




Speech By  
**Peter Russo**  
MEMBER FOR TOOHEY

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### SUMMARY OFFENCES AND OTHER LEGISLATION AMENDMENT BILL

 **Mr RUSSO** (Toohey—ALP) (2.26 pm): A lot of debate has occurred about this legislation and I have received emails and phone calls to my electorate office regarding this piece of legislation—some people for and some against. I have also had discussions with colleagues and some branch members. There is one theme that was common in the suggestions received for and against the strengthening of these laws. That is that people were concerned that the amendments would stop lawful protests and that there would be a return to the bad old days of Bjelke-Petersen. These laws do not make it illegal to conduct lawful protests. There is a mechanism for lawful protests already enshrined in our law and these laws do not alter that right.

Some of those who contacted my electorate office expressed concern about being disrupted from getting to appointments or to work because the recent protests in the city caused major distribution to commuters trying to get into the city. I was one of those unfortunate commuters trying to get into the city one morning to attend a meeting at Parliament House about this very piece of legislation, ironic as that may seem. I believe it was Extinction Rebellion day. One thing that everyone seems to agree on in relation to these amendments is that the health and safety of our emergency services workers—our police, fireys and paramedics—is paramount and they should not be put in harm's way as a result of the acts of some protesters who when asked to cooperate and remove the lock-on device by an authorised officers refuse that lawful request and then our emergency services workers, be they police or otherwise, have to undertake what could only be described by any sane person as an inherently dangerous exercise for both the emergency services worker and the protester.

I will now deal with the devices that the legislation will make it unlawful to be in possession of. I intend dealing with the photographs and descriptions of the attachment devices that were provided to the committee by the Queensland police at its hearing. These photographs are at appendix C of the committee's report. Exhibit A showed a glass sleeve inside a steel encasement. Exhibit B showed a 44-gallon drum, referred to as a dragon's den, with steel and iron and four-strand twisted wire rope encased in the cement. Exhibit C is similar to the description of exhibit A and is part of a series of photographs which are exhibits D, E, F, G and K.

All of these photographs show heavy-duty steel rope, bolts, strands of wire, steel rods, iron bars and metal. While these objects on their own do not present any danger to either emergency services workers or protesters, a 44-gallon drum encased in cement sitting on a railway line does pose an immediate danger not only to the train drivers but also to the protester and the emergency services worker who has to remove the drum from the rail line.

The idea of inserting objects into drums is to slow down the removal of these items from the demonstration site. The danger is that if the equipment being used to remove the item and the protester from the demonstration site comes into contact with the hidden piece of steel then there is the potential to cause serious injury not only to the emergency services worker but also to the protester.

There was an assertion by some submitters that locking devices did not contain traps or dangerous substances and that it had not been substantiated by evidence given to the committee. The description and photographs of the devices that I have referred to in this debate should put that assertion to rest, in my view.

I will now discuss the inquiry process for the Summary Offences and Other Legislation Amendment Bill. The Summary Offences and Other Legislation Amendment Bill was introduced into the Legislative Assembly by the minister on 19 September and referred to the committee on the same day. On 20 September the committee invited stakeholders and subscribers to make written submissions on the bill. As at the tabling date of the report, 212 submissions had been received. However, I do believe there were some late submissions that have since been published on the committee's webpage.

It is fair to say that not all submitters were in favour of the amendments. Even if you were to take the form submissions, there is a view amongst the public and unions that these amendments are unnecessary and threaten the right to protest in Queensland. I also had to grapple with the question as to whether the amendments were an overreach and whether there is sufficient legislation in place to allow the police to seize the devices before they are deployed.

The question that I asked myself and was asked of me was: what is the alternative? I have been unable to come up with an answer to this question. Time will be the judge as to whether these laws were necessary, but in my view doing absolutely nothing is not available to us in the present climate and with the aggressive tactics that are being used by activists and protesters.

The policy objectives of the bill are to introduce two new offences to address the use of a dangerous attachment device to disrupt lawful activities and to authorise police officers to search a person or vehicle without warrant in relation to dangerous attachment devices and allow police officers to deactivate, disassemble or seize, and dispose of, dangerous attachment devices.

I will now deal with the issue of the truncated time frame for reporting. On 9 October the Minister for Police and Minister for Corrective Services proposed that the date for reporting on the bill be brought forward from 4 November to 21 October. The minister outlined in his letter to the committee that the reason for this truncated hearing process was the safety concern and the minister advised the committee that to bring its hearing forward would be desirable.

I will now deal with the examination of the bill. The main purpose of the bill is to deter people from using dangerous attachment devices that endanger themselves, emergency services workers and members of the public and to assist police officers in minimising the disruption caused to the community through the employment of these devices. It was noted that to achieve these objectives the bill we were examining proposes to amend the following pieces of legislation: the Summary Offences Act, the Police Powers and Responsibilities Act and the State Penalties Enforcement Regulation.

The bill proposes to amend the Summary Offences Act to introduce offences for the use of dangerous attachment devices. The bill defines an 'attachment device' as a device that reasonably appears to be constructed or modified to anchor a person at a place or to a thing so that the person can resist being safely removed from the place or thing. None of the following items by themselves are an attachment device: glue, a bike lock, a padlock, a rope or a chain.

The bill provides a further definition of a 'dangerous attachment device' to mean an attachment device that reasonably appears to be constructed or modified to cause injury to a person who attempts to interfere with the device or reasonably appears to be constructed or modified to cause injury to a person if another person interferes with the device or incorporates a dangerous substance or thing, such as asbestos or poison. A sleeping dragon, dragon's den, monopole and tripod are each a dangerous attachment device.

A sleeping dragon is an anchor point for a person to hold or to which a person's hand can be bound or locked and a casing that shields the person's hand or the binding or lock from being released by another person. An example would be two large steel pipes welded at an angle with a thick pin fixed in the centre. The bill proposes that a device is a dangerous device regardless of whether persons using the device can release themselves from it or the device would automatically deactivate or release itself after a period or protective clothing or other shielding would prevent injury to any person.

*(Time expired)*