




Speech By  
**Tim Mander**

**MEMBER FOR EVERTON**

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

 **Mr MANDER** (Everton—LNP) (12.56 pm): I rise to address the Counter-Terrorism and Other Legislation Amendment Bill before the House which was introduced by the Minister for Police and Corrective Services. I want to begin by thanking the brave men and women of the Queensland Police Service for the work they do day in, day out in keeping Queenslanders safe and protecting them from harm. Unfortunately, we live in a world where we face ongoing attacks on the freedoms we all enjoy, and sometimes we take this for granted. Australia is facing the most significant ongoing threat from terrorism in our nation's history. The advice of the Prime Minister at the recent LNP conference in July was that since September 2014, law enforcement agencies have disrupted 12 planned terrorist attacks on home soil.

The extent of recent international attacks and foiled attacks on home soil here in Australia means that we must remain as vigilant as we can against possible threats to our way of life. In doing so, we need to listen to the trained law enforcement experts—the Queensland Police Service, the Australian Federal Police, the Crime and Corruption Commission and intelligence agencies—to ensure that our laws enable a swift response that either defuses an attack or, heaven help us, responds to one in a manner that prevents loss of life and catches the perpetrators. We all hope that the powers being implemented in this legislation are never needed in Queensland, but we should also be realistic.

These are extensive powers which are needed at this time, but we must also ensure that they have the appropriate judicial oversight and that the monitoring of these powers will ensure they are used effectively and appropriately; however, we trust the advice of the Queensland Police Service that these additional powers are justified. They will be reviewed in future to ensure they are relevant and appropriately applied. This is a time when we need to do what we can to preserve community safety.

As outlined in the explanatory notes to the bill, from September 2014 nationally there has been an escalation of terrorist related activity with four terrorist attacks having been committed, three resulting in fatalities. A further 12 imminent planned attacks have been disrupted. As a result of 27 separate counterterrorism operations, 62 persons have been charged. This increased threat is expected to endure for the foreseeable future. Not only is the threat of terrorism increasing but it is becoming more difficult for law enforcement and intelligence agencies to detect and disrupt. The advice of police is that contemporary terrorism methodology has seen a shift from hierarchical cells making detailed plans for mass casualties and infrastructure attacks to low-tech lone-actor terrorist attacks.

Debate, on motion of Mr Mander, adjourned.

Sitting suspended from 1.00 pm to 2.30 pm.



**Mr MANDER** (Everton—LNP) (2.30 pm), continuing: Low-tech attacks perpetrated by an individual or a small group are exponentially harder to detect and disrupt. There may be no visibility of planning, little or no direct communication between the terrorist group and the attackers, and limited time delay between intent and action. These low-tech attacks are often inspired by the terrorist group's public calls for such acts, with the perpetrators having tactical freedom to self-initiate and self-identify their targets based on their capability, size and resources. This is further exacerbated through their use of encryption and anonymising tools to make their use of the internet and social media invisible to intelligence and law enforcement agencies.

As outlined in the explanatory notes, the most likely scenario for a terrorist attack in Australia is a low-tech attack perpetrated by an individual or a small group. This would involve the use of readily available weapons such as knives, vehicles, firearms or improvised explosive devices, otherwise known as IEDs. We have seen similar such attacks overseas in Spain, the United Kingdom, Germany and France. It is a similar pattern of modern and increasingly sophisticated criminal behaviour that we need to be aware of and prepare for.

This bill amends the Public Safety Preservation Act 1986, the Police Powers and Responsibilities Act 2000 and the Terrorism (Preventative Detention) Act 2005 and repeals the Queensland Police Welfare Club Act 1970 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 PPSA and amend the PPSA and the PPSA to provide power for police to destroy explosives.

I thank the members of the Legal Affairs and Community Safety Committee who reviewed the bill. The committee received submissions from four key stakeholders: the Crime and Corruption Commission, the Queensland Law Society, the Office of the Information Commissioner and the Queensland Council for Civil Liberties. We understand and appreciate the concerns raised through that review process, particularly by the Queensland Law Society; however, given the context of these laws and the international backdrop, we trust in the advice of the Queensland Police Service that these are time-and-place laws. As I said earlier, we remain optimistic that these additional powers are never needed or used, but we also need to be realistic and ever vigilant.

The proposed amendments in the bill include: clarifying that search powers include the power to search devices such as mobile phones or tablet computers; giving police the power to require a person to provide assistance to access a person's electronic device; providing police with the power to take and use a person's biometric information to establish or confirm the identity of a person; devolving the ability to declare an emergency situation to approved senior sergeants, from commissioned officers; clarifying that an emergency situation area can surround a moving activity such as a person or vehicle; enabling a commissioned officer to authorise the use of surveillance devices within the declared area or in a stated place for a declared emergency without a warrant; and providing an emergency commander in an emergency situation with the power to dispose of explosives and authorise damage that may result in the disposal process.

In July the LNP released its policy to safeguard Queenslanders against the terrorism threat. 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 Queenslanders safe. A Tim Nicholls led LNP government will introduce stronger laws to protect the community and targeted prevention to redouble our efforts in the fight against terrorism.

Our plan involves updating the Queensland government counterterrorism strategy, which was last updated by the LNP in 2013, as well as (1) strengthening bail laws to include a presumption against bail for someone charged with a terrorism related offence or known to have terrorism links; (2) strengthening parole to remove the presumption for parole for an offender charged with a terrorist offence, convicted of a terrorist offence or subject to a terrorist notification; (3) giving police more powers to prevent an attack by increasing the maximum time allowed under a preventative detention order from 14 days to 28 days; and (4) greater leadership by appointing a dedicated minister for counterterrorism to focus on policy development and updating the state's strategy. Our plan focuses on providing targeted prevention, with more powers for police and stronger laws to keep Queenslanders safe.

It is disappointing that Labor has not used this opportunity to update bail and parole laws, which they agreed to do as part of a COAG agreement on 9 June this year. Other jurisdictions have already moved to implement these stronger laws to protect the community. I would encourage the government to bring forward those laws as a matter of priority. We cannot take for granted the freedoms we enjoy. As such, we will not be opposing these changes. The first responsibility of every government is to protect its citizens.