




Speech By  
**Aaron Harper**

**MEMBER FOR THURINGOWA**

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**POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Mr HARPER** (Thuringowa—ALP) (4.07 pm): I rise today to speak on the Police Powers and Responsibilities and Other Legislation Amendment Bill 2018. This bill will introduce a suite of amendments aimed at enhancing front-line policing services to the Queensland community and importantly keeping Queenslanders safe.

One key element of the bill will simplify the complicated way in which crime scene powers are defined and operated. When a serious crime occurs it is the priority of the Queensland Police Service to ensure the thoroughness and integrity of the investigation by securing the crime scene and preserving all available evidence. The crime scene provisions provide important powers to police to exclude persons from a crime scene, to avoid crime scene contamination and to minimise any obstruction of police while they examine the scene for evidence.

The amendments make a significant number of enhancements to crime scene legislation. Computers, mobile phones, tablets, smart watches and other electronic devices have become a significant part of our everyday, modern life. Previous investigations have also shown that evidence of offences can be stored and concealed on electronic devices. Access to text messages, internet searches and pictures contained on a person's device may be crucial to the investigation of a serious offence, such as a homicide or sexual assault. Often these electronic storage devices are located at crime scenes and are relevant to the crime scene offence. The inclusion of powers which permit police to seize an electronic device at a crime scene and obtain an order from a magistrate or judge requiring access—for example, through the provision of a password or encryption code—will ensure police can thoroughly investigate offences that are subject to crime scene provisions.

The amendments will also amend the definition of 'crime scene' and allow for a more practical and workable meaning for our first response officers. Previously, before establishing a crime scene, a police officer had to establish whether it was a primary or secondary crime scene and whether the offence was a threshold offence due to the penalty of imprisonment or whether the offence was a serious violent offence.

The multiple definitions and lack of certainty about what was the primary and secondary scene have led to issues about whether a crime scene could be established with a degree of validity. The new singular definition of 'crime scene' will provide clarity to police and the judiciary in their interpretations of the provisions. It also aligns the definition more closely with other Australian jurisdictions.

The lowering of the crime scene threshold offence from a seven-year to a four-year offence will mean crime scene powers can be exercised for additional serious offences including weapons offences, offences relating to industrial accidents, and particular offences under the Criminal Code where police require immediate powers to preserve evidence and engage crime scene powers. Again, the adjustment to the crime scene threshold offence more closely aligns Queensland with police powers in other Australian jurisdictions—and Queensland is following.

A lot has been said here today by various members of the opposition. I hear the same thing: Labor is soft on crime.

**Mr Mickelberg:** That's right.

**Mr HARPER:** Are you sure that is right, mate?

**Mr Mickelberg:** That is right.

**Mr HARPER:** Right.

**Mr DEPUTY SPEAKER** (Mr McArdle): Direct your comments through the chair, thank you.

**Mr HARPER:** The member for Buderim said it himself just minutes ago, as did the member for Toowoomba North, as did the member for Toowoomba South who is not in here, and the Deputy Leader of the Opposition mentioned it this morning, and they talked down our city, which has had its fair share of crime.

**Mr WATTS:** Mr Deputy Speaker, I rise to a point of order. There is a convention not to refer to someone who is not in the chamber.

**Mr DEPUTY SPEAKER:** That convention is correct but continue on, member.

**Mr HARPER:** That is enough of talking down our city. We have had crime issues just like any other town or region in Queensland. The LNP does not have a great track record of looking after these issues either. I have two newspaper reports here. It is because of the hard work of the Labor government establishing stronger communities with more police in Townsville and more resources—and I thank the minister for his hard work and dedication. I table these two reports.

*Tabled paper:* Article from the *Townsville Bulletin*, dated 3 September 2017, titled 'Crime rate goes down' [\[1369\]](#).

*Tabled paper:* Article from the *Townsville Bulletin*, dated 7 September 2018, titled 'Officers put dent in crime' [\[1370\]](#).

An article in the *Townsville Bulletin* on 3 September 2017 titled 'Crime rate goes down' stated—  
Property crime across the city has tumbled in the year since Townsville was labelled "crimsville"—  
by those opposite—  
in State Parliament.

During that period the city has seen significant changes in how young offenders are dealt with, from the creation of the Townsville Stronger Communities Action group to operations targeting young criminals.

Let's fast forward to September 2018 to an article titled 'Officers put dent in crime'—and I thank Sam Bidey. I was just talking to him earlier. The article states—

Property crime has dropped in Townsville with major police operations dragging down the number of offences as the city recovers from a spate of car thefts and break and enters.

...

Unlawful use of motor vehicle offences dropped 17 per cent.

Do not come in here and lie and tell us that we are not doing anything about crime.

**Mr DEPUTY SPEAKER:** Member, you cannot use that word. Please withdraw it.

**Mr HARPER:** I withdraw it. Thank you, Mr Deputy Speaker, but I will not have members of the opposition—

**Mr DEPUTY SPEAKER:** Member, you must withdraw unreservedly.

**Mr HARPER:** I withdraw unreservedly. Mr Deputy Speaker, thank you for your guidance, but I am a pretty proud North Queenslander and I will not take people coming in here—

**Mr DEPUTY SPEAKER:** Member, with respect, please just withdraw and move on. Do not use the word 'but' to start the next sentence.

**Mr HARPER:** Thank you for your guidance, Mr Deputy Speaker. I am a proud North Queensland MP who is fighting to stand up for our city. It is because of the hard work of the three Labor members in Townsville that we have two articles one year apart telling us that we are getting on with the job. Yes, we have more work to do but do not come in here—

**Mr DEPUTY SPEAKER:** Member, though I share your passion for Townsville—a wonderful spot, I have no doubt—

**Mr HARPER:** Thank you.

**Mr DEPUTY SPEAKER:**—but can you please draw it back to the bill before the House in some manner.

**Mr HARPER:** I will. The crime rate—

**Mrs D'ATH:** Mr Deputy Speaker, I rise to a point of order. The member is directly responding to speeches from those on the other side on this bill. He is directly responding to them. At the time the Deputy Speaker did not question their relevance in talking about crime statistics in Townsville in relation to the Police Powers and Responsibilities and Other Legislation Amendment Bill before the House.

**Mr DEPUTY SPEAKER:** I thank the Attorney. Member, please keep within the confines of the bill.

**Mr HARPER:** I will. Again, Mr Deputy Speaker, thank you for your guidance. I think the point is made. We have members of the government working closely with the community, establishing programs like Project Booyah and Yinda, an Indigenous cultural mentoring program. We are still holding people to account. We are investing money in the Cleveland Youth Detention Centre as we speak. We are expanding it with more beds. We are still holding people to account, but we are also investing in programs to stop people offending. That is key to the work we have to do in North Queensland.

I will not have members come in here and tell us that we are not doing it right. Clearly, from the two articles one year apart in the *Townsville Bulletin* showing a downward trend we are, and we will continue to work hard to keep that trend going down.