




Speech By  
**Hon. Mark Ryan**

**MEMBER FOR MORAYFIELD**

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Record of Proceedings, 18 September 2018

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

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (8.25 pm), in reply: I start by thanking all members who have made a contribution to the debate on the Police Powers and Responsibilities and Other Legislation Amendment Bill 2018. This bill contains diverse amendments of an important and innovative nature that will positively impact police investigations and provide an added layer of safety to the Queensland community. I will now address some of the specific issues raised by members during the debate. I must start by acknowledging the comments made by those opposite from the scripts that were handed out to them during today's debate.

Labor does talk tough on this issue. We talk tough on this issue because we take tough action on it. This government has taken a tough approach to reportable offenders who are no longer subject to extended detention or supervision under the Dangerous Prisoners (Sexual Offenders) Act 2003. These offenders will automatically become reportable offenders under the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004. They will be obliged to report for the rest of their lives.

The Police Commissioner will be able to apply to the court for an offender prohibition order that places tough restrictive conditions upon a relevant sexual offender. These conditions include, amongst other things, GPS tracking and a requirement to reside at a particular residence and to comply with other conditions the court considers necessary. This government is delivering uncompromising laws that are designed to withstand constitutional scrutiny. The opposition have done nothing more during this debate than haphazardly put together a proposal to extend the operation of the Dangerous Prisoners (Sexual Offenders) Act 2003.

Under their proposal, the Governor in Council will be able to release a prisoner if satisfied the prisoner is no longer a serious danger to the community. What happens after that? The offender will transition from strict supervision to nothing at all. I reiterate that under our proposal, under this government's changes, reportable offenders will be required to report for life. Our proposed changes will provide a step-down regime that is appropriate for an offender who the Supreme Court has determined should not continue their extended detention or supervision order.

As a part of this regime, the conditions on these offenders will be tougher than those for existing reportable offenders. If this new cohort of offender places one foot out of line, they will be liable to harsh penalties. For instance, a failure to report a change of residence within 24 hours of that change will be a breach of reporting conditions and that offender will face up to five years imprisonment. Likewise, if an offender who is no longer subject to a dangerous prisoner order does not make an initial report to the Police Commissioner within 24 hours, they too will face up to five years in jail.

The honesty system to which the opposition refers is a fallacy. It is clear there will be no margin for error under our stringent reporting conditions. With offender prohibition orders, the meaning of 'concerning conduct' will be broadened to include risks to the safety or wellbeing of one or more children. An important point to make here, an important point which has not been taken on board by those opposite about concerning conduct, is that it includes conduct that has occurred at any time.

It is simply wrong, as some members of the opposition have stated, that the Police Commissioner will be required to wait until an offender engages in some further act of concerning conduct. The concerning conduct can be conduct that has occurred at any time. It is completely wrong to say they will have to commit an offence against a child to qualify their conduct as concerning. Again I say: the concerning conduct incorporated in this act is conduct that has occurred at any time.

The opposition also made a number of points about what their laws would do. What would their laws do? Well, their laws would probably be invalid. They would probably breach constitutional principles. They would probably be an exercise in futility. To quote the current Leader of the Opposition, they 'coulda, shoulda' made them better. Under Labor we have the strongest, toughest, most comprehensive serious and organised crime laws in the nation. We have a proven and strong track record on laws to keep Queenslanders safe; laws that meet community needs; laws that are well considered and sensible; laws that are workable. The LNP has 'thought bubble' laws—here one minute and gone the next—bubbles burst by court challenges.

I will take this opportunity to point out comments by the member for Toowoomba North which I find appalling. In his contribution he said that police will not be able to manage this type of offender appropriately. That is an insult to the collective will of our more than 11,800 police officers who work hard day in, day out to keep Queenslanders safe. The Police Commissioner himself has expressed gratitude that this government will provide extra resources to police to support their surveillance, monitoring and enforcement activities.

Our changes mean that the Queensland community can be assured that child sex offenders will always remain under scrutiny. Under Labor, there are more police in Queensland than ever before. The current Leader of the Opposition claims that when the LNP were in government they gave police the tools to fight crime. That is not correct. The LNP did not fund crucial crime-fighting tools like body worn video cameras. The previous LNP government made police buy their own. This government will provide funding to the Queensland Police Service to provide extra resources for surveillance and enforcement operations in relation to the offenders caught by these amendments. Every implication has been examined to ensure these significant laws will be backed by stringent enforcement.

Tonight I must defend the reputation of the 600-plus police officers who form the Road Policing Command in Queensland. Tonight their reputations were impugned by the current Leader of the Opposition. Tonight their ability, their integrity, their professionalism and their reputation as enforcers of the law in Queensland were called into question by the Leader of the Opposition. The Leader of the Opposition's derogatory comments about those 600-plus officers in the Road Policing Command will be forever preserved in today's *Hansard*. Tonight I call on the Leader of the Opposition to publicly apologise for her demeaning and denigrating comments.

It should not be forgotten that this bill delivers a range of improvements to areas of police investigations that are complex in nature. The Queensland community should feel comforted by the high-risk missing person powers that will give police the ability to search for information in the critical early stages of a missing person investigation. The community should also feel comforted by the evade police provisions that will place a strong onus on the owner of a vehicle to help police with their investigations. Anyone who owns a motor vehicle should appreciate and accept their inherent responsibility and accountability for keeping the roads of our state safe. The expansion of police powers to require password or encryption information to gain access to electronic devices is entirely appropriate for crime scene offences. Evidence found on electronic devices can be as crucial as finding fingerprints or DNA.

The amendments to be proposed during consideration in detail further strengthen laws against the worst offenders in this state. These are offenders who fall under the purview of the Dangerous Prisoners (Sexual Offenders) Act 2003. These are offenders who have committed serious violent and sexual offences against children. Any of these offenders who have at any time committed a reportable offence against a child and who conclude an order under the dangerous prisoner legislation will now have reporting obligations and conditions under our child protection legislation for the rest of their lives.

I take this opportunity to thank the very dedicated staff who have worked tirelessly in the development of this bill and the amendments for many weeks. This includes staff from the Queensland Police Service, the Department of Justice and Attorney-General, the Department of the Premier and

Cabinet, the Parole Board Queensland, and Queensland Corrective Services. I want to especially thank those officers who are here today for this bill. They have worked very hard and they should be specifically commended for their efforts. I thank Senior Sergeant Ian Carroll, Senior Sergeant Andrea Reeves, Senior Sergeant David Flynn, Senior Sergeant John Henderson, Senior Sergeant Joe Leyendecker, Inspector Leonie Steyger, Inspector Adam Bambling, Paul Friedman of the Queensland Police Service and Kate Petrie of Queensland Corrective Services. They have worked on this bill for a long time and these amendments for many weeks. They are to be commended for their efforts.

This government will not take a backward step when it comes to the protection of children and the wider community in this state. I am heartened that this bill and its bold initiatives will assist police in their complex investigations and provide peace of mind to the great people of this state. I commend the bill to the House.