




Speech By  
**Corrine McMillan**

**MEMBER FOR MANSFIELD**

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

 **Ms McMILLAN** (Mansfield—ALP) (6.22 pm): I stand before the House tonight to make my contribution to the Police Service Administration (Discipline Reform) and Other Legislation Amendment Bill 2019. This bill is the product of the government's commitment in the 2015 election to review the police complaints system and implement a new disciplinary system which ensures accountability and fairness for both police officers and the public. I commend the Palaszczuk government for fulfilling their promise by consulting with the Crime and Corruption Commission, the Queensland Police Commissioned Officers' Union of Employees and the Queensland Police Union to present much needed reforms to current legislation. I would also like to pay tribute to the chair of the CCC, Mr Alan MacSporran, for his leadership in spearheading the review of the police discipline system with the aforementioned stakeholders.

The police bill will reform several pieces of legislation. However, I will make comments specifically to the amendments to the Crime and Corruption Act and the Police Service Administration Act. Before I make these comments, I would firstly like to state that the vast majority—the overwhelming majority—of Queensland police officers perform their duties with honesty and integrity. However, there are some instances—the same as any occupation—where police officers fall short of these standards and do not meet the expectations of our communities. For an occupation which deals with the safety and wellbeing of Queensland's citizens, it is imperative that we have in place a robust police discipline system should a police officer breach their duties. Without a comprehensive and effective police discipline system, confidence in our police service risks becoming eroded.

Initially, the police bill will amend the Crime and Corruption Act by removing the artificial distinctions of 'misconduct' and 'breach of discipline' and replacing these categories with a new term 'ground for disciplinary action'. Currently, an officer or the CCC can only apply for review of a disciplinary decision made by the QPS in relation to an allegation of 'misconduct' and not a 'breach of discipline'. The removal of these artificial distinctions will assist in simplifying the police discipline system, as the ability to review a decision will no longer be based upon the categorisation of behaviour.

Consequently, if an officer or the CCC believes that a decision related to a breach of discipline by the QPS was made incorrectly, they have the right to review the facts and make a fair and informed decision. This amendment aims to address the differing opinions of QPS and the CCC through appropriate review mechanisms which will address any discrepancy in decisions. Furthermore, the police bill will allow for the imposition of sanctions that are commensurate with the seriousness of the allegation. In allowing this, the police bill will ensure strict discipline policies are in place, as a breach of the public's confidence should be dealt with accordingly.

In addition to this, the police bill will introduce a modernised police discipline system through the insertion of a new part 7 into the Police Service Administration Act. This discipline system will apply to officers, including police officers and new police recruits. Part 7 ensures that procedural fairness considerations are observed while establishing an efficient and transparent framework. This will be

achieved through, firstly, new part 7.1(a), including the phrase 'rehabilitating and, if necessary, disciplining officers'. As a result, the new section clearly implies that the new police discipline system is not purely focused on retributive sanctions against officers where the error or misbehaviour can be corrected by alternative or more constructive measures.

Also, where the necessity arises to impose a sanction against an officer, the police bill will allow this either on its own or in combination with a professional development strategy. This reform is designed to address a general lack of public and officer confidence towards the police discipline system, so much so that new section 7.1(b) expressly states this.

Another significant reform within the police bill is new section 7.44 which specifically allows the commissioner to create guidelines in relation to the disciplinary process, including how disciplinary proceedings are to be conducted. This reform is significant as it ensures fairness for officers whilst upholding the public's confidence by requiring the commissioner to actively consult with the chairperson of the CCC and each officer's representative unions before making any guidelines. It is extremely vital to the Palaszczuk government that our police officers feel comfortable and content with their discipline system, as this will reflect in the performance of their duties and of course police morale. Similarly, with robust and informed discipline policies being put forth by the commissioner, the public's confidence will also be maintained.

Once again, I congratulate the government for committing to their election promise to reform the police discipline system through the introduction of this bill. It is well known that our police officers act with the utmost respect for the community. However, it is important that our legislative framework contains safeguards to ensure the police discipline system is robust yet fair. Through the bill's amendments—specifically, those that I have outlined—I am confident that the police bill will address the lack of consistency in decisions, as well as the general lack of public and officer confidence. I commend this bill to the House.