




Speech By
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MEMBER FOR CURRUMBIN

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POLICE LEGISLATION (EFFICIENCIES AND EFFECTIVENESS) AMENDMENT BILL

 **Mrs GERBER** (Currumbin—LNP) (5.28 pm): Queensland's police servicemen and servicewomen deserve our appreciation. For almost two years now our local police have been instrumental in executing this government's health directives in an effort to keep Queenslanders safe. In times of emergency, disaster and crisis, it is our Queensland Police Service that we turn to.

While I do not always agree with those on the other side of this chamber, I am sure that the dedication and service of our police officers is something that we can all agree on. I take this opportunity to say a massive thank you to the 1,700 employees currently working for the QPS, both police officers and other staff members alike. The service and dedication of our police officers, particularly at the moment with the added pressure of manning our state borders, deserves acknowledgement.

To every police officer manning our state border I say: your efforts have not gone unnoticed. I know many of them are very much looking forward to day when they can go back to normal duties and put the difficulties of border patrol behind them. I take this opportunity to give a shout-out to officers at my local police stations—the Coolangatta Police Station, the Palm Beach Police Station in the electorate of Burleigh, which covers most of the Currumbin electorate, and the Elanora Neighbourhood Police Beat.

On this side of the House it is our hope that this bill will be a success. Our police deserve our help in streamlining their administrative responsibilities and making them more efficient and effective so our Queensland police officers can get back to what is truly important—keeping our community safe. Administrative tasks should not be occupying the majority of our local police officers' time, which is why it was so devastating to hear during the committee's public briefing how much police time is taken up on the administrative matter of having to find a JP or a commissioner of declarations to witness a police officer's affidavit, particularly in relation to bail affidavits. One of the amendments proposed by this bill will enable senior police officers, which include watch house managers, to witness specified affidavits, including bail affidavits.

To put this into perspective, Deputy Commissioner Smith said that the QPS had calculated that this has the potential to save almost 22,000 hours of frontline police time annually. This is an incredibly significant amount of time. I am sure that the local police officers at the Coolangatta Police Station and the Palm Beach Police Station will be looking forward to having their administrative hours replaced by time in the community.

For us, this could mean police might now be freed up to have a presence in the mornings in Coolangatta to deter the increased number of youth offenders and other offenders under the influence of drugs who are harassing locals and shop owners. Last week I held a mobile office in Coolangatta and heard from Russel who owns and operates a cafe in Coolangatta. He spoke to me about how over the past couple of weeks he has been harassed by drug affected individuals and youths when he goes

to open his shop at the crack of dawn. Our police resources are so stretched at the moment. I sincerely hope this timesaving measure will help police patrol local business areas to deter break and enters and violence.

We also need more police patrols in the suburbs of Currumbin and Elanora to protect locals from the escalating incidents of youth crime.

Mr Lister interjected.

Mrs GERBER: I take that interjection. They could do that. Just last week we saw a 15-year-old Currumbin Waters kid arrested while trying to allegedly break into cars. This youth was also in a fight in a Gold Coast park where he is accused of slashing another teenager's forearm with a weapon. The mother of the victim has stated that her son's tendons, nerves and arteries in his forearm were severed during the attack. This is an horrific incident. It is not the first incident of youth crime in my electorate. I have been contacted by countless locals affected by juvenile crime, particularly theft, hooning and break and enters.

The other measures in this bill include ensuring the Police Commissioner can authorise special constables and non-state police officers to exercise any or all powers available to a Queensland police officer. These are the powers that allow our police, particularly on the border, to exercise their authority in other states. This is particularly important for us on the border. No doubt this amendment has come about as a result of COVID and our state border controls unveiling the difficulties of cross-border policing.

Other measures include: amending the meaning of critical incident for the purpose of triggering alcohol and targeted substance testing of police officers and certain Public Service officers; providing for saliva testing as an alternative to urine testing for police officers and certain Public Service officers in relation to the substance testing scheme for police; enabling a sworn, authorised technical officer to utilise evidentiary certificates in relation to the categorisation of a weapon; and enabling an authorised officer from the Queensland Police Service Weapons Licensing Branch to approve a licensed firearms dealer to retain and deal with a firearm or prescribed thing anonymously surrendered under the permanent firearms amnesty. This is something that was recommended to have occurred at least two years ago.

I turn now to the two areas of the bill that require closer scrutiny. The first relates to the proposed expansion of power allowing a Supreme Court judge or magistrate to make a digital access order within the Police Powers and Responsibilities Act. Currently, the PPR Act allows a magistrate or Supreme Court judge to make an access order for a digital device following the seizure of a digital device in circumstances where that device was seized under an existing search warrant and where further access is required. A digital access order compels a person to provide police with access to information stored on the seized device. Should the specified person fail to comply with the access order, they commit an offence which has a maximum penalty of five years imprisonment.

The amendment overcomes an anomaly in the PPR Act where the current digital access order scheme does not permit a magistrate or Supreme Court judge to make an order where a digital device is seized under a search warrant issued by a justice of the peace or otherwise lawfully seized under the PPR Act. Whilst the expansion of the powers in the bill are designed to simply overcome an anomaly within the context of what is currently permitted, we still must be cognisant to maintain people's privacy. These powers must be balanced with the fact that a search by the QPS of a person's mobile phone device is highly invasive and should be treated accordingly by those investigating.

The second aspect of this bill that needs scrutiny pertains to extending the time frames that a licensed person can temporarily hold a weapon on behalf of another weapons licensee, extending it from three months to six months.

Mr Stevens interjected.

Mrs GERBER: I heard that yawn, member for Mermaid Beach. There is a massive backlog of weapons licence applications. This amendment is proposed to ease the burden on the state government's already underperforming Weapons Licensing Branch. The fact that this amendment is needed is an admission that the Palaszczuk Labor government has not provided the Weapons Licensing Branch with the resources they need to handle the current workload.

During the committee process the President of the Shooters Union Queensland, Mr Park, stated—

We are deeply concerned that the reason this is being introduced is that the Weapons Licensing Branch are so far behind in the processing of licensing. They are literally months behind any other state in Australia. You can get licence applications processed anywhere from two to 12 weeks around the country. By their own statement, the weapons branch are not even beginning to look at processing an application until at least 20 weeks after it is submitted.

This is simply not good enough. Those are Mr Park's words. There are concerns that by extending this time period it may allow a facilitator further delay in that process. This is something I would like the police minister to address and assure this House that this will not happen. Mr Park raised a further issue, stating—

Our objections are really rooted in the lack of consultation on these amendments which has led, we believe, to poorly worded legislation.

Public consultation is central and foundational to the cornerstone of meaningful policy and legislation. It is an element of the policy development process that society expects their government to rely upon. This is for two core reasons. Firstly, it allows the evidence base to be built. Secondly, it engenders transparency in the process of policy development.

Time and time again we see this government fail in their duty to consult and their duty to be transparent. We on this side of the House know that evidence and transparency are two things this government, after three very long terms, has lost sight of. It is with this in mind that I ask the minister to take care to ensure that the concerns expressed by stakeholders who actually had the opportunity to consult on this bill once it was drafted are taken into consideration. That being said, I am truly looking forward to seeing the other amendments presented by this bill come into effect, especially with the hope that it might free up our police from some of their administrative burdens.

Finally, as the deputy chair of the Legal Affairs and Safety Committee to which this bill was referred, I take this opportunity to thank every member who was involved in the committee process, particularly the chair who was particularly good in his mediation, and all members for their work.