



Speech By
Andrew Powell

MEMBER FOR GLASS HOUSE

Record of Proceedings, 30 November 2021

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

 **Mr POWELL** (Glass House—LNP) (4.00 pm): I rise to address the Police Powers and Responsibilities and Other Legislation Amendment Bill 2021 as a fellow member of the Legal Affairs and Safety Committee alongside yourself, Madam Deputy Speaker, and the members for Toohey, Cooper, Caloundra and Noosa. It was another excellent opportunity to dissect and unpack legislation, to hear from individuals and organisations that had concerns, and to represent them in the committee report. I take this opportunity to acknowledge the committee secretariat. Renee and her team do a fantastic job in assisting us.

As others have said, this bill addresses a number of acts and a number of elements of those acts. There is widespread support for the vast majority of what we find in the bill. I add my compliments and thanks to the Delta Unit at Woodford Correctional Centre for the work that the handlers do with their dogs, as the member for Caloundra just mentioned.

I will limit my comments to the amendments to the Corrective Services Act 2006 and, firstly, two changes that we in the LNP welcome, although with some minor reservations. I refer to the amendments that limit the traumatisation of victims' families and friends by introducing a new framework for parole decisions about a life sentence prisoner who has committed multiple murders or murdered a child. At this point I recognise, as you did, Madam Deputy Speaker, the Kingi family. I also recognise the work of my colleague the member for Ninderry, Dan Purdie. As a father I cannot begin to fathom or comprehend the relived agony that families such as the Kingis face. That is why 72,000 people joined with the Kingi family and the member for Ninderry to oppose the release of Sian's killer. It is why 72,000 people sent a message to the Parole Board and, ultimately, to this government. I am pleased that this government has listened.

Life sentence prisoners convicted of multiple murders or the murder of a child will now be looked at by the president of the Parole Board. The president will have the power to declare that a prisoner in that cohort is a restricted prisoner and must not be considered for a parole period of up to 10 years. In considering whether to declare a prisoner to be a restricted prisoner under proposed section 175H, the criteria to be considered includes, amongst other things, the offence or offences for which the restricted prisoner was sentenced to imprisonment, any risk that the prisoner may pose to the public if the prisoner is granted parole and, importantly, the likely effect that the prisoner's release on parole may have on an eligible person or a victim. I respect that some have a view that that is contrary to fundamental rights to have criminal charges decided by a court or a tribunal. However, in these handful of instances the community is within their rights to demand that individuals convicted of such heinous acts as the murder of Sian do not get such regular access to parole consideration. Indeed, as you mentioned, Madam Deputy Speaker, the sentencing judge basically said that in that instance life should mean life. As the bill states, this will ultimately reduce the traumatisation of victims' families and friends and we welcome it.

We also welcome strengthening the no-body no-parole framework to incentivise earlier prisoner cooperation to locate the remains of homicide victims. Several weeks ago, as I do each year, I joined Bruce and Denise Morcombe on their Walk for Daniel. I really do not know how they do it. I see the strength with which they both confront not only that day but each and every day. They have been able to turn a terrible tragedy into a powerful message for our school students not only around this state but also around the nation. I know that they have worked with this government and other governments to make sure that our laws are strengthened. I again thank them for what they have done. I thank them for what they have done in my community of Palmwoods. I thank them for what they have done for the safety of children around this nation.

The final amendment that I want to address relates to extending by 60 days, albeit temporarily, the time applications within which parole should be dealt. As we said in our statement of reservation, this is nothing more than an admission that the Parole Board is failing and that it is unable to keep up with current applications for parole. Do not just take our word for it; that is what a number of stakeholders said during our committee hearings. The Aboriginal and Torres Strait Islander Legal Service highlighted that 'the parole system has become even more overloaded, the prisons are overcrowded due to prisoners facing extraordinary delays to get parole applications considered at all, and consequently the parole system has effectively become log jammed'.

The Queensland Law Society stated—

Whilst we acknowledge that the timeframes are intended to be extended temporarily, in our view, the proposal coupled with existing delays in parole applications and suspensions will mean that more prisoners will be held in custody for longer than they should otherwise.

The Queensland Law Society further argued—

... 120 days is already a very significant amount of time for an independent Parole Board to consider someone's liberty. The Society's view is that extending that and giving them more time is an attempt to fix what are funding deficiencies in the Parole Board. The effect of it will be that people will remain in custody for longer. If we want to look at it on a cost analysis basis, it will be an enormous cost to the government to continue to detain those people for longer because the Parole Board cannot make decisions within 120 days. To give them extra time for no reason other than insufficient funding is a poor fix to this problem. The Society's position is that 120 days is more than enough to make those important decisions about people's liberty.

Time and time again over the course of six or seven years under this Labor government, we have seen that they cannot get the systems right and they have to come in here with legislative amendment to cover up for their failings. That has been called out by submitters at our committee's hearings. This is not going to fix the problem; it is just giving them a temporary reprieve.

Mr Minnikin: It is a bandaid.

Mr POWELL: It is a bandaid; I take the interjection from the member for Chatsworth. It is a bandaid that will not solve the problem but will have a cost implication for the government, a cost implication for our corrective services and, more broadly, a cost implication for our society. We will not be opposing this legislation but it has to be pointed out that, once again, we are making a legislative amendment to address this government's inability to do their job—that is, to do the things they have been elected for. The LNP will support the bill but the broader public needs to understand what this government is doing.