




Speech By  
**Peter Russo**  
**MEMBER FOR TOOHEY**

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Record of Proceedings, 18 November 2021

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

 **Mr RUSSO** (Toohey—ALP) (5.18 pm): I rise to speak in support of the Police Legislation (Efficiencies and Effectiveness) Amendment Bill 2021. This bill proposes a number of important amendments that will bolster the ability of police to do what they do best—that is, disrupting crime and keeping the community safe. The changes proposed in the bill include measures that make it easier for certain documents to be witnessed, particularly in regional and remote areas. This measure alone is anticipated to free up 22,000 hours of police time—valuable time and resources that can be returned to the front line. It strengthens the ability of police to obtain orders that allow access to devices such as mobile phones. This will improve the ability of police to investigate crimes like non-consensual sharing of images, upskirting and filming in change rooms. Criminals need to know that they cannot hide from these crimes behind a passcode.

These measures are further evidence of the commitment of the Palaszczuk government to keep Queenslanders safe. They build on our record investment in police resourcing: \$2.6 billion overall police budget—an increase of almost 20 per cent since we came to government; 2,025 extra police personnel over five years, including 1,450 sworn officers who will be deployed to the front line; more support staff for our police; more Policelink call takers; more police liaison officers; and more support personnel, which includes injury management officers for a new QPS wellbeing centre.

Thanks to this government's continued backing of our police force, we have more police than ever before—12,200—with many more on the way. Our \$300 million investment in the police infrastructure pipeline will deliver new police facilities across the state. This government has got the balance right: we are investing in people, we are investing in police infrastructure and we are modernising our laws so that we can stay one step ahead of criminals. We are creating a more efficient operating environment for our police so that they can get back onto the front line and into our communities.

We have passed tough laws to make the community safer, whether that is for domestic and family violence, sex offenders, stronger parole laws, youth crime, stronger bail laws, specialist courts, saving more children from the clutches of the darknet or new anti-hooping laws. I could go on, but my time is limited.

What is clear, though, from this bill and the other measures we have introduced since we came to government is that community safety is key and we will support our police so that they can continue to keep Queenslanders safe. What we will not do is take the LNP's approach. We will not commit to fewer police, like they did. We will not cut monitoring of sex offenders. We will not privatise prisons. We will not ignore our firefighters. We will not sack police. We will not make them pay for their own body worn cameras. We will not promise funding and then renege, like the LNP did, in relation to safe night out precincts. We will not fund failed boot camps to breed fitter, faster criminals. We will not tell police to tighten their belts. Instead, as we have done, we will give police what they need so they can keep the community safe.

In the time remaining to me, I will now go into more detail in relation to the Police Legislation (Efficiencies and Effectiveness) Amendment Bill and deal with some of the topics that are outlined in the legislation. I would like to compare Queensland with other jurisdictions in relation to the witnessing of affidavits. In the Northern Territory, any police officer can witness an affidavit without any limit with respect to the type of documents. In Victoria, a police officer at or above the rank of sergeant or an officer in charge of a police station can take an affirmation without any limit with respect to the type of documents. Affidavits are able to be witnessed electronically. In South Australia, all police officers, with the exception of probationary constables, may witness any affidavit. The amendments contained in the bill provide for a witnessing scheme that is more limited than the schemes in the jurisdictions outlined. It restricts the police witnessing function to senior police officers and to three types of affidavits.

I will now deal with another very important aspect of police work in relation to bail affidavits. Bail affidavits are completed by arresting officers to hold a person in custody after charging is completed. For a bail affidavit and a bail affidavit annexure to be accepted in the court, the form is required to be sworn or affirmed by the officer before a JP, who then signs the document. In 2020, as part of the Queensland Police Service Alignment Project, a review was undertaken of the work involved in producing these bail affidavits. A time-in-motion study was completed with plain-clothes units in all the QPS districts to identify the time taken to locate an available JP to finalise these bail documents. The time taken to locate and attend to the JP ranged from 30 minutes to two hours. Workshops undertaken with officers from West Moreton identified that the average time cited by officers to locate and attend to a JP to have their documents sworn and signed was 60 minutes. For 2019, QPRIME recorded 10,982 bail affidavits uploaded onto the system. Bail affidavits uploaded as an external document would not appear in this count.

I would also like to conduct an interjurisdictional comparison in relation to bail affidavits. In Victoria, police officers provide sworn evidence in support of objection to bail. All other jurisdictions require police to prepare a document for the defendant's first appearance that outlines police objections to bail; however, this document is not required to be in the form of an affidavit.

Another important aspect of the bill is the provisions to enable police officers to prove service of documents by way of a memorandum or certificate of service without any witnessing requirements. In South Australia, police can prove service by the completion of a certificate of service and there is no requirement to witness the document. In Tasmania, police can prove service by way of a memorandum of service which is not required to be witnessed. In Western Australia, service can be achieved by a service certificate that is not required to be witnessed. In New South Wales, police can prove service by a statement of service that, again, is not required to be witnessed.

Some other jurisdictions require proof of service to be in the form of an affidavit. In Victoria, proof of service can be achieved by the completion of a statutory declaration or affidavit. Any police officer in Victoria can witness a statutory declaration. A police officer at or above the rank of sergeant or officer in charge of a police station can witness this affidavit. In the Northern Territory, proof of service is by way of an affidavit, with any police officer in the Northern Territory having the authority to witness affidavits. In the Australian Capital Territory, proof of service requires an affidavit.

The bill supports our Police Service to do its job by reducing the number of hours that its members are tied up doing administrative work. It is a positive step forward. As outlined, the bill will help in Queensland police efficiency and will be something that they welcome in their daily work. I commend the bill to the House.