questions around the use of mobile phones and we received information from the police that you can use these types of devices unbeknown to the individuals. We see it on TV all of the time, but it is actually one of the things that is a reality—that is, a device that can be just sitting there looking quite innocuous is in fact listening to everything that you say. Indeed, I recall reading yesterday or today about some concerns around a device that is being manufactured in China that is available to public servants, shall we say, and there are now concerns as to whether or not those devices are able to download information to a foreign power. This is yet another angle on that type of thing.

There are amendments to the Police Powers and Responsibilities Act enabling a commissioned officer to authorise the installation and use of a tracking device to assist in taking persons into lawful custody in certain circumstances and omitting restrictions applying to communicating certain information to the Australian Security Intelligence Organisation, so once again that is important. In the time that I have been looking at issues around recidivism and prison reform I have often been told about the difficulties in providing information to other organisations—in other words, difficulties in providing information from prisons to police to the judiciary or vice versa. Those sorts of common-sense changes are there to protect the community—to protect all of us against those people who look to perpetrate these horrendous crimes against us as a community.

The Terrorism (Preventative Detention) Act 2005 proposed an amendment that replaced the ‘imminent’ test for the issue of a PDO with a ‘capability’ threshold test. It concerned reducing the threshold test for entry into the premises from ‘believes on reasonable grounds’ to ‘suspects on reasonable grounds’ that the person, the subject of the PDO, is on the premises. It also removed the restriction on entry of a dwelling, currently between 9 pm and 6 am, to take a person into custody under a PDO. It is now 24/7 that police are able to enact these raids.

The bill proposes to repeal the Queensland Police Welfare Club Act 1970. The Queensland Police Welfare Club was deregistered as an association in 1998 and was wound up by receivers in 2004-05. It is about time, I suppose, that we tidied up all of that.

Interestingly, the LNP policy was released in July. The LNP released the policy to safeguard Queenslanders against terrorism threats in response to the national terrorism threat and the increased frequency of international terrorism incidents. The LNP has a wideranging strategy to safeguard against the terrorism threat levels and keep Queensland safe. Let me just finish by saying that a Tim Nicholls-led LNP government will introduce stronger laws to protect the community with targeted prevention to redouble our efforts in the fight against terrorism.

I thank my parliamentary colleagues on both sides of the House for the bipartisan approach taken to this very sensible legislation, which is something that we on this side of the House fully support. Of course, I thank the secretariat once again for their wonderful work in terms of pulling together the reports and working through a massive amount of material from the various people who provide us with information so that we can put together a sensible report, one which is of value to the House and which we can move forward to implement the legislation. I commend the bill to the House.