




Speech By
Sandy Bolton

MEMBER FOR NOOSA

Record of Proceedings, 15 March 2022

POLICE LEGISLATION (EFFICIENCIES AND EFFECTIVENESS) AMENDMENT BILL

 **Ms BOLTON** (Noosa—Ind) (11.47 am): Our police services work really hard to provide safe and secure communities enabling Queenslanders to undertake their daily pursuits confidently and safely. To achieve this, these services must be accessible and responsive to community needs, disaster and emergency management. Their workload is enormous and comes with great personal risk and many challenges.

They investigate crime and identify and apprehend offenders, target operations to reduce traffic offences, and attend and investigate horrific traffic accidents, suicides, murders and domestic violence. Additionally, they support the judicial process including the provision of safe custody for alleged offenders and respond to general community needs and disasters whether fires, floods or pandemics. For nearly two years they also manned borders and managed hotel quarantine without appropriate levels of resources and now our devastating floods. That is just a small sample of what they do. Our communities expect our police to do their job in an equitable and efficient manner, yet on a daily basis the dreaded thick red tape often meets the thin blue line, making their jobs that much harder.

In 2020 a time and motion study was undertaken with plain clothed units to identify the time taken to locate an available JP to finalise bail documentation. This analysis of 6,321 bail affidavits revealed that the time taken ranged from 30 minutes to two hours, with an average of 60 minutes to have a document sworn and signed. The impact for policing in remote localities is often more significant. On some occasions an officer's entire shift is spent driving to a regional centre to have the objection to bail documents witnessed. Enabling a senior police officer to witness an objection to bail would potentially save between 4,591 and 21,924 hours of officers' time annually, which can then be spent where needed.

The Police Legislation (Efficiencies and Effectiveness) Amendment Bill 2021 authorises senior police officers to witness affidavits made by other police officers in relation to proving the service of documents, support bail proceedings under the Bail Act 1980 and the Youth Justice Act 1992, as well as make sworn applications in compliance with the Police Powers and Responsibilities Act 2000.

QPS advises that the police witnessing amendments contained in the bill would make certain temporary measures introduced during the COVID-19 pandemic now permanent. This includes document reforms allowing for electronic signing and witnessing via video link for affidavits and statutory declarations and general powers of attorney for businesses, deeds and particular mortgages. The Youth Advisory Centre opposed certain amendments, stating that an independent judicial officer should continue to undertake this role. The YAC also stated that if this recommendation was not accepted senior police officers needed to be appropriately trained. In response, the QPS committed to develop a policy framework to guide senior officers in the performance of the new witnessing functions. The policy will: stipulate procedures to be undertaken; include a prohibition against exercising functions in circumstances that are a conflict of interest; and initiate an independent review once they have been in operation for a period of 12 months.

As we have heard, technology has enabled new methods of offending. Enhancements in encryption and the electronic storage of information of course have made this easier to conceal. The bill will allow a Supreme Court judge or magistrate to make a digital access order requiring the provision of passwords or assistance to access digital devices. We note the concerns of stakeholders regarding these amendments; however, QPS already has the power to seize, examine and search a digital device. This bill will extend this to allow a magistrate or Supreme Court judge to make an order where a digital device is seized under a search warrant issued by a JP or otherwise lawfully seized under the PPRA.

The bill also proposes amendments relating to testing police officers and certain unsworn staff under the Police Service Administration Act 1990 when they are involved in a critical incident. Illegal substances can be detected in urine days to weeks after consumption. Current technologies allow police to conduct a saliva test to provide an immediate indication of the presence of certain dangerous drugs with further testing being undertaken following a positive indication.

The proposed amendments to the Weapons Act 1990 will streamline the operation of the permanent firearms amnesty Queensland currently has in place to allow firearms dealers to retain firearms or other prescribed items that have been surrendered to them anonymously. Concerns regarding whether this would facilitate illegal sales saw reassurance around the procedures already in place.

The majority of submitters supported this bill, with any elements of concern addressed through responses from QPS and the department. I want to thank my LASC chair, fellow committee members and our secretariat, submitters, the QPS and attendees to the public hearing and briefing for all their efforts. We send our gratitude to all who risk their lives daily to keep us safe. I commend the bill to the House.