




Speech By
Dale Last

MEMBER FOR BURDEKIN

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**POLICE LEGISLATION (EFFICIENCIES AND EFFECTIVENESS) AMENDMENT
BILL**

 **Mr LAST** (Burdekin—LNP) (5.03 pm): I rise to contribute to the debate on the Police Legislation (Efficiencies and Effectiveness) Amendment Bill 2021. From the outset let me say that the LNP will not be opposing this bill for one simple reason and that is that the LNP supports our police in the difficult job they do and the LNP recognises the vital role that our police play in addressing crime in our community.

I note the bill includes, inter alia, amendments that authorise senior police officers to witness specified affidavits; amends section 801 of the Police Powers and Responsibilities Act—steps after issue of prescribed authority; access orders for seized digital devices; QPS alcohol and targeted substance testing; the appointment of special constables and non-state police officers to exercise the powers available to Queensland police officers; extending the time period for the temporary possession of weapons to six months; authorising civilian technical officers to issue evidentiary certificates for the Weapons Act; and enabling approved licensed firearms dealers to retain and deal with an anonymously surrendered firearm or prescribed thing. I note the objective of the bill is to improve the delivery of policing services, to reduce administrative processes, streamline police operations, increase productivity and improve the detection, prevention and disruption of crime, and who could argue with that.

It must be said that thanks to this government the job of our police officers is challenging and has become more difficult due to the escalation in crime, especially youth crime. The impact that youth crime is having on a lot of our communities throughout the state and, in particular, our communities in North Queensland, has been well documented. Throughout the state we are hearing about police being stretched, not just to their breaking point but well beyond it. It is an unquestionable credit to our police that despite their workload, exacerbated no doubt by the pandemic, our police have kept fighting the good fight and Queenslanders thank them for that.

As someone who has spent over 25 years in a police uniform I am acutely aware of the need to ensure that our police officers are out there on the street. This is especially relevant in rural, regional and remote communities—the communities where I spent the majority of my career. My personal experience and knowledge of policing in smaller centres is one of the reasons why I support the amendments to section 801 and section 801(4)(a) of the Police Powers and Responsibilities Act. I do, however, seek the minister's assurances that these changes are based solely on maximising the time police spend on operational duties and are not an attempt to cover this government's mistakes when it comes to ensuring police have the sufficient resources that they need to do their job.

I want to take a moment to provide some real world examples of the need to ensure police resources are available in regional centres. This example ties directly to the need for police documents to be witnessed by a JP or commissioner of declarations. This example is not one from my career, instead it is more recent and relates to a tragic event in my electorate of the Burdekin. Out of respect for the families involved I will not go into the specifics of this event that resulted in a coroner's inquest

into the deaths of two men. Central to the inquest was the need for police to attend the residence of a justice of the peace to have an objection to bail affidavit witnessed. While it is not my place to comment on the findings of the coroner, this case is a good example where valuable police time was taken up by the need to have documents witnessed by a JP. I do note concerns raised with regard to the removal of what may be seen as a safeguard. It is important to note, however, that the witnessing of these types of documents involve affirming the veracity of the contents of the document and do not involve any qualitative assessment of the contents by the witnessing officer.

All members on this side of the House, and I am sure all members of this House, find crimes against children abhorrent. As a result, I understand the need to expand the circumstances for the making of a digital access order and I acknowledge the need to ensure our laws keep pace with technological changes when tackling these horrendous crimes. It must also be noted that digital access orders are used when tackling other crime, such as drug trafficking. It is imperative that our police have the powers they need to prevent these types of crimes and the powers they need to bring offenders before the courts.

Once again we see what can best be described as loopholes in legislation and these are loopholes that need to be addressed. In this instance those loopholes are not the operation of the justice system, they are unintended consequences or outdated legislation that leads to offenders either not being charged or escaping punishment. I am sure that most Queenslanders would agree that it seems counterproductive for a judge, especially a Supreme Court judge, to be unable to issue a digital access order when a search warrant that resulted in the item being seized was issued by a JP. It is just as nonsensical for an item seized under the Police Powers and Responsibilities Act to not be covered under existing provisions. I would urge members to consider the example given in the explanatory notes to see just how nonsensical the current situation is.

Even when legislation is outdated we must always ensure rights, such as the right to privacy, are respected. It is, as always, a balancing act between rights and tackling crime. For that reason I welcome the fact that access to devices will be limited by the offence for which the device has been seized. I again urge all members to note the example given: that officers investigating child exploitation material would not be able to, for example, apply for access to bank account information.

I move to the amendments regarding alcohol and targeted substance testing. Critical incidents do occur within the Police Service. Incidents such as discharging a firearm or a death in custody are every police officer's worst nightmare. Public confidence in our police is critical especially in areas where crime is rampant, and those areas are rapidly expanding. The testing of police officers for alcohol and targeted substances is an important part of maintaining that public confidence. However, in a state as geographically large as Queensland it is completely impractical to require staff to travel from Brisbane to where the officer is stationed or working. In some parts of Queensland that travel could take days. Given the use of saliva testing for the detection of drug driving, it is sensible to apply the same technology and testing protocols for police officers. Saliva testing would also reduce the impacts on covert operations in relation to the periodic testing of operatives. An operative would not have to travel to another location to provide a urine sample and an officer authorised by the commissioner to take saliva samples would be able to take and test the samples discreetly.

I move to the issue of special constables and non-state police officers. All Queenslanders recognise the importance of law enforcement and emergency services being able to respond to the threat of or, even worse, an actual terrorist event. Therefore, it makes sense to provide those responders with the same powers as Queensland police officers. I ask the minister to clarify why this ambiguity has taken so long to address. After all, it is now 20 years since the threat of terrorism was escalated here in Queensland and, indeed, throughout the western world. I acknowledge that it is not just terrorism that triggers the need for these changes. Drug offences, child exploitation and other crimes transcend state and even national borders. Any efforts to target those offenders and bring them before a court will, where appropriate, be supported by the LNP. I also seek the minister's assurances that any person appointed as a special constable or granted the powers of a Queensland police officer is subject to the same oversight as Queensland police officers.

As members would be aware, the Burdekin electorate covers a huge geographic area that includes agriculture, horticulture and livestock grazing. Those industries are often impacted by feral animals and the challenges of grazing are all too familiar to anyone with knowledge of them. Given the industries in my electorate, weapons are a work tool for people. It is the amendments to weapons legislation where this government has serious questions to answer—questions that should have been answered and issues that should have been addressed a long time ago. In fact, this government's failure to act is confirmed in the minister's own explanatory notes.

Two years ago, a year before the last election, ministers from across the country agreed to a permanent national firearms amnesty yet here we are addressing an obvious inability to act in accordance with that agreement. We have a national amnesty that allows weapons to be forfeited anonymously but, due to this government's failings, they have added more work to licensed firearms dealers trying to do the right thing. The explanatory notes state that the approach places 'unnecessary operational burdens on local police stations, many of which are in regional and remote communities with smaller staffing establishments.' In one breath this minister talks about the importance for efficiency when it comes to police but in the next he admits his government has failed police and, therefore, the people who rely on them. Is it any wonder that members on this side of the House have received so many complaints about weapons licensing issues when this minister cannot even get right the implementation of a permanent national amnesty?

Perhaps the minister would like to explain the obvious issues that have and still are affecting Weapons Licensing. It is important to remember that this deals with licensed weapons holders, that is, people who have demonstrated a need, people who have complied with the law in applying for that licence and people this government choose to ignore because the majority of those people live in regional and remote Queensland. Perhaps Weapons Licensing is also suffering from unnecessary operational burdens. Whatever the reason, we would appreciate that advice from the minister here today.

My office and a number of offices of members on this side of the House have been contacted numerous times by people whose renewals were delayed with no reason provided by the government. I have constituents who have been advised that their application for a weapons licence would take four to five months to process. I am sure that members would be as shocked as I am to hear that renewals paperwork has been lost not once but at least twice. Given the personal information contained on a renewal and the fact that the documents were lodged at two different police stations, one would have to wonder exactly what is going on, especially when on both occasions police staff attest to forwarding the documents to the Weapons Licensing branch. The information contained in a weapons licence application or renewal qualifies as sensitive information under the federal privacy act, but on no less than two—if not more—occasions that information has simply vanished. That is not good enough. The reality is that in Queensland under this government and this minister our homes have been put at risk. The safety of our very residences have been put at risk because that information has gone missing.

Currently, a weapons licence holder can store a firearm for other persons for up to three months. After that date the licensee must either acquire or dispose of the weapon. Excuse me for being sceptical but the amendment contained within this bill to extend that time to six months seems to be more about keeping firearms out of an overworked police firearms section than processing the applications in a timely manner. Of course it makes practical sense for approved licensed firearms dealers to retain and deal with an anonymously surrendered firearm or prescribed thing.

Given that the permanent firearms amnesty framework in Queensland does not currently allow firearms dealers who are approved to participate in the amnesty to retain firearms or other prescribed things, it adds even more work to police officers and establishments that are required to receive those firearms. It is the reality that in previous amnesties most firearms were surrendered to dealers. As a consequence, the broad participation of firearms dealers in the permanent amnesty is considered critical to its success. My problem here is not the bill per se; it is the confirmations given in both the bill and the explanatory notes—confirmations that are shown in statements like 'often insufficient' and 'unnecessary operational burdens' included in the explanatory notes tabled in this House.

As I said before, it is time for the minister to explain. It is time for the minister to explain why the backlogs are occurring in Weapons Licensing. It is time for the minister to explain why it took two years to properly implement a national firearms amnesty. It is time for the minister to explain why he has continually batted away questions about weapons licensing raised by members on this side of the House on behalf of constituents. Is it because the majority of them live in regional and remote Queensland? Is it because our Police Service is so overstretched responding to crime that weapons licensing has been overlooked? Is it because most of those people dare to work in an industry where weapons are a necessary tool?

I will not be opposing the bill and neither will the LNP because we value our police. On this side of the House there are numerous members who have donned the blue uniform. We understand the difference police make in our communities because we have seen the difference with our own eyes and contributed to it. Members on this side of the House have responded to crimes of all types. We have comforted victims, comforted their families and done our absolute best to hold offenders to account. Because we have been there, we understand the need for police to have the powers and resources they need to do their job. It is not always a pretty job. It is a job that leaves a mark on each and every person who has taken that oath. It is a job with great rewards and it is a job that can take a horrible toll.

Police see the best and the worst of the community. They feel the frustration of victims and hear of their fears. It is essential that Queensland's police be given the powers, the resources and the support they need to do their job. Queenslanders want and, today more than ever, need police to keep our communities safe. Those communities deserve answers from the minister here today.

I call on the minister to show his support for Queensland's police by providing answers to the issues raised as a result of this bill. I call on all members of the House to show their support for Queensland's police and communities throughout the state by supporting this bill today.