




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

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Record of Proceedings, 11 May 2022

## **POLICE SERVICE ADMINISTRATION AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr RUSSO** (Toohey—ALP) (6.26 pm): I rise in support of the Police Service Administration and Other Legislation Amendment Bill 2021. The main objectives of the bill are to modernise the legislative framework underpinning Protective Services and to increase efficiencies for police officers acting as public officials under the Forestry Act 1959, the Marine Parks Act 2004, the Nature Conservation Act 1992 and the Recreation Areas Management Act 2006—which is Queensland Parks and Wildlife Service legislation—and in identity card administration for these acts.

The Police Service Administration and Other Legislation Amendment Bill was introduced into the Legislative Assembly and referred to the Economics and Governance Committee on 16 November 2021. The committee in its report, which was tabled in the Assembly on 11 February 2022, has recommended to the Assembly that this bill be passed.

On 16 November 2021 the Police Service Administration and Other Legislation Amendment Bill was introduced by the Hon. Mark Ryan MP, Minister for Police and Corrective Services. On 18 November 2021 the bill was referred to the committee for examination. The committee were required to report on the bill by 11 February. During their examination of the bill, the committee as usual invited written submissions on the bill from the public, identified stakeholders and other subscribers. They received two submissions. They received a written briefing on the bill from the Queensland Police Service before holding a briefing from officials from the QPS and the Department of Environment and Science. They also requested and received written advice from the QPS on issues raised in submissions.

Consultation was circulated to key stakeholders, whose feedback was taken into account in finalising the bill. We would like to thank those stakeholders: the Bar Association of Queensland, the Chief Justice of the Supreme Court, the Chief Judge of the District Court, the Chief Magistrate of the Magistrates Court, the Queensland Human Rights Commission, the Queensland Law Society, the Queensland Police Commissioned Officers' Union of Employees, the Queensland Police Union of Employees and the Together union.

The Queensland Police Service was unable to comment on the specifics of the feedback provided by stakeholders due to those communications, as mentioned by the member for Lockyer, being subject to cabinet-in-confidence. However, the committee was advised that, as a generalisation, the stakeholders were very supportive of the bill that was going to be debated.

The bill is about obtaining the right balance. This bill achieves that. Of the utmost importance is ensuring the safety and security of persons employed within or attending state buildings while also maintaining the rights of those entering or in the protected areas. Government buildings, and the staff who use them, face unique security risks. In addition to customary security concerns, the national terrorism threat level is currently 'probable' and is likely to remain at that level, on my understanding, for the foreseeable future. There is no question that we live in the lucky country, but we cannot take it

for granted that we are, or will be in the future, immune to internal or increasing external threats. Australian security agencies have assessed that individuals or groups continue to possess the intent and capability to conduct a terrorist attack in Australia. This threat is elevated for governments or authorities, in particular the military, police and security agencies.

Across Australia, common measures have been adopted to address the security risks associated with government buildings. These measures include: authorising the screening of a person entering or in the protected area, either by electronic screening or by a frisk search; inspection of a vehicle and its contents entering or in the protected area; demand of the name and address details of an entrant and their reason for entering the government building; seizing of contraband; directing a person to leave the area if the person does not comply with security arrangements; and removal of a person who has failed to comply with directions from the area.

In Queensland, the State Buildings Protective Security Act and the Police Powers and Responsibilities Act provide for the security of state buildings by authorising protective security officers, senior protective security officers and police officers to exercise security powers within these areas. The bill improves upon these current security arrangements by combining protective security officers and senior protective security officers into one class of security officers, named protective services officers, and standardising the security powers that may be exercised by PSOs and police officers in a state building.

Queensland is the only Australian jurisdiction that differentiates between the two protective security officers. Currently, protective security officers may only ask a person entering a state building if they will participate in electronic screening and allow their belongings, including their vehicle, to be searched. They may not require a person in or entering a state building to comply with these requests, nor are they authorised to: require the person to provide their name, address and reason for being in the building; seize any contraband possessed by the person; direct a person to leave the building or remove the person from the building; or detain a person suspected of committing an offence against the SBPSA or an offence against any other law by having done anything or having had anything in their possession. These powers may currently only be exercised by senior protective security officers. This bill will provide protective services officers with a uniform set of powers applicable irrespective of the officers' ranks.

It should be noted that the bill does not preclude the organisational recognition of the seniority or expertise of particular officers. The QPS advised that the proposed rank structure will include the rank of protective services officers and, to recognise seniority and/or expertise, the rank of senior protective services officer. However, regardless of rank, these officers will be able to exercise the same powers in a state building.

This bill will also repeal the State Buildings Protective Services Act and incorporate the legislative framework for Protective Services into the state's police legislation to promote the integration process and deliver a single point of truth for the exercise of security powers by officers of Protective Services and the QPS in state buildings; consolidate and rationalise the powers of protective services officers and the police officers operating alongside them in state buildings; clarify and expand offence provisions; authorise protective services officers to use body worn cameras; and apply the QPS alcohol and drug testing regime to protective services officers. Other functions of PSOs provided for in the bill include providing services on a commercial basis for a building other than a state building under a contract entered into by the state. The QPS affirmed that, despite the recognition of the commercial function of PSOs, these officers would not be able to access the bill's updated regime of security powers in buildings other than state buildings and their precincts.

In addition to amendments to state building security arrangements, the bill also increases efficiencies for police officers acting as public officials under the Nature Conservation Act, the Forestry Act, the Recreation Areas Management Act and the Marine Parks Act—Queensland Parks and Wildlife Service legislation. The amendments in the bill will obviate the need for Queensland Parks and Wildlife Service legislation identity cards to be issued to police officers and for the identity cards to be returned when the appointments end and will create efficiencies in identity card administration. Efficiencies will also be gained through clarifying that a police officer appointed under Queensland Parks and Wildlife Service legislation need only comply with the statutory requirements outlined in the Police Powers and Responsibilities Act when identifying themselves.

It is important to note that the QPS has undertaken a financial analysis to evaluate costs that may arise as a result of the implementation of this bill. I commend the bill to the House.