




Speech By
Daniel Purdie

MEMBER FOR NINDERRY

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**POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION
AMENDMENT BILL**

 **Mr PURDIE** (Ninderry—LNP) (6.12 pm): I rise to speak on the Police Powers and Responsibilities and Other Legislation Amendment Bill 2019. This bill is the culmination of a range of amendments to existing pieces of legislation that seek to create efficiencies for the Queensland Police Service and increase community safety. The most significant reforms include the power of law enforcement to access information on cloud services and to tighten weapon control as it relates to the sale and purchase of modified weapons. I am pleased to be informed that the government has removed earlier proposed changes to the Prostitution Act, particularly around clause 60.

It is well known that child sex offenders, drug dealers and perpetrators of other serious crimes often—and increasingly—conceal evidence of their offences on electronic devices like computers or mobile phones. Under current laws police have access to information stored on these devices. However, courtesy of the restricted meaning and interpretation of the word ‘stored’, these powers do not extend to lawfully accessing information that exists in cloud services. As a result this is hampering police investigations and the ability to prosecute offenders. The proposed amendment will ensure that evidence of crimes, including homicide, sexual offences, drug trafficking, child abuse, cybercrime such as fraud and revenge pornography, and terrorism related offences, cannot be concealed. Offenders are using ever changing, complex technologies and platforms to manage and promote their criminal activities. The Police Powers and Responsibilities and Other Legislation Amendment Bill 2019 will at last give Queensland Police the powers they urgently need to keep up with them and help deliver justice.

The Queensland Law Society submitted—and I do not necessarily agree—to the committee that this bill grants police officers extraordinarily broad powers to pry into the private affairs of people who are not suspected of committing any offence. This bill also proposes amendments to the Domestic and Family Violence Protection Act that close another gap affecting police operations. Unlike persons who have been detained, police are not able to search a person whom they are transporting as part of the process of serving a domestic violence application order under section 134A of that act. Under that act a police officer may direct a person to move to another stated location, for example, a police station, police beat or courthouse, to enable the officer to carry out various functions but they cannot search them.

I know from experience that separating parties in a dispute does assist in de-escalating domestic violence situations. It is helpful to provide the opportunity for a respondent to better understand the conditions of an order or a police protection notice. It can also assist police to enforce and reiterate the seriousness of the domestic violence that has occurred. This amendment which allows an officer to ensure his or her own personal safety during transportation of a person accused of domestic violence is of course welcomed but it is yet another example of Labor playing catch-up.

Recently amendments were made to the Domestic and Family Violence Protection Act to enhance information sharing between government agencies. Existing provisions allow a police officer to share information with other agencies. However, this alone does not reflect the reality of the

operational environment where many civilian staff are employed by the Queensland Police Service in support roles. Pleasingly, another catch-up amendment has been added to the recent amendments to the domestic violence legislation which will permit authorised civilian staff to also share information. This will enhance the collective assessment and response to serious threats to life, health or safety of people because of domestic violence and the referral of people who fear or experience domestic violence or who commit domestic violence to specialist service providers.

As I mentioned in my opening remarks, the Police Powers and Responsibilities and Other Legislation Amendment Bill 2019 also proposes practical changes to the regulation of firearms modifications. These amendments will close the gap in existing laws which allows a person to gain access to a firearm after it has been modified, hindering the QPS from keeping an accurate firearms register and weakening the control of firearm offences. Under the bill, armourers will be required to sight a person's licence before modifying any firearms to ensure the person holds a licence authorising them to possess a firearm in the new weapons category. Armourers will also be required to record any modifications in their firearms register and report same to Weapons Licensing about the modification.

The Weapons Act 1990 currently allows an authorised officer to suspend a person's weapons licence if they think he or she is no longer fit. The suspension period is only 30 days before the licence is cancelled. This period of time has been deemed inadequate and problematic and the bill makes provisions for it to be extended to 90 days. This extension will give registered weapons owners a more reasonable period of time to gather the necessary medical evidence to demonstrate their mental and/or physical fitness to own a weapon before their licence is cancelled completely.

The Police Powers and Responsibilities and Other Legislation Amendment Bill 2019 will fill a few potholes on the seemingly endless road to better policing and community safety. I welcome changes to the law that make it easier for police to gather evidence to identify, apprehend and successfully prosecute offenders. I will not be opposing the bill.