




Speech By
Brent Mickelberg

MEMBER FOR BUDERIM

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**POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION
AMENDMENT BILL 2022 AND THE POLICE POWERS AND RESPONSIBILITIES
AND OTHER LEGISLATION AMENDMENT BILL 2023**

 **Mr MICKELBERG** (Buderim—LNP) (4.05 pm): I rise to address the cognate debate into the Police Powers and Responsibilities and Other Legislation Amendment Bill 2022 and the Police Powers and Responsibilities and Other Legislation Amendment Bill 2023—legislation that proposes to amend sex offender reporting requirements and improve the capacity of police to investigate cybercrime and other offences committed by reportable offenders; legislation that seeks to enhance QPS’s ability to investigate organised crime; and, of significant interest to my community, legislation that seeks to strengthen laws to deter hooning.

In the second of the bills we are debating today, we are strengthening provisions in relation to evading police and creating offences for those who assault Fire and Emergency Services officers. These are all important initiatives that will strengthen community safety, but it is the provisions that will effectively see the decriminalisation of drugs in Queensland that concern most residents in my community and concern me. We are not just talking about decriminalising cannabis, as we have heard. This legislation will see drugs like heroin, methamphetamine and fentanyl decriminalised. If this legislation passes into law, Queensland will have among the weakest drug laws in Australia and indeed the world.

Mr Bailey: That is not accurate.

Mr MICKELBERG: It is accurate, Minister for Transport and Main Roads, and I will shortly address your comments from yesterday. You would think that such proposals would be rigorously considered and debated by the parliament, but they are not. They are not being rigorously considered and debated by the parliament. In fact, they are going to guillotine debate and members with extensive experience in relation to this matter will not have a chance to speak on these important matters. It is simply not good enough. It talks to how serious this government takes these significant laws. Government ministers say they want illegal drugs like heroin and methamphetamine decriminalised. In fact, the Minister for Transport and Main Roads was interjecting yesterday comparing those types of drugs to alcohol. Do not get me wrong—

Mr BAILEY: Madam Deputy Speaker, I rise to a point of order.

Mr MICKELBERG: We are happy to review the record—

Mr BAILEY: Point of order—

Mr MICKELBERG: if the Minister for Transport and Main Roads wants to dispute—

Madam DEPUTY SPEAKER (Ms Lui): Order!

Mr BAILEY: Sit down. There’s a point of order.

Mr MICKELBERG: I won’t sit down.

Mr BAILEY: Sit down. There’s a point of order.

Mr MICKELBERG: If the Deputy Speaker wants me to, I will.

Madam DEPUTY SPEAKER: Order! I will seek some advice. Minister, did you have a point of order?

Mr BAILEY: I did. I find those comments personally offensive and inaccurate and I ask that they be withdrawn.

Mr MICKELBERG: I withdraw, and I will be writing to the Speaker given the fact that the Minister for Transport and Main Roads says they are inaccurate. I will be asking the Speaker to review the tape because the minister very clearly said them yesterday.

Ms McMILLAN: Madam Deputy Speaker, I rise to a point of order. On two occasions in the last 30 seconds to a minute, the member for Buderim appeared to challenge your ruling and I ask you to reflect on that.

Madam DEPUTY SPEAKER: There is no point of order. Member for Buderim, you have the call.

Mr BAILEY: Madam Deputy Speaker, I rise to a point of order. I took personal offence, he withdrew and then he repeated pretty much the same accusations. I have to again say that I find it personally offensive and I ask that he withdraw his most recent comment, which is the same as his previous comment.

Madam DEPUTY SPEAKER: Member for Buderim, do you withdraw?

Mr MICKELBERG: I withdraw unreservedly. Do not get me wrong, alcohol is a damaging substance which causes considerable harm to our communities, but the health and societal impacts of methamphetamine use are without parallel and cannot be compared to the impact on an individual level of alcohol.

We heard earlier from the Minister for Health who cited evidence about the improved outcomes for cannabis users who have accessed drug diversion programs in Queensland, but we cannot compare the use of cannabis with the use of other drugs. The harm caused at an individual level by cannabis cannot be compared to the harm to the individual and the community which is the result of drugs like methamphetamine. The fact that the government want to expand the drug diversion program to give users multiple warnings for possession of hard drugs like heroin and methamphetamine is widely accepted as decriminalisation. For those opposite to suggest anything other than the fact that this is decriminalisation is ridiculous.

The government say they want drug use dealt with as a health problem, rather than a criminal one, but Queensland Health did not even make submissions to the parliamentary committee that considered this bill. If drug use is to be dealt with as a health problem, then at the very least we should be seeing a considerable increase in the funding for drug diversion services, rehabilitation and improved pathways so that drug users can access support when they make the decision to break free from their addiction.

The Minister for Health referenced the contribution by the Queensland Mental Health Commission in relation to drug use. I have read that contribution from the Queensland Mental Health Commission Alcohol and Other Drugs Plan which, I would have to say, presents the blueprint for the government position presented in this legislation. What that report makes clear and what those opposite have not mentioned is that there is a critical need to enhance treatment and support systems for drug users in Queensland. The report explicitly states that Queensland's current alcohol and other drugs treatment system is unable to meet current demand—not proposed demand, current demand.

Proponents for drug decriminalisation frequently cite the Portuguese model to support their arguments. There is some evidence to suggest that the model employed in Portugal did improve outcomes in some areas. However, what is also clear is that a key plank of the Portuguese model was a considerable increase in investment in treatment services to ensure that drug users can access the treatment services that they need without delay. Such a circumstance is not what we have presented here before us today. Nurses on the Sunshine Coast, for example, have told me that they struggle to get support from alcohol, tobacco and other drugs staff outside of business hours, at the very time they need support for those who are addicted to illicit substances.

The other issue that needs to be considered is the fact that the Portuguese model was a response to heroin use, not methamphetamine use as the state government are proposing to effectively decriminalise here today. There are very limited pharmacological treatments for methamphetamine users compared to that available to heroin users, and when coupled with the health and societal impacts that methamphetamine users create, I would contend that this legislation goes further than the Portuguese model. We know that the use of methamphetamines like ice is a major factor in 39 per cent of cases where a child is taken into the care of Queensland Child Safety authorities.

Government members interjected.

Mr MICKELBERG: I can hear those opposite laughing about this issue. To be frank, the plight of young children like Mason Jett Lee and other young children who have died at the hands of those affected by drugs is not a laughing matter. It is not a laughing matter that young children in Queensland right now are suffering at the hands of methamphetamine users.

Mr BAILEY: Madam Deputy Speaker, I rise to a point of order. There was no laughter from anyone in this chamber in the last few minutes—

Mr Mander interjected.

Mr BAILEY:—and that is an offensive comment that reflects on me and everyone else in this chamber, and I ask that it be withdrawn. There was no laughter.

Madam DEPUTY SPEAKER (Ms Lui): Reference to the laughter is not a point of order.

Mr MICKELBERG: In homes where methamphetamine use has been identified by Child Safety, 55 per cent of children are subjected to neglect, 31 per cent suffer emotional harm, and 13 per cent experience physical harm. That is in Queensland. Let's be clear, such abuse is not unique to methamphetamine users who are interacting with the criminal justice system. It is a symptom of using that particular drug. The very nature of methamphetamine use frequently results in symptoms like drug induced psychosis, depression and hallucination. While users could, in theory, access treatment and rehabilitation options, the weakening of Queensland's drug laws will mean that users will use dangerous drugs like methamphetamine, heroin and fentanyl longer, all of which will mean more harm to the families of those living with drug users.

I will be opposing the provisions in this bill that will effectively decriminalise the use of drugs like methamphetamine. Drug diversion and rehabilitation are important, but this legislation is a tacit admission that the Palaszczuk government has given up on reducing drug use in our community. If they were genuinely committed, they would be increasing resourcing for drug rehabilitation and enforcement, not simply writing away the problem.

The evidence says that there has been a six per cent drop in illicit drug use by young people since 2001. We are actually winning—there has been a six per cent drop since 2001. The effects on health of illicit drugs are well known. Why would we open the gates for the use of heroin, methamphetamine and fentanyl? We should not. I do not support these provisions and I will be opposing the provisions today.

In the time I have left, I want to address the provisions that relate to sex offender reporting. The current arrangements are inadequate. I would support any measures to protect our communities from those vile individuals who sexually abuse children. The offences of those individuals are, in my opinion, among the worst offences than any individual can commit. I want to draw—

Mr Harper interjected.

Mr MICKELBERG: I hear, I think it was, the member for Thuringowa saying, 'Why did the former government weaken them?' The first point I will make is I was not here and I would oppose those sort of provisions. The second point I make is this government has been in power for eight years. If you cannot fix a problem in eight years, then how will you fix it in the future? It is ridiculous to suggest that the government thinks this is such an issue that they took eight years to address it by bringing this legislation in. It is absolutely ridiculous. If they thought it was a problem, it should have been their first action when they came into parliament back in 2015.

I want to draw the attention of the House to a shortfall in the existing offender reporting framework, a shortfall that has seen a man, convicted of multiple instances of storing and distributing child exploitation material, able to access a state school—material, I might add, of children as young as three years old. After being found guilty and placed on what in my mind was an inadequate sentence of probation and a fine, that individual is now a reportable offender. He is a convicted sex offender who has reporting obligations, but because he is a father, he is able to attend state primary schools in my electorate, and there is no government legislation or education department policy that prevents him from doing so.

A man convicted of offences against three-year-old children can visit Queensland state primary schools because he is a father and he has no prohibition on his conditions that prevent him from doing so. That is not acceptable. That is not acceptable to my community. Regardless of whether he has a prohibition order in place, those subject to sex offender reporting should not be permitted in places like schools.

The government are best placed to determine what the mechanism is to address that. I would suggest that the Department of Education could simply amend their policy rather than change legislation. I implore the government to act. It beggars belief that parents who are convicted of sex

offences, regardless of whether or not they are contact offences, can access state school classrooms. That does not pass the pub test in my community, and I am confident it does not pass the pub test right across Queensland.

(Time expired)