




Speech By
Dale Last

MEMBER FOR BURDEKIN

Record of Proceedings, 29 March 2023

**POLICE POWERS AND RESPONSIBILITIES (JACK'S LAW) AMENDMENT BILL;
POLICE SERVICE ADMINISTRATION AND OTHER LEGISLATION AMENDMENT
BILL (NO. 2)**

 **Mr LAST** (Burdekin—LNP) (2.51 pm): I, too, rise to contribute to the cognate debate for the Police Powers and Responsibilities (Jack's Law) Amendment Bill 2022 and the Police Service Administration and Other Legislation Amendment Bill (No. 2) 2022. I say at the outset that the opposition will not be opposing these bills because we on this side of the House want to ensure the safety of Queenslanders and because we value integrity.

I will first address the Police Powers and Responsibilities (Jack's Law) Amendment Bill 2022. I want to put on the record my own and the LNP's support of any actions to make safe night precincts and the public transport operations safer. I note the reference in the title of the bill to Jack Beasley and whilst I know that this bill will never fill the hole in the hearts of Jack's parents, Brett and Belinda, it may very well prevent a repeat of that horrendous incident. When this bill passes, it is the commitment and dedication of Jack's family that will be forever etched in stone. I acknowledge their foundation and all those members, including my colleague, the member for Bonney, who have worked so hard to get this bill here before this parliament today. On behalf of all members on this side of the House, I want to thank the Beasley family and those who have assisted them. I want to put on the record my admiration for your work in making our community safer, especially given the pain you have felt. I also want to acknowledge Raymond Harris who, just a few months after the death of Jack, also lost his life after being stabbed.

Safe night precincts are an important vector in addressing alcohol-fuelled violence. I know that because I oversaw the implementation of the safe night precinct in Townsville during my tenure as the officer-in-charge at the Townsville police division. It is that experience and insight, along with the work of the Jack Beasley Foundation, that has led to the amendments circulated in my name, and I will speak to those amendments later in my contribution.

What we know from the trial of wanding is the true extent of weapons being carried in public areas. The committee, in a submission from the Queensland Police Service, was told that 242 weapons were seized between 30 April 2021 and 29 January 2023 in the Surfers Paradise and Broadbeach safe night precincts, including inter alia 68 bladed articles, 53 weapons offences and 101 other offences detected whilst scanning for knives. Of those weapons seized, eight were household knives, 59 were other types of knives and one was an axe. Other weapons seized included a replica handgun, a baton, two hand tools, five knuckledusters, one screwdriver, tasers and machetes. It is absolutely frightening when you think about the weapons that have been seized as part of this trial that had been carried around in our public places. Statistically what we saw was that for every 100 people wanded, at least one was carrying a weapon. Make no mistake, these are weapons that can cause serious injury or death. As Assistant Commissioner Mark Wheeler—and I note the assistant commissioner's presence in the gallery today—told the *Brisbane Times* if that replica firearm was aimed towards police 'it could have been a devastating outcome'.

A positive flow-on from the wanding trial has been an eight per cent reduction in the number of persons charged with unlawfully possessing a knife in a public place in the 2021-22 financial year when compared to the previous 12 months.

Regardless of people carrying weapons because they intend to offend or because they have fears for their safety, we must get these weapons off the streets and especially out of the hands of people who may be affected by drugs or alcohol. The abundance and types of weapons seized is just one reason that the primary objective of my amendments is to make the wanding provisions permanent. I table a copy of my amendments, statement of compatibility and explanatory notes.

Tabled paper: Police Powers and Responsibilities (Jack's Law) Amendment Bill 2022, amendments to be moved by Mr Dale Last MP [398](#).

Tabled paper: Police Powers and Responsibilities (Jack's Law) Amendment Bill 2022, explanatory notes to Mr Dale Last's amendments [399](#).

Tabled paper: Police Powers and Responsibilities (Jack's Law) Amendment Bill 2022, statement of compatibility with human rights contained in Mr Dale Last's amendments [400](#).

It is not just about weapons. In addition to the 216 Weapons Act offences, the trial also resulted in 431 drugs charges, identified persons wanted for questioning by police, persons subject to banning notices and persons with warrants for their arrest. According to the My Police website, the first weekend of the trial led to two people facing court for breaching police banning orders, identified two breaches of bail offences and three possession of a dangerous drug offence as well as other minor offences, in addition, I might add, to two weapons being seized.

We know that breach of bail is a touchy subject for those opposite and we know that Labor certainly have done a backflip when it comes to that particular law being passed in this parliament, a breach of bail amendment that I brought to this parliament some two years ago; however, we know the benefits of bringing forth that particular provision to this parliament.

It is worth noting that the committee heard from several submitters who raised concerns surrounding the government's extension of the trial, and the second part of my amendment is designed to ensure their concerns are given full and proper consideration on a regular basis. This trial commenced on 30 April 2021 and clearly the results speak for themselves. The opposition firmly believes that extending this trial is not warranted and that these changes regarding scanning provisions, increased scope of prescribed public places and the criteria that a senior police officer must consider before approving the use of a handheld scanner device should be made permanent. Whilst noting the safeguards built into the original bill, my amendments also include a legislative requirement for a review two years from the commencement of this bill and goes on to ensure that the minister must table the review in this House to ensure that the oversight of these provisions continue.

I note that the bill extends the scope of prescribed public areas where scanning for weapons can be utilised. In addition to the Surfers Paradise and Broadbeach trial sites, safe night precincts where scanning can be undertaken would be extended to include: Airlie Beach; Brisbane CBD; Bundaberg CBD; Cairns CBD; Fortitude Valley; Gladstone CBD; inner west Brisbane, including Caxton Street; Ipswich CBD; Mackay CBD; Rockhampton CBD; Sunshine Coast, including Caloundra, Maroochydore and Mooloolaba; Toowoomba CBD; and Townsville CBD.

As we know, crimes do not just happen in the south-east of the state. It is vitally important that all safe night precincts in Queensland are included in this particular legislation. In addition to expanding the scanning in all safe night precincts, the bill also extends the powers to apply to public transport stations and public transport vehicles within one scheduled stop of a public transport station. Given the statistics provided by the Queensland Police that in 2½ years we saw more than 360 incidents of unlawful possession of a knife on Queensland Rail infrastructure, we support the inclusion of transport places and services where the relevant criteria have been met.

I mentioned earlier my involvement in the establishment of the Townsville safe night precinct, and I specifically note that committee recommendation 2 refers to the need for adequate resourcing of police. That is where this government has again failed spectacularly. Since the inception of safe night precincts, additional funding for overtime was made available to ensure the operation of those areas would not impact on other policing duties. If we use Townsville as an example, that ensured there were additional officers stationed in the safe night precinct to police that particular area. That meant that officers at suburban stations like Mundingburra, Kirwan, Stuart or Deeragun can continue conducting patrols and responding to incidents like the increasing numbers of unlawful use of vehicle offences and break and enters in that community. However, this government removed that additional funding and, in the minister's own words, made safe night precinct duties business as usual. When there are several thousand patrons in the safe night precinct on a big night out on a Friday or a Saturday, those extra officers are needed in that precinct and they need to be there for the duration of the shift and not be tasked away from that precinct.

Queenslanders know that under this government the concept of business as usual when it comes to crime has gone out the window. In fact, hundreds of thousands of Queenslanders have signed petitions presented in this chamber calling for action on youth crime. This government's scrapping of the additional funding for safe night precincts means that instead of responding to the calls of those Queenslanders, our police resources are being even more stretched. It means that in order to operate safe night precincts, police are being diverted from proactive policing or responding to someone's house being broken into or their car being stolen or, heaven forbid, a domestic violence incident out in the suburbs.

It is not just victims of crime in the suburbs who have been let down by this government's decision to scrap the safe night precinct funding. The government's own review showed that, combined with other policies, the actions of police in safe night precincts had contributed to a 49 per cent drop in assaults. I call on the minister to explain how he intends to comply with the committee's recommendation of adequate resourcing while also ensuring adequate resources to respond to incidents outside the safe night precincts. Frankly, the minister must provide a full and transparent response to this chamber. It is simply not on for the minister to deflect blame to the Police Commissioner because, just like all Queenslanders, the minister knows that our police will do their best to serve the community no matter how overstretched they are. To properly implement this bill and to ensure the safety of the wider community, the minister must answer that question and the minister should reinstate the previous funding arrangements that were pertinent to safe night precincts.

The demands placed on police officers and police staff have without question increased over recent years. For that reason, the LNP welcomes actions to deliver operational improvements and efficiencies offered to police and Queensland Fire and Emergency Services by the Police Service Administration and Other Legislation Amendment Bill (No.2). No-one can question that the Independent Commission of Inquiry into Queensland Police Service responses to domestic and family violence highlighted issues with the police discipline system. Given the bravery shown by victims and other witnesses, it is absolutely necessary that an appropriate and effective discipline system is in place that is transparent, robust and timely. This is not only for the benefit of the community and necessary given the trust placed in police; but it is also essential for the overwhelming majority of police officers and staff who do the right thing.

I note in the minister's introductory speech that he referred to remaining eternally vigilant. Unfortunately, there are aspects of this bill that illustrate where this government has failed when it comes to vigilance. To a large extent, portions of this bill are more about cleaning up the government's own mess, something confirmed by the minister's statement that the bill 'does not amend vast tracts of law or make revolutionary changes' and his reference to 'incremental improvements'.

When it comes to the amendments to the Weapons Act we have a clear indication of an area where improvements were and still are drastically needed. It is beyond debate that this government's inability to plan and deliver led to a major backlog of weapons licensing applications, and it must be remembered that these applications for licences and permits to acquire are being made by law-abiding Queenslanders with a valid reason for making the application.

I have personally spoken to graziers who, due to the delays, were forced to wait for a vet to visit their property when an animal was sick or injured. Honourable members have to remember that for some of these properties the nearest vet can be hundreds of kilometres away and, as we see with many professions in regional Queensland, the demand for their service can mean they are not immediately available. The issue also impacted feral pest animal eradication as well as sporting shooters and businesses.

The delegation of authority to a suitably qualified authorised officer who is not a police officer is logical, but it does not take away from the need for this minister to provide assurances that Weapons Licensing will be adequately resourced. I also call on the minister to clarify the reasoning behind the need for retrospective approvals who were not authorised officers at the time of making those decisions. Call me cynical, but given the vast array of issues in areas for which this minister is responsible, it appears that here we are again acting to clean up what has become an inordinate mess within Weapons Licensing.

I met with a well-known dealer recently who informed me that he has, in fact, almost \$2 million worth of firearms at his premises currently on hold waiting for permits to acquire and firearms licence applications to be processed, and that is not good enough. This issue within Weapons Licensing has been raised in this place now for almost two years. It is about time that this issue was sorted out, that the resources this particular section needs are put in place, that the processes are streamlined and that red tape which currently exists within Weapons Licensing is removed.

Insufficient staffing and resourcing issues are also highlighted in the changes to the Police Service Administration Act—issues with reference to staff provided by labour hire companies on a 'surge' basis. We are referring to a government agency whose primary role is protecting our communities but, despite all the minister's claims, we apparently need to engage staff from labour hire companies to manage demand. It is abundantly clear that this government has failed to properly manage staffing, especially given that it is only the passage of this bill that will enable the commissioner to consider the criminal history of external service providers. To be clear, these are checks that are almost commonplace in many industries, but until now the need for these checks for external service providers working in the Queensland Police Service has been overlooked—a shocking omission.

I note that the changes seem primarily focused on the disciplinary process, but I welcome the changes to the act that make it easier for medically unfit police officers to transfer to staff positions. Policing is a demanding and sometimes dangerous job. There is a physical toll paid by every officer. When we take into account some of the incidents that police attend, there can also be issues regarding mental health. Add in the undeniable fact that police are currently stretched beyond breaking point and it is inevitable that some police officers will reach a point where a role as a sworn officer is no longer an option. Being able to retain their knowledge within the organisation is invaluable, and making it easier to transfer to a staff position is one way of achieving this.

The addition to existing legislation of an offence of impersonating a member of the Rural Fire Brigade is also one of the more minor amendments included in this bill, but it is one that I welcome. It is a fact that rural fire brigades currently protect 93 per cent of Queensland's land area. To put it simply, their contribution to the safety of our communities cannot be overstated. I also welcome the clarification of circumstances surrounding the sharing of information between QFES and the Queensland Police Service with regard to investigations.

It is a sad fact that data breaches are becoming more common, and it is clear that personal and private information is now sought by criminal groups and legitimate groups due to its value. Those of us on this side of the House welcome integrity measures and we recognise the importance of ensuring that sensitive government information is not improperly disclosed. We also support the public interest disclosure process as a measure to mitigate against corruption and protect whistleblowers. We also recognise the importance of ensuring that process is effective and robust.

The amendments contained in this bill are important and will play a role in protecting sensitive government information, but any claim that these amendments address recommendation 10 of the CCC's Operation Impala are simply misleading. Let's be crystal clear: recommendation 10 of Operation Impala was that misuse of confidential information by a public officer be made an offence across the whole of government. These amendments do not deliver that, as confirmed by the CCC and the Queensland Police Service. If this government wanted to implement recommendation 10 of Operation Impala it could have done so at any time in the two years since that report was tabled in this House. It is this government that has the numbers to push this legislation through this House whether it is supported by this side of the House or not.

This government, due to those same numbers, has the power to prevent legislation passing through this House. My attempt almost two years ago to reinstate breach of bail for young offenders is a perfect example. The same amendment that was passed in this House at the last sitting of parliament was stopped by those opposite simply because it did not have their name on it. These amendments are not recommendation 10 of Operation Impala and I, for one, will not let Queenslanders be told that they are. The truth is: this government has failed to act on the recommendations of the CCC that address improper access to, and dissemination of, confidential information.

This government's inaction when it comes to securing information continues today and was highlighted again by the Queensland Audit Office, whose recent *State entities* report states—

Entities have taken some corrective action to address the recommendations we made in our report last year. Despite this, we continue to identify weaknesses that require further action with regard to procurement, payroll processes, and the security of information systems.

These amendments go a small way towards addressing the safety of sensitive information but they do not go far enough, and I call on the government to commit to taking necessary action.

As I stated when I began my contribution, the LNP will not oppose these bills but this government is on notice: Queenslanders have had enough of paying the price for the messes this government has created. We on this side of the House will continue to speak out for them and for the victims of crime in this state. We owe it to those victims and to the families of those victims. For that reason, I urge all members to support the practical and commonsense amendments proposed here today.