




Speech By
Nikki Boyd

MEMBER FOR PINE RIVERS

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

 **Ms BOYD** (Pine Rivers—ALP) (12.42 pm): Mr Deputy Speaker, I would like to congratulate you on your appointment to the role of Deputy Speaker in the 56th Parliament. I am sure you will do a fantastic job in that role.

I rise to make a brief contribution on the Police and Other Legislation (Identity and Biometric Capability) Amendment Bill 2018. In doing so, I acknowledge the good work that the committee has done in this space. I acknowledge the bodies that made submissions and provided assistance to the committee along the way—the Queensland Police Service, the Office of Liquor and Gaming Regulation and the Office of Fair Trading from the Department of Justice and Attorney-General and the Transport Regulation Branch from the Department of Transport and Main. I also acknowledge the witnesses who attended the public hearing—the Queensland Law Society, the Queensland Hotels Association and the Office of the Information Commissioner.

It is interesting looking at the composition of the Legal Affairs and Community Safety Committee to note that there are so many new members on the committee. I congratulate the chair and his team of new members—the member for Southern Downs, the member for Mirani, the member for Lockyer, the member for Macalister and the member Mansfield. I appreciate that many of them have not had the opportunity to make their first speech in this place and perhaps this will not be the opportunity to do that. I acknowledge the contribution the member for Southern Downs made immediately preceding me.

My next-door neighbour in the chamber, the member for Lockyer, moments ago actually offered to write my speech for me. It was an offer that I certainly declined. I told him that the trust between us had not quite been built to the level where I think it would be good to rely on his notes. Having listened to the contributions from the member for Southern Downs and the member for Broadwater and having read the statement of reservation, I think I made the right choice.

I will be very interested to read back through the transcript because it seems as though the member for Broadwater almost did a total rewrite of the policy that the LNP has around alcohol fuelled violence. He attacked the policy that he supported as a previous LNP member in this place. He also attacked the researchers who do so much good work in providing us with information on which to make informed and sensible decisions.

For every extra hour into the evening or early morning that we have patrons in our establishments we know there is an increased risk. We know that through decreasing hours we alleviate that risk. To hear that brought into question today by the member for Broadwater and for him to seemingly rewrite the policy that the LNP has around alcohol fuelled violence, I found, as a previous committee member of the Legal Affairs and Community Safety Committee, to be really quite alarming.

For the rest of my contribution I will speak to the safeguards in this bill. I find when I am out in the community talking to people about legislation such as this before the House that a lot of questions come up. There are a lot of questions about privacy and about the innate and intricate operation of bills like this.

I will talk about the safeguards that surround the elements of this bill and how they will play out practically. Facial biometrics matching is not a capability that will be used for the passive surveillance of people in public places. I had a situation earlier in the last term of government—I cannot remember exactly which year—where my local council was actually looking to put in place CCTV cameras with listening capability. People were certainly concerned about the ability to increase the operational capability and methodologies in this space.

The facial biometrics matching in this bill will not be used for the passive surveillance of people in public places. The bill allows for the use of identity matching only for permitted purposes that are consistent with those listed in the intergovernmental agreement signed off by the Prime Minister and the state and territory leaders. That has already been mentioned by others in this House.

The specific permitted purposes are: the prevention, detection, investigation and prosecution of identity crime and other offences against state and Commonwealth law; national security related investigations and intelligence gathering; the security of participating agencies' assets or personnel; identifying individuals who are at risk or who have experienced physical harm; improving road safety; and verifying an individual's identity with consent or as authorised by the law. The capability is a single transaction query and response system and its use is contingent on meeting one of the permitted purposes that I have just outlined. The bill also creates a specific offence provision in the Transport Planning and Coordination Act for the misuse of the information of the Department of Transport and Main Roads. I think that is an essential component of the bill.

Additionally, the policy regime that will frame the use of the capability will provide stringent privacy safeguards including the development of participation agreements that will commit participating agencies to clear guidelines with respect to their use of the capability; a requirement to undertake independent privacy impact assessments designed to ensure any potential privacy issues are identified and addressed; training regimes for staff using the capability; and auditing requirements.

Further, the Australian government's proposed legislation, the Identity-matching Services Bill 2018, creates a framework for privacy safeguards at the Commonwealth level including constraining the use of the capability to specific purposes that are designed in a substantially similar way to clauses 17 and 24 of the Queensland bill; the creation of an offence provision for the unauthorised disclosure or recording of information from the interoperability hub; reporting requirements on the use of the capability; a requirement for the responsible Commonwealth minister to consult the Information Commissioner and the Human Rights Commissioner where there is an intention to expand the identity-matching services by way of a statutory agreement; and a mandatory five-year review of the capability. I note that many contributions to the House thus far have picked up on that and the intention for this bill that is now before the House to have a two-year review on commencement.

In closing, I would like to commend the committee on their good work, particularly with the tight time frames around this. It is essential for us leading into the Commonwealth Games that we have a fantastic experience for local Queenslanders, for Australians and for those wonderful international visitors who will be coming along and enjoying the games spectacular. I would like to thank the committee for their work and also the ministers and departments for their work on this bill.