



Speech By
Linus Power

MEMBER FOR LOGAN

Record of Proceedings, 16 October 2019

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

 **Mr POWER** (Logan—ALP) (6.49 pm): I recognise the member for Broadwater. Although that was a very superficial view of some of the elements of the bill, he said one very important thing relating to his friend who faced a disciplinary process that brought uncertainty for a considerable amount of time. Whether a police officer is cleared, as was the case for the friend of the member for Broadwater, or is found to require some form of disciplinary action, if the process takes an inordinate amount of time it represents a great cost. The cost is not only a personal cost to the officer involved—we do not wish to have unnecessary personal cost—but also a great cost to the community if sworn officers, who have so much training and have so much to offer our society, are held up and not given the opportunity to protect and serve the people of Queensland.

As chair of the Economics and Governance Committee I report to the House that, after considering all of the information, the Economics and Governance Committee recommended that the bill be passed. We recognise that police officers work so hard to keep us safe and enforce the laws we make in this place. They often do so under extreme difficulty and face dangerous and stressful situations. During the last sittings the police minister said that when enforcing our laws against arson—that is, in the midst of bushfires and the stress they placed on officers—police were attempting to arrest a suspect when they were rammed and had to unfortunately draw their weapons. I respect the ex-serving police officers who are now members in this place. I cannot imagine the stress that this kind of assault by a dangerous suspect would put on me if that were part of my daily working life.

When sworn officers don their uniform each day, they do not know whether they will have a callout to a dangerous situation involving a potentially dangerous criminal. We recognise that there is enormous stress on police officers and there is capacity for them to not be their best selves. In light of this stress and uncertainty we recognise, as the police union has said, that officers can make mistakes. Sometimes serious mistakes are made that undermine the strong confidence Queenslanders now have in our Police Service. Before 1989 many Queenslanders did not have full confidence in the police or the disciplinary process. We needed to make changes to transform the professionalism of the Police Service, to restore confidence and integrity. We needed a professional Police Service.

Recently in parliament we recognised the 30th anniversary of the Fitzgerald inquiry that began a transformation in our state. However, this transformation was not without cost. As has been outlined by a number of speakers, that process took considerable time and that cost the people of Queensland in a few ways. There was a time cost in investigating and preparing for a drawn-out, adversarial process. It cost Queenslanders because the officers, even if they had made a mistake, were in a situation of stress. The Queensland Police Union said that in some cases police faced years of uncertainty. This has to have a negative impact not just on the individual but also on their partner and family, who would no doubt share some of this stress. As the union pointed out, there is a significant cost to train a new police officer. The very process that fails to improve performance and skills holds them back unnecessarily from the front line. That, too, is a cost to Queenslanders. The police department, the

union and the Crime and Corruption Commission, together with the minister, have been consulting on a new system of police discipline. The union stated that the new system is not a return to the pre-Fitzgerald era.

After the introduction of the bill on 13 February and the CLA's referral, the Economics and Governance Committee had a briefing from the department and then called for submissions. By way of background to the bill, issues included a general lack of public and officer confidence in the current discipline system; unnecessarily lengthy time frames to investigate and resolve complaints; sanctions being outdated and in some cases punitive but limited in range; the overly adversarial and legalistic nature of proceedings; a perceived lack of consistency in decisions in one officer's case compared to another; and sometimes differing opinions of the QPS and the CCC in relation to directions or appropriate sanctions, as evidenced by the CCC's applications for the review of QPS decisions.

The committee took submissions. We contacted 60 key stakeholder organisations. There was a very limited number of submissions, but I think that is an indication of the balance this bill struck. The committee also received a written briefing. We saw that the objectives were to restore confidence in the QPS; to provide efficiencies in the investigation system; to educate officers and to give, in a modern human resources sense, some guidance to make a difference in their performance; and, if necessary, to suitably discipline officers. The QPS advised the committee that the bill represents the culmination of years of effort. Mr MacSporran of the CCC said—

Everyone to their credit immediately agreed that it was an important reform that needed to be progressed and we then formed a smaller subcommittee and started to work through the issues.

Stakeholders from the Aboriginal and Torres Strait Islander Legal Service, the Bar Association, the CCC, the Queensland Council of Civil Liberties, the Queensland Law Society, the Queensland Police Union of Employees and the officers' union all brought forth their opinions on the bill which we took into account. We ended up with a bill that seeks to modernise and expand the range of disciplinary sanctions and formalise the role of professional development strategies. Instead of an adversarial system in which a police officer who had made a mistake was effectively prosecuted for the mistake they had made and the union was in the trenches defending them, there will be opportunities for professional development and a much more managerial system. Time frames are introduced to ensure fewer delays in the system. There is also the introduction of the abbreviated discipline process that so many members have spoken about. A central disciplinary unit will be created. Instead of an officer directing a particular area having disciplinary responsibility as well as managerial responsibility, a specialised unit will have responsibility.

In relation to the process of developing this legislation—I think this gives guidance for the development of any bill—Mr MacSporran said—

I have nothing but praise for all of those stakeholders who participated because at no stage was there ever a show-stopping problem that could not be solved.

It seems that all of those people came together with an incredibly positive way of addressing this issue. New part 7 provides for a system of guiding, correcting, rehabilitating and, if necessary, disciplining officers.

I was disappointed to note that the member for Toowoomba North was surprised by the amendments being moved. The committee had correspondence that outlined and flagged both the reasons for those amendments and the process that was ongoing plus correspondence from the minister that highlighted that. This was a very transparent process.

I recognise that we have fantastic police who deal with these struggles of discipline in my local area. I mention Senior Sergeant Nathan Booth of the brand-new police station in Yarrabilba—I thank the minister for being there for the opening; Senior Sergeant Peter Waugh of Jimboomba police; and Senior Sergeant Shane Clarke, who is acting at the BP police. He always does a fantastic job. I value the role police officers play to ensure the safety of Queenslanders and to enforce our laws. I am pleased that we will have a process that is less adversarial and results in better management and better outcomes for our state.