




Speech By
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MEMBER FOR PINE RIVERS

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COUNTER-TERRORISM AND OTHER LEGISLATION AMENDMENT BILL

 **Ms BOYD** (Pine Rivers—ALP) (3.25 pm): I rise to make a very short contribution on the Counter-Terrorism and Other Legislation Amendment Bill 2017. In doing so, I thank the committee members and committee staff for their support in putting the report on this bill together. It is lovely to have a bill that is recommended to be passed by both sides of the legal affairs committee.

I specifically want to talk about surveillance devices in declared emergencies and tracking devices for high-risk apprehensions. This is something that I have received questions about so I want to put some points on the record. The bill's purpose, objectives and intent have been fairly well canvassed by other speakers in the parliament today. As I said, the bill has the support of both sides of the committee.

The bill amends the Public Safety Preservation Act 1986 and the Police Powers and Responsibilities Act 2000 to improve the ability of police to enhance public safety during declared emergencies and the apprehension of high-risk persons. Clause 39 of the bill amends the Public Safety Preservation Act 1986 to allow commissioned officers to authorise the use of surveillance devices during a declared emergency to minimise significant risk to life, health or safety. The ability to obtain accurate and timely intelligence during an emergency situation, such as a siege or a hostage situation, is vitally important for the effective management and resolution of the emergency.

This bill balances this new power with a number of safeguards. The use of a surveillance device in this context is limited in the sense that it can only occur during a declared emergency, only within the declared area for that emergency and only if the authorising officer suspects that the life or safety of any person may be seriously endangered and that the device would mitigate that risk. The commissioned officer must revoke the authorisation when satisfied that the use of the device is no longer needed to reduce the risk to life, health or safety. This bill also requires the commissioner to keep a register and report annually on the use of this new power.

This bill also amends the Police Powers and Responsibilities Act 2000 to enable the commissioned officer to authorise the use of a tracking device to assist in taking persons into custody where that action poses a serious risk to the safety of any person and the use of the device will assist in reducing that risk. Police are sometimes called upon to apprehend people who are considered to pose a high risk. These people may be a serious risk to the police and community by virtue of their access to weapons and because they have demonstrated a propensity for significant violence.

Taking people of that kind into custody is inherently dangerous and can represent a risk not only to the police but also to the community and the individual themselves. These amendments will assist in carrying out such high-risk apprehensions by enhancing the capacity of police to choose a time and place that mitigates those risks. This new power is balanced by safeguards which include the limitation for the initial use of the device to a period of 48 hours and imposes a requirement for the Commissioner of Police to report annually on the use and effectiveness of the tracking device authorisation.

I want to mention one more thing in closing. It is about this bill picking up a complaint by Mr Darren Hall. Being a member of the Parliamentary Crime and Corruption Committee and also a member of the Legal Affairs and Community Safety Committee, I thought that this was worth mentioning in terms of the loop that is closing here that will afford people procedural fairness into the future in terms of a commission report. I think that is a noteworthy amendment that will be coming through in this bill. I commend the bill to the House.