




Speech By  
**Charis Mullen**

**MEMBER FOR JORDAN**

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**POLICE SERVICE ADMINISTRATION (DISCIPLINE REFORM) AND OTHER  
LEGISLATION AMENDMENT BILL**

 **Mrs MULLEN** (Jordan—ALP) (11.19 am): I am pleased to make a contribution to the Police Service Administration (Discipline Reform) and Other Legislation Amendment Bill 2019. The tabling of the Fitzgerald inquiry report into the Queensland parliament 30 years ago was a defining moment not only in Queensland's political history, but in the evolution of the Queensland police force. This legislation marks another defining moment, bringing with it major structural changes to police discipline practices designed to correct, instruct and improve officer behaviour.

We know that the majority of our police officers perform their duties professionally, with integrity and with honesty. However, as we learnt 30 years ago, we cannot always rely on this and we need to ensure that we have a police discipline system that is robust and provides the Queensland public and police with confidence. It also speaks to the changing and agile nature of policing with new technologies playing an important monitoring role. In fact, our government's commitment to roll out body worn cameras to all officers is a crucial element in providing certainty to the public and to the police force when incidents arise.

There are a range of amendments in this bill to improve key facets of the police discipline system, including reducing the delays in finalising discipline investigations, modernising the disciplinary sanctions that may be imposed upon a subject officer, formalising the role and range of management strategies available as part of that discipline process and addressing review provisions that apply to the CCC. It is on this last part that I will primarily focus my contribution.

As a member for the Parliamentary Crime and Corruption Committee, I understand and support the role of the CCC as the oversight body in the police discipline system. As we commemorate the 30th anniversary of the tabling of the Fitzgerald inquiry report this year we must be ever vigilant to ensure we never return to those dark days. Thirty years ago Queensland was a different place and the tentacles of corruption and police misconduct had spread through parts of the old QPS. The Queensland Police Service has strengthened its systems and processes, resulting in a modern and professional crime-fighting agency.

The bill does not seek to alter the role of the CCC as an oversight body in this police discipline system. The Crime and Corruption Act provides that the commissioner has primary responsibility for dealing with complaints about police misconduct. However, this is subject to the monitoring role of the CCC, whereby the CCC can overview the progress of police investigations into disciplinary matters and their outcomes, issue guidelines, review and audit the handling of complaints and require the QPS to report to the CCC about an investigation. Furthermore, the CCC can also assume responsibility for and complete investigations into police misconduct.

Currently, there are two different avenues for review of a disciplinary decision dependent on whether the offending conduct is considered to be misconduct or a breach of discipline. This bill will remove the artificial distinctions between these two types of conduct, which will assist in simplifying the police discipline systems, as the ability to review a decision or the sanction imposed for improper conduct will not be dependent on the categorisation of behaviour.

The bill will also allow the CCC to apply for review of QPS decisions not to institute disciplinary proceedings against an officer, which implements recommendation 15 of the Parliamentary Crime and Corruption Committee report No. 97, which was tabled in parliament in June 2016. Furthermore, the CCC will also obtain the ability to apply for review of disciplinary decisions in relation to any grounds for disciplinary action, ensuring the QPS is not mishandling matters that should be dealt with as misconduct. This will enhance the oversight and monitoring functions of the CCC by ensuring the QPS investigates misconduct appropriately. These changes also mean the ability of the CCC to apply for review of a decision will no longer be determined by whether the matter was classified as misconduct by the prescribed officer.

The modernised and more efficient discipline system has been the subject of detailed consultation by the Queensland Police Service and the Crime and Corruption Commission and has the support of all parties, including the Queensland Police Commissioned Officers' Union of Employees and the Queensland Police Union of Employees. This is a very important thing as cultural change must be supported from the ground up.

One of the key areas of focus for the CCC, as highlighted in their most recent public report released on 23 August, has been to collaborate with key stakeholders to implement and monitor this program of reform of the police complaints and discipline system. An interesting area of work has been the establishment of a joint assessment and moderation committee which includes representatives from the CCC and the Ethical Standards Command. This committee reviews how serious complaints are triaged and monitored and aims to improve the timeliness and consistency in approach when the QPS investigates complaints against its own officers.

A second tier of the JAMC is the investigation consultation process which focuses on those matters which are the subject of the CCC's statutory monitoring function. As indicated by the CCC in their report, this process allows matters to be nominated by the CCC or the QPS and topics for discussion may include opportunities for collaboration between the parties. It also allows the QPS to raise issues that have arisen in the course of an investigation that may be contentious or that impact on resources and the CCC can make clear its expectations regarding investigations and outcomes. The CCC reports that the ICP meetings reduce the time delay between tasking and action which results in the timely investigation of matters.

We know that a common complaint of the police discipline system has been the time taken to investigate and finalise matters. This impacts not only the complainant but also the subject officer involved. The bill establishes time frames for the institution of discipline proceedings and the finalisation of investigations, and also introduces an abbreviated disciplinary process which expedites investigations into matters that are simple or not in dispute.

Technological advances are also aiding investigations into police discipline, with body worn cameras providing an impartial record of events and interactions. The clarity of real-time footage can not only facilitate a quicker resolution of criminal investigations but also provide police officers and the public with confidence that evidence is being recorded without prejudice. I was pleased by the minister's announcement earlier this year that a new contract arrangement will mean all uniformed, first-responder officers will have body worn cameras. The Queensland Police Service was the first policing agency in the Asia-Pacific to implement a body worn camera regime and this early adoption of technology plays a vital role in the way police operate on a daily basis.

Thirty years ago the Fitzgerald inquiry was a watershed in the state's history, ushering in a new era of accountability and oversight that has resulted in the Queensland Police Service now being held in higher regard by the Queensland community, but we must be ever vigilant. This important bill before us supports a strong culture of continued transparency and integrity for the Queensland Police Service. I commend the bill to the House.