




Speech By  
**Hon. Mark Ryan**

**MEMBER FOR MORAYFIELD**

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

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (4.01 pm), in reply: I take the opportunity to thank all members who have made a contribution to this debate. This bill ushers in important legislation that will: facilitate Queensland's participation in identity-matching services made possible under the national facial biometric matching capability; provide a stronger deterrent to those who would harm Queenslanders through the unlawful use of homemade explosives; and boost tourism and hospitality experiences for participants and attendees at the Gold Coast Commonwealth Games by granting an additional hour of post midnight liquor trading to licensed premises in the Broadbeach and Surfers Paradise safe night precincts for the duration of the games.

Identity-matching services will revolutionise the way identity verification is undertaken right across our nation. The capability provides all states and territories access to passport, visa and citizenship images, and it will make driver's licence images available through a common facial recognition system hosted by the Commonwealth on behalf of participating state and territory driver licensing agencies. It will help to protect Queenslanders from identity crime, and it will enable police to stay one step ahead of criminals seeking to exploit any weaknesses they detect in Australia's identity-checking processes.

Identity crime affects one in 20 Australians every year at an estimated cost of \$2.2 billion annually. Even on a population pro rata basis, identity crime is costing Queenslanders \$440 million each year. As we know, identity crime is also a key enabler of organised crime and terrorism. People convicted of terrorist offences in Australia have used fake identities to purchase chemicals to manufacture explosives, ammunition and mobile phones to communicate anonymously.

The identity-matching services incorporate two new biometric face-matching services—the face verification service and the face identification service. The face verification service helps to detect and prevent the use of fake or stolen identities, such as stolen drivers' licences with substituted photos, which would not be detected by most current name based checks. It will also help address weaknesses in background-checking regimes and support field based identity checks at major events, like the Commonwealth Games.

The face identification service will help our law enforcement agencies identify unknown people and detect people using multiple fraudulent identities. The face identification service will also assist police to more quickly identify people during and after terrorist incidents or other major crimes in order to help differentiate between whether they are a perpetrator or an innocent victim. The system will also assist to help identify victims of disasters and to locate missing persons.

As I have previously stated, a range of privacy controls and oversight mechanisms will be built into this capability, and participating agencies must have a lawful basis to access the service. Use of the capability will be constrained through formal data-sharing agreements, informed by independent privacy impact assessments. Furthermore, each agency's use of the services will be audited annually and will be subject to public reporting.

In terms of the amendments to the Liquor Act 1992, I want to make one thing very clear: the Queensland government takes seriously its responsibility to provide a safe environment for the athletes, officials and visitors who are expected for the 2018 Commonwealth Games.

**Mr DEPUTY SPEAKER** (Mr Weir): There is a lot of noise in the chamber. I ask members in the chamber to keep their conversations down or take it outside.

**Mr RYAN:** As one of the largest public events in the state's history, the Commonwealth Games gives rise to a number of security issues that must be addressed, including the risk of alcohol fuelled violence and public disorder in and around licensed premises. With the largest portion of participants and attendees of the Commonwealth Games expected to gather on the Gold Coast, the party atmosphere of Queensland's own glitter strip will offer plenty of opportunities to celebrate this unique and significant event.

The Palaszczuk government has committed to ensuring that the tourism and hospitality industries are able to maximise the economic opportunities afforded by the Commonwealth Games. At the same time, the government has pledged to address the problem of alcohol fuelled violence in and around licensed premises by implementing the evidence based tackling alcohol fuelled violence policy. Accordingly, this bill reflects the government's approach to striking a balance between these vitally important considerations via the Commonwealth Games Extended Trading Hours Authority. The games authority provides for an automatic additional hour of liquor trading during the 2018 Commonwealth Games for Gold Coast safe night precinct licensees. In conjunction with this, the bill provides for appropriate harm minimisation mechanisms consistent with the objects of the Liquor Act and the tackling alcohol fuelled violence policy framework.

I will now take an opportunity to address some of the matters raised by members during this debate. I start by thanking all members who contributed to the debate and for their contribution to the development of this bill. The member for Toowoomba North suggested that there were missed opportunities in relation to the liquor amendments being made for the Commonwealth Games and that the government should have been more receptive to industry suggestions as to liquor trading arrangements. As I have said before, but I will say it again—and the Attorney-General articulated this very well—we want to be very clear that the Palaszczuk government made very deliberate and considered choices as to liquor arrangements for the Commonwealth Games, with the impact on community safety and police resources being primary factors in these determinations. The government intentionally chose not to make any changes to the existing temporary late-night extended hours permit framework.

In 2017, we strengthened this framework, including by reducing the number of permits available from 12 to six in each calendar year. These changes were based on the findings of an interim evaluation report on the operation of the tackling alcohol fuelled violence policy, and they were intended to balance the harm minimisation benefits of limiting late-night liquor service with providing licensees with the opportunity to cater for legitimate late-night special occasions. The government considers the existing permit framework represents an appropriate number of opportunities for licensees to engage in very late-night liquor trading, beyond the hours otherwise allowable on a permanent basis, for the period of the Commonwealth Games. Increasing the number of available permits would expose the community to an increased risk of alcohol related harm.

The government also made a deliberate determination to automatically extend an additional hour of liquor trading only to licensees in the Gold Coast safe night precincts. The games authority automatically grants an additional hour of liquor trading, without the need for an application process or the associated fees. Given this, the government determined the games authority should only apply to licensed premises in the Gold Coast safe night precincts, as these areas will become a particular focus for visitors to the games and already have additional safety measures to address the increased risks associated with the sale of alcohol late at night, such as extra policing, extra transport and ID scanning.

An additional hour of liquor trading has not automatically been granted in other areas of the state, as this could considerably elevate the risk of harm. It would mean a significant increase in the number of high-risk sites open throughout the highest risk times of the night without the scrutiny of an application process to assess particular trading circumstances of the licensed premises. I note that the committee in its report did not want to extend the games authority to areas outside the Gold Coast safe night precincts. Page 13 of the committee's report stated—

The committee considers that the anomalies that would result weigh against adding further areas to the extended hours trading.

However, it is important to remember that licensees throughout the state can still access late-night liquor trading by applying for a temporary late-night extended hours permit. These permits can authorise liquor service up until 5 am. There are up to six of these permits available per premises

per year, all of which can be utilised during the games period if a licensee wishes to do so. These applications are subject to scrutiny by the Office of Liquor and Gaming Regulation, including consideration of comments or objections by the Queensland Police Service.

I note particularly the Attorney-General spoke at length about this particular matter. Hearing those opposite during this debate one would think that that opportunity for licensees across the state did not exist. I feel a bit sorry for those members opposite, who were obviously reading from the set points put together by the member for Toowoomba North, for failing to correctly identify that opportunity for licensees to apply for those extra hours trading through the permit scheme. However, it was not a secret at all, and I think it is important to highlight this. This is something which was highlighted during the committee's hearings and it was in the report—the very public report. In fact, it was in an answer to a question asked by a member of the LNP. The answer was provided by David Ford from the Department of Justice and Attorney-General. He said—

Any licensee within Queensland is entitled to apply for an extended hours permit and that can last until five am. They can apply for an event and the act is quite specific about the sorts of events and circumstances for which they can apply. The Commonwealth Games would meet those criteria.

He went on to say—

Normally you can have only one a month but, because of the nature of the Commonwealth Games, they could have the whole five or six, depending on how many they have left, in that period. In theory, any one of them could trade until five six times, or five times, during the period of the Commonwealth Games. In practice, for most venues, particularly restaurants, they have no interest in doing that anyway.

It was not a secret; it was there in black and white in a public report in response to a question asked in a public hearing.

As noted during my second reading speech, the approach being taken in relation to liquor arrangements for the Commonwealth Games is supported by the Queensland Police Service, as it provides a 'reasonable balance' between tourism and the impact on policing services. I note particularly the comments from the member for Broadwater that there are more than enough policing resources for the Commonwealth Games. I thank the member for Broadwater for acknowledging the hard work that the Queensland Police Service has put in in preparation for these games.

On the issue of police resources, it is important to highlight that the combined might of the Queensland Police Service will also be supported by the Australian Federal Police and the Defence Force as well as tier 1 private security providers during the Commonwealth Games. When we are referring to police resourcing and responding to the member for Broadwater's comments, this large-scale deployment is in stark contrast to what lies ahead beyond the Commonwealth Games for national security. I think it is an appropriate opportunity, because we are talking about police resources, that we highlight the savage cuts that the LNP government in Canberra is inflicting on the Australian Federal Police.

Reports from just a week ago from the recent Senate estimates have highlighted that the Australian Federal Police budget will face a cut of \$137 million in four years time. This builds on more than 253 Australian Federal Police personnel losing their jobs over the last two years. We see those opposite missing in action when it comes to actually supporting police, when it comes to ensuring that their mates in Canberra are appropriately resourcing the Australian Federal Police. In fact, they are missing in action on this. The members opposite need to step up and call on their mates in Canberra to ensure appropriate funding—

**Mr WATTS:** Mr Deputy Speaker, I rise to a point of order. It is a point of relevance. I do not think the minister is being relevant to the long title of the bill.

**Mr RYAN:** Mr Deputy Speaker, on the point of order—I am speaking to the point of order.

**Mr DEPUTY SPEAKER** (Mr Weir): Minister, I would just ask you to stick to—

**Mr RYAN:** On the point of order, I was specifically referring to a comment made by the member for Broadwater about policing resources. I am talking about policing resources.

**Mr DEPUTY SPEAKER:** I would ask the minister to stick to the long title of the bill.

**Mr RYAN:** Those opposite need to step up when it comes to police resourcing and call on their mates to support police right across Australia.

The honourable member for Caloundra raised concerns about the practical, operational use of biometric information, in particular, security and access controls and the use of biometric-matching results as evidence. On the matter of security and access controls, I reiterate that the system does not create a single database of images. Government images will continue to be controlled by the agencies that own those images. This minimises the risk of any data breaches. The Commonwealth has adopted best practice security and access arrangements in accordance with the government's protective

security policy framework and the information security manual. The Commonwealth has also advised that the system will be subjected to independent penetration and vulnerability tests as well as an independent security review by the Australian Signals Directorate. Further, the system will go through the full Information Security Registered Assessors Program certification process, which is the best practice Commonwealth information security assessment.

Concerning the use of biometric matches as evidence, I assure the member for Caloundra and all members of the House that the results produced by the identity-matching services are simply a probability match; they are not intended to be used as conclusive evidence. Queensland identity information can only be shared with an entity with whom Queensland has a participation agreement. This agreement is implemented through system controls.

In terms of the use of the capability by the QPS, I point out that Queensland Police Service staff are already subject to a rigorous statutory framework that governs improper disclosure. Specifically, the Police Service Administration Act provides offences for the unlawful disclosure of information that has come to the officer's knowledge through the exercise or use of any power. Depending on the individual circumstances of the disclosure, the officer may also be dealt with for misconduct in relation to public office or computer hacking under the Criminal Code. Additionally, an authorisation regime will be developed for Queensland Police Service staff access to the identity-matching services. Access to the face identification component of that service will be limited to specific and appropriately trained individuals. Access by these authorised staff will be auditable through the IT system, and any access or disclosure breaches would be dealt with through internal discipline processes or criminal charges, if appropriate.

Regarding the use of results returned by the identity-matching services as evidence of proof of identity, again I assure the member for Caloundra that the results are a probability match and are not intended to be used as definitive evidence of identity. In that context, this capability is just another tool that will enable our police, in combination with other existing tools and methodologies, to more accurately target their investigations.

In combination, the various provisions contained in the bill to amend police legislation, transport legislation, and the Criminal Code are all, first and foremost, aimed at protecting the Queensland community from harm. Again, I thank all members for their contributions to this debate. Collectively, the provisions contained in this bill to amend police legislation, transport legislation and the Criminal Code are about making our community a safer place. This is undeniably the first responsibility of our government, the Palaszczuk government, and we place great importance on it.

Finally, the amendments to the Liquor Act 1992 represent a balanced approach to facilitating a vibrant and safe night-life during the Commonwealth Games without compromising the tackling alcohol fuelled violence policy framework. I again commend the bill to the House.