




Speech By
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MEMBER FOR NUDGE

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POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LINARD** (Nudgee—ALP) (5.22 pm): I rise to make a contribution to the debate on the Police Powers and Responsibilities and Other Legislation Amendment Bill 2018. There is a clear need to continuously review the powers and responsibilities afforded to our police to ensure that they remain reflective of contemporary practice and are best able to provide the protections our community demands and rightly deserves. The amendments before the House continue that process of continual review and improvement. I note that the committee had one recommendation, that the bill be passed.

As we have already heard, as it currently stands the bill contains amendments primarily focussed on police powers, in addition to three legislative changes to the Corrective Services Act. The primary amendment contained in the bill that has significant operational impact on police is the introduction of the new high-risk missing person search warrant scheme as part of chapter 7 of the Police Powers and Responsibilities Act. During the Legal Affairs and Community Safety Committee hearings, expert testimony from Police Commissioner Ian Stewart outlined just how critical the early stages of a high-risk missing person investigation are for saving lives or determining who may be involved in a disappearance. The bill enhances the ability of police to investigate in the early critical stages by providing the ability to obtain a missing person warrant from a Supreme Court judge or magistrate to enter and search places for a high-risk missing person.

Amendments to police crime scene powers form the second key theme contained in the bill, allowing for the simplification of the definition of a crime scene from primary and secondary crime scenes to a new single definition. The bill will also enable police to apply to a Supreme Court judge or magistrate for an access approval order for a storage device, such as computer or mobile, that has been seized under a crime scene warrant, which is a power identical to existing search warrant powers.

The bill will implement seven legislative amendment recommendations made by the 2011 Crime and Misconduct Commission review of the evade police provisions. Police pursuits have long been a much contested issue across the community. However, the amendments proposed by the bill to require vehicle owners served with an evasion offence notice to provide a range of information, including where they were at the time of the offence and who the potential drivers were, are far from contentious. Rather, they will greatly assist with an issue and, dare I say, loophole that has long frustrated officers and their investigations in this regard.

Additionally, the bill introduces a new offence to deal with a person who assaults or obstructs a civilian watch-house officer; separates the offence of assault or obstruct a police officer into two offences; and introduces a new offence to ensure vehicles subject to a numberplate confiscation notice remain at the address without modification, sale or disposal until the numberplate confiscation notice period ends. The bill contains a number of additional amendments to those I have already mentioned to enhance frontline policing services and community safety. These have been outlined in detail by the speakers before me, so I do not seek to retrace their steps in any more detail now.

However, I would like to provide specific comment on the amendments contained in the bill that relate to the Child Protection (Offender Reporting and Offender Prohibition Order) Act to include 10 Commonwealth sex offences as reportable offences in Queensland. This will mean that persons convicted of offences such as trafficking in children and engaging in sexual intercourse with a young person when the offender is in a position of trust or authority are now rightly captured as reportable sex offenders in Queensland. These amendments are the result of the 2017 joint meeting of Attorneys-General, justice and police ministers as part of the former law, crime and community safety council. That meeting sought to provide uniformity between jurisdictions regarding reportable sex offences.

The bill also includes two additional Queensland Criminal Code offences of administering a child exploitation website and encouraging the use of a child exploitation material website as prescribed internet offences under the Police Powers and Responsibilities Act. Importantly, this means that authorised police will be allowed to inspect the electronic storage devices, such as computers and laptops, of reportable sex offenders convicted of those additional offences. Capturing those two offences as prescribed internet offences ensures that those reportable sex offenders are appropriately monitored within the community.

We know that technology continues to evolve at a rapid rate and that there are those who will always seek to exploit those advances for their own ends. The internet has long provided fertile ground for online child abuse and child exploitation to proliferate practically free from geographical boundaries, but not from limitation. Like many before me, I take this opportunity to acknowledge the outstanding work of Task Force Argos in this regard. I note the figures provided by the minister during his introductory speech that, for the first three months of this year, Task Force Argos was behind the arrest of 251 offenders on 2,853 charges for various crimes, including rape and the possession, making, production and distribution of child exploitation material.

The amendments before us will ensure that our police investigators will continue to have the necessary powers to monitor reportable sex offenders in Queensland. This government and successive Labor state governments before it have always taken every opportunity to strengthen laws to protect our most vulnerable from those who would seek to do irreparable harm.

The additional amendments to be debated as part of this bill in regard to DP(SO)A offenders further strengthen our existing laws, which are the toughest of their kind in the country, to ensure that all offenders who are no longer subject to a dangerous prisoner order and who have committed a reportable offence will be subject to continued monitoring obligations for life and the appropriate constraint of their activities, including living within 200 metres of a school, taking photos of children or using internet platforms primarily aimed at children. This strengthening of laws will provide an added layer of protection for the Queensland community and our most vulnerable and precious. This is a bill worthy of the support of the House. I commend the bill to the House.