




Speech By
Linus Power

MEMBER FOR LOGAN

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POLICE SERVICE ADMINISTRATION AND OTHER LEGISLATION AMENDMENT BILL

 **Mr POWER** (Logan—ALP) (5.34 pm): I rise to speak to the Police Service Administration and Other Legislation Amendment Bill. The bill was referred to the Economics and Governance Committee for examination. As chair of the committee, along with the deputy chair, the member for Hervey Bay, the member for Macalister and others, I take very seriously our responsibility whenever there is an extension of police powers because these are very serious powers that are given to a certain set of Queenslanders: the police and, in this case, protective services officers.

We take very seriously the roles and responsibilities they have because we know that the police take it very seriously. To that end we initiated an inquiry on 16 November 2021, invited written submissions on the bill through identified stakeholders and others and received the submissions that are listed in appendix A of our report. We also noted the very extensive consultation from the department that is set out in the explanatory notes. We received a very comprehensive written briefing on the bill from the Queensland Police Service prior to the public briefing from officials of the QPS and the Department of Environment and Science. We requested and received written advice from the QPS on the issues raised in submissions.

We take very seriously the extension of the powers of officials, either police or in this case protective services officers. We recognise that there needs to be safeguards in place. After the comprehensive briefing and having examined the bill in detail, all members of the committee reached the unanimous conclusion that the bill be passed because we felt it was for the benefit of Queenslanders.

I recognise our protective security officers and senior protective security officers for the work they do in protecting not only the property of Queenslanders but also the health and security of Queenslanders. These are very vital and valuable contributions. They dealt with over 2,500 alarms and over 5,500 duress alarms, reaching out and responding to ensure the safety of public servants and, let me say, members of this House who rely on their protection. We value what they do and that is why we wish to ensure that this act is right.

To summarise for members of the House and those listening, the bill seeks to establish uniform powers, with minor exceptions, between the protective services of senior protective security officers and protective services officers—that is, that they have the power to require a person to provide their name and address and their reasons for entering into a building. We should note that these powers, unlike the powers of police officers, are only exercisable in the buildings they are tasked to protect.

Further to that, in the same place they can seize any contraband possessed by the person. They cannot, unlike police officers, use those powers outside those sites. They can also direct a person to leave a building or remove a person from the building where it is a state government building and detain a person suspected of committing an offence against the State Buildings Protective Security Act or an offence against any other law by reason of having done anything or having had anything in the person's

possession. This brings into line the extensive training that is undergone for protective services officers with senior protective security officers. The entire committee agreed that this was a valuable addition to the law and that is why we supported it.

I note that the protective services officers have two uniforms. They can wear either a white shirt and dark trousers with the QPS shoulder patches, which are very similar to those worn by police officers except that they are maroon in colour, or the QPS polo shirt, complete with a blue-and-white checkerboard, with 'Protective Services' emblazoned across the shoulders. That means that they are easily recognisable. Members of the public would be well aware that, if anyone were to impersonate one of those officers, these new laws will make it a more serious offence. Of course, impersonating an officer by wearing a police uniform or displaying a fake badge is a criminal offence, and it should be. A person pretending to be a police officer is trying to make the public think that they have the powers of a police officer, which is a serious offence. All on-duty police officers, whether in plain clothes or uniform, are required to carry their QPS identification, which consists of the QPS metal badge and an identification card with the officer's name, registration and photograph. A member of the public may ask to view an officer's QPS identification to verify the officer's credentials and may also contact the local police to verify an officer's details.

For those impersonating a police officer there is a maximum term of imprisonment of up to three years. Police officers are respected members of the community with a position and a role that should never be taken for granted. The position of protective services officers should also be protected in the same way. In the Criminal Code, indictable offences already exist to prohibit the impersonation of another so it is a serious offence for a protective services officer to pretend to be a police officer.

These indictable offences require the prosecution to prove that the person was impersonating an officer as well as additional elements such as an intent to defraud or that the impersonator was doing something that only a public officer should do, which would cover parading a fake identity. The new offence creates a strict liability for pretending to be a protective services officer, which is consistent with the approach taken with impersonating the other 85 types of public officials in Queensland.

The Queensland government is committed to high ethical standards for all of our public officials and, as such, the people who do that work should be protected. A public official includes but is not restricted to people working in parliament, government departments, statutory authorities and local councils, magistrates and judges, members of parliament—I do not know why anyone would want to pretend to be the member for Mermaid Beach, but it is possible—members of the Police Service and medical professionals such as paramedics.

This offence provision is necessary because of the unique functions that protective services officers perform. For example, officers may force an entrant to leave a state building. The entrant should know that the PSO exercising significant powers within a public building is not an offender pretending to be something he or she is not. Additionally, this offence provision may deter an offender from gaining access to restricted areas by disguising themselves as a PSO. The offence has a maximum penalty of 100 penalty units, which is identical with the offence of impersonating a police officer and is consistent with the maximum penalties imposed for impersonating other public officials in Queensland.

There are numerous advantages to this amendment including: improving the security of state buildings, including the parliament; ensuring that impersonating offences are consistently applied between protective services officers and police officers; and enhancing consistency with other jurisdictions. As I said, the committee carefully examined the extension of these powers and some of the other aspects of the bill. We felt that they will improve the performance and utility of protective services officers. For that reason, we commend the bill to the House.