




Speech By
James Lister

MEMBER FOR SOUTHERN DOWNS

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

 **Mr LISTER** (Southern Downs—LNP) (3.26 pm): I rise to make a contribution to the debate on the Police Powers and Responsibilities and Other Legislation Amendment Bill 2019. It is a good bill. The LNP will not be opposing it. I am pleased to see that the government has excised the proposed amendments to the Prostitution Act, in particular in regard to the penalties for breaches of the act. I have some other concerns that I will now go to.

As we have heard, the objectives of the bill are to clarify for law enforcement purposes the right of access to information on more than just storage devices but also new technology, the cloud and so forth. We always have to be vigilant for changes in technology to ensure that our police have the law behind them to keep up with technology to make sure that their fight against crime is effective. The rest of the bill is to enhance the efficient operations of the QPS, particularly the Weapons Licensing branch.

We support the enhancement of the powers of police to access information. Whilst I note the objections that the Queensland Law Society had to an expansion of law enforcement's ability to acquire information without formal legal processes behind it, on the balance of public interest this is necessary. We heard the shadow minister, my honourable friend the member for Toowoomba North, speak about the importance of protecting society, in particular from sex offenders and the scourge of child pornography. This will be an important tool for law enforcement agencies in that fight.

During the committee's public hearings I had the opportunity to question officers from the Queensland Police Service. From memory, and I will stand corrected if I am wrong, it was Deputy Commissioner Steve Gollschewski who I asked how this helped us in the context of the fight when so much of the material could be held overseas. He acknowledged rather frankly that the fact that this crime uses technology and touches storage throughout the world is a challenge and that the police rely on the goodwill and cooperation of other jurisdictions in order for them to execute the fight against crime. I support this aspect of the bill. I think it is worthwhile and the LNP has no problem with.

I turn to the part of the bill that has been excised. I am pleased to see that and I thank the Attorney-General and the government for it. Two particular aspects concerned us: the reduction in penalty units and also the change from an indictable offence to a summary offence for those breaches. I do not think the case for that had been met.

I will make a general observation about giving the Prostitution Licensing Authority power to enter premises without the support of the police. That is an understandable and noble action in terms of efficiency and I can understand why the police, whose time is precious, do not want to be called out when another officer can enter a licensed prostitution premises. However, I recall that some of the observations from the Fitzgerald inquiry were that having all of the power to control prostitution vested in one institution allowed corruption to flourish in the past. I do not say that with any intention at all of impugning the Prostitution Licensing Authority, but I caution Queensland that sometimes it is beneficial to have two signatures on the cheque.

The bill proposes changes to the Weapons Licensing branch. Currently and appropriately, an authorised officer is able to issue a notice to suspend the firearms licence of a person who they feel is not a fit and proper person. That is a necessary safeguard in the interests of public safety. The proposed change enables the expansion of the period in which the licensee can appeal that decision from 30 days to 90 days. The experience has been that a great deal of time has been taken up in QCAT, which is already burdened with a large amount of work relative to its resourcing, to hear those cases. I believe the additional 60 days will give sufficient time for licensees to gather a case in order to appeal a suspension.

Lastly, the bill proposes to require gun shop owners and licensed firearms dealers to sight the licence of a weapon owner who seeks to have a modification done that will change the category of a weapon. Again, on the balance of public interest, I think that is a good thing. I note that the peak body for firearms dealers had reservations about that. I can understand where they are coming from, because they do have to go through a large amount of red tape when dealing with weapons, as it is a very sensitive matter. I note that some of them say that there are inefficiencies in the red tape that they have to deal with now and that that creates difficulties for law enforcement and inconveniences lawful owners. We need to head towards having a fully electronic system for all of these things, not only for the larger operators but also for the smaller dealers. Having said that, we support the bill and I commend it to the House.