




Speech By  
**Jason Hunt**

**MEMBER FOR CALOUNDRA**

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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 HUNT** (Caloundra—ALP) (4.17 pm): I rise today to make my contribution to the debate surrounding the Police Powers and Responsibilities and Other Legislation Amendment Bill 2022 and Police Powers and Responsibilities and Other Legislation Amendment Bill 2023. As is my custom, I would first like to thank the members of the Legal Affairs and Safety Committee, but with a slight difference this time. I would like to thank the committee chair, Mr Peter Russo, member for Toohey; Ms Jonty Bush, member for Cooper; and the incontestable member for Noosa, Ms Sandy Bolton. I would normally at this time acknowledge Mrs Laura Gerber, the member for Currumbin, and Jon Krause, member for Scenic Rim, however their contributions were so at odds with the hearing that I am not completely convinced they were there at all. The secretariat, as always, was completely indispensable, and once again I thank them for the sheer volume of hard work that they undertake on our behalf.

This bill was introduced by the Hon. Mark Ryan MP, Minister for Police and Corrective Services and Minister for Fire and Emergency Services. The bill was referred to the Legal Affairs and Safety Committee on 21 February this year. The committee invited stakeholders and subscribers to make written submissions to the bill. The inquiry received 15 submissions. The committee received a written briefing on the bill from QPS on 17 March 2023. The committee also received advice from QPS and QFES responding to the submissions on 16 March. The public hearing was held on 20 March in Brisbane with stakeholders while a public meeting with QPS and QFES was held on 24 March, at the conclusion of which three recommendations were made.

The first recommendation was that the bill be passed. Secondly, the committee recommended that the Queensland Police Service review their training processes to ensure the amendments to the police drug diversion program proposed under the Police Powers and Responsibilities and Other Legislation Amendment Bill 2023 are adequately implemented. This review should include an assessment of whether any changes to current training processes are required to ensure that the greater discretion afforded to police when dealing with children suspected of minor drug offences does not result in them being treated more harshly than if they had been adults.

Thirdly, the committee recommends that the Queensland government report to the Legislative Assembly within 24 months of the act commencing on its progress regarding the independent evaluation of the police drug diversion program's operation. I will concentrate my own contribution on the first and perhaps primary objective of the bill, that is, to enhance the police drug diversion program through introducing drug diversion warnings, allowing an eligible person an opportunity to participate in a subsequent drug diversion assessment program and the expansion of minor drug offences to include the possession of prescribed quantities of any type of dangerous drugs and certain pharmaceuticals.

Currently, police can only offer an eligible person the opportunity to participate in and complete a drug diversion assessment if the person possesses less than 50 grams of cannabis and/or a thing used in connection with smoking cannabis. For minor drug possession offences involving any other type of dangerous drug or the unlawful possession of pharmaceuticals that are S4 or S8 medicines under the Medicines and Poisons Act 2019, the only option available to police is to enforce the law and commence formal proceedings against the person in court. That is currently the only option. The bill amends the PPRA by making minor supportive amendments to other acts to improve the law enforcement response to drug offences that involve small quantities of drugs that are used for personal use by providing police with access to an alternative other than bringing the person before the court. Police will, of course, maintain a zero tolerance approach to the suppliers and producers of illicit drugs.

It is worth reiterating because the LNP are quite clearly ignoring the fact that the amendments in this bill have been requested by the Queensland Police Service to implement a common sense change to the criminal justice response to illicit drug use in Queensland by the Queensland Police Service. No less authority than Commissioner Katarina Carroll has indicated that research shows if you divert people early to health and education services, they are less likely to reoffend.

I myself firmly believe that it is high time that lower level offences are treated as a health issue and addressed in the same way we would assist those who are addicted to nicotine or suffer alcohol abuse, and I am not alone in that view. The Australian Medical Association Queensland has publicly called for the expansion of the drug diversion program and has taken the position that the substance should be treated as a health issue to address the underlying causes of substance abuse and encourage help-seeking behaviours.

For me, the most intelligent and concise synopsis of the amendment came during the hearing from Acting Deputy Commissioner, Regional Operations, Mark Wheeler, who is worth quoting directly. He stated—

Drug diversion is not a new concept in Queensland. Queensland police have been diverting people for cannabis possession for over 20 years. We know that that program is effective. We know that the current policing drug diversion program has diverted more than 158,000 people from the criminal justice system and into a health intervention since the program began in 2001. The most recent analysis of drug crime recidivism among drug diversion recipients shows that 72 per cent of those who completed drug diversion did not reoffend for a drug related offence during the four-year evaluation period. That is consistent with other evaluations of drug diversion programs conducted in other Australian jurisdictions. Importantly, diversion has operational benefits for police.

There are crickets from the opposition. He went on—

It saves police and court resources and time. It allows police resources to be focused in areas where they can have a greater impact on community safety.

This last point is worth restating—

It saves police and court resources and time.

That is an excellent outcome by any measure.

The QPS are supportive of these measures, so the LNP contributors are trying to put themselves above the Queensland Police Service. Endorsement from the Queensland police should really put the merit of these amendments squarely beyond doubt and, indeed, most of the submitters were very much in favour of the objectives of the bill. In point of fact, most of the submitters supported in principle the proposal to expand the diversionary options for minor drug offences under the bill. The Queensland Network of Alcohol and Other Drugs Agencies, for example, considered that the proposed expansion of the PDDP is an important step towards reducing the potential harm for associated use with alcohol and other drugs in Queensland.

There was some dissent from the overwhelming tide of agreement from submitters. However, Drug Free Australia raised concern that the bill would undermine the deterrence of existing laws as potentially only on the fourth time a person is caught with drugs are police required to issue a person with a court notice to appear. It is worth noting again that, according to the Queensland police, of those engaged in diversion, 72 per cent did not reoffend. This is a compelling statistic because four years is a very long time to measure recidivism.

In the 21 years I worked in Corrective Services I did not see one shred of evidence to support the contention that you need incarceration to encourage drug rehabilitation. That is absolutely at odds with reality. My former career leads me to draw attention to another amendment in the cognated bill. In my time working at Woodford Correctional Centre I had considerable dealings with child sex offenders as a unit officer. Custodial officers are required to deal professionally with paedophiles and they do so with consummate professionalism, but it ain't easy. Child sex offenders are even more disgusting than anyone can ever possibly imagine. They are evil and they are dangerous. Early in my career when doing cell searches in protection units with child sex offenders it was not uncommon to find shopping

catalogues lifted from newspapers containing images of children from the underwear section of the advertisements. These are the creatures that the LNP decided to let slip into our community unmonitored.

In 2014 the LNP, who try to claim that they are concerned about community safety, let 1,700 child sex offenders slip off the radar. That was 1,700 people who seek sexual gratification through children's underwear catalogues who were permitted to slip silently into the darkness of obscurity. This is the LNP commitment to community safety. This was not an administrative error; this was not because of a software failing. The LNP deliberately, knowingly and with breathtaking callousness put our communities and our children at increased risk by cutting the reporting period from eight to five years, and many of those responsible for that decision are still in this House daring to talk about community safety. I absolutely commend the Minister for Police for fixing this hideous and deliberate piece of cost cutting—

**Mr Mickelberg** interjected.

**Mr HUNT:** You cut it; you own it.

**Mr Mickelberg** interjected.

**Mr HUNT:** You put them at risk; you own it.

**Madam DEPUTY SPEAKER** (Ms Lui): Order, members.

**Mr HUNT:** On that note, I commend the bill to the House.