




Speech By  
**Joan Pease**

**MEMBER FOR LYTTON**

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## **POLICE AND OTHER LEGISLATION (IDENTITY AND BIOMETRIC CAPABILITY) AMENDMENT BILL**

 **Ms PEASE** (Lytton—ALP) (3.17 pm): I rise to speak to the Police and Other Legislation (Identity and Biometric Capability) Amendment Bill 2018. The objectives of the bill are to provide a legislative framework to facilitate Queensland's participation in the identity-matching services; remove the requirement to obtain an access approval order for Queensland Police to access Queensland driver's licence digital images for non-transport related offences; remove the requirement for the Department of Transport and Main Roads to report annually to the parliament via the minister on access to Queensland driver's licence digital images; to overcome the current limitations in the Criminal Code in adequately addressing the threat of homemade explosives; and to provide for extended liquor trading arrangements for the 2018 Commonwealth Games.

Identity crime is a significant criminal threat that is estimated to cost Australia \$2.2 billion annually. It is also a key enabler of serious and organised crime such as drug trafficking, money laundering and terrorism. Australians have been convicted of terrorism offences or planning attacks, including purchasing ammunition and chemicals to make explosives and prepaid mobile phones to communicate anonymously and have done so by using false names to avoid detection.

The majority of identity checking currently undertaken in Australia is based on matching names and other biographical details between different sources. Name based checking is vulnerable to identity fraud. It cannot detect instances where criminals, for example, have stolen someone's identification and substituted their own images. Detecting this type of fraud requires the comprehensive matching of facial images.

The Police and Other Legislation (Identity and Biometric Capability) Amendment Bill 2018 makes amendments to the Police Powers and Responsibilities Act 2000 and the Transport Planning and Coordination Act 1994 to remove legislative restrictions on access to Department of Transport and Main Roads images by the Queensland Police Service. Currently, Queensland police officers have direct access to Department of Transport and Main Roads digital photos for the enforcement of transport acts. However, if they are investigating a non-transport related offence they must make an application for a process order under chapter 7 of the Police Powers and Responsibilities Act.

The current position of the law means that the QPS can access Department of Transport and Main Roads digital photos directly if they are investigating a traffic offence, but they must obtain an authority from a justice of the peace before they can access images for an offence like terrorism, murder or robbery. The amendments in the bill will allow the QPS to have access to the Department of Transport and Main Roads digital images in circumstances where one of the permitted purposes, as outlined in clauses 17 and 24 of the bill, exists. The amendments in this bill will not only strengthen the integrity of the use of facial biometrics but also improve access to DTMR images, which will be particularly beneficial to the security operation for the Gold Coast Commonwealth Games and will ensure that the 2018 Gold Coast Commonwealth Games are the best games ever.