




Speech By  
**Hon. Mark Ryan**

**MEMBER FOR MORAYFIELD**

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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**

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (4.35 pm), in reply: I would like to thank all members who have made a contribution to the debate on the Police Powers and Responsibilities and Other Legislation Amendment Bill 2022 and the Police Powers and Responsibilities and Other Legislation Amendment Bill 2023. The legislation before us today is multifaceted, as all members have noted in their contributions, with many reform elements touching on various aspects of the administration of justice and of community safety in our state. However, every facet of the legislation that we are debating today has a common goal—the goal of a safer and better community.

We are here again with a number of important matters for us to consider when it comes to reform and when it comes to community safety and to building stronger, better communities. Disappointingly, we are witnessing yet another reality check for the LNP. Our legislation doubles the length of time that child sex offenders are monitored, righting one of the LNP's many wrongs. When in government, as many government speakers have noted today in the debate, the LNP made a decision to change the law—it was a deliberate decision—to stop the monitoring, overnight, of more than 1,700 child sex offenders. When the LNP very deliberately cut the monitoring—overnight—of 1,700 child sex offenders, it resulted in Queensland going from having one of the strongest regimes in the nation to having the weakest sex offender monitoring periods in the nation. Even in this debate, I have noticed a number of members from the LNP using mealy words to try to delay these amendments reversing their 'soft on crime' approach to child sex offenders, with a number of members suggesting that the government should not be progressing these amendments at the moment.

That is the record of those opposite. They talk tough, but their law and order record is in tatters. They cut the police monitoring of child sex offenders, they closed prisons and they sacked police and corrective services staff. They even cut the corrective services dog squad, with devastating outcomes. Under their watch, a murderer escaped from a low-security facility. Under their watch, a serial paedophile was caught kissing and groping a 12-year-old boy in public. Under their watch, a paedophile who sent a love letter to a nine-year-old victim did not have his sentence increased. Under their watch, a child rapist who breached a supervision order was not returned to prison for possessing child pornography. When it comes to the LNP and law and order, we should never listen to what they say; we should look at what they do.

A number of members have raised the issue of police resourcing at the Child Protection Offender Register in relation to the amendments in this bill. I have already addressed those concerns in my second reading speech, but I will reiterate it now. This government will always back police with the strong laws and resources that they need. Our record is clear on that front. Additionally I am advised

by the Police Commissioner that, to accompany the changes in this bill, the commissioner intends to double the resources allocated to the Child Protection Offender Register over the next eight years, and this will be allocated from police growth positions already funded by this government.

I will now address the amendments that I will move shortly. Just as education has a pool of relief teachers to call upon when needed, the Police Commissioner has requested that the Queensland Police Service should have a similar arrangement. At the Police Commissioner's request, this legislation establishes a new category of special constables—state officers—who can undertake frontline work on a casual employment basis. The Police Commissioner wants to attract to the Queensland Police Service an untapped pool of already experienced police officers. The commissioner says other jurisdictions have similar arrangements, as do the teaching and nursing sectors. The commissioner says that the additional workforce capability will be particularly useful when a surge in numbers is required during, for instance, major events like natural disasters. Any special constable employed by the Queensland Police Service will be in addition to the 2,025 extra full-time permanent Queensland Police Service positions the government has funded.

The Queensland Police Service advises that the police academies are currently going flat out training new recruits, with intakes of new recruits occurring approximately every six weeks. In addition, police advise its international recruitment campaign is also generating a great deal of interest. Of course, none of this would have happened if those opposite had their way. The LNP went to the last election committed to cutting the number of extra police officers the government is delivering by more than two-thirds, and what would that look like? That would mean 130 fewer police officers in the Brisbane Region, 150 fewer in the North Coast Region, 125 fewer in the Central Region, 90 fewer in the Northern Region, 70 fewer in the South Eastern Region and 150 fewer in the Southern Region, and it is not just me who says that.

The President of the Queensland Police Union is on the public record noting that the LNP's commitment at the last election was 1,000 fewer officers than this government—1,000 fewer police in Queensland if those opposite had been elected.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER** (Mr Lister): This is not question time. The minister is not taking interjections and I ask both sides of the House to restrain themselves.

**Mr RYAN:** Let me also remind those opposite of something that Ian Leavers said. When referring to 2012, the President of the Queensland Police Union, Ian Leavers, said—

I was involved with the police numbers in 2012, and sadly they were not fully funded.

He meant by that government. He continued—

That meant that the police budget had to be stripped elsewhere ... police have been badly burnt by previous sneaky governments who made commitments and didn't fund them properly.

It is on the public record as to who Ian Leavers was referring to. Our commitment to the Queensland Police Service is fully funded and just this morning Ian Leavers said this about our government's commitment—

... the money is there and the commitment is there from government.

Our record is strong when it comes to supporting the Queensland Police Service.

This legislation will also establish a health-based framework for dealing with minor drug offences. Again, this is a very clear choice for members of parliament. They can side with the police who have requested these measures. They can side with the medical experts who support these measures. They can side with former Federal Police commissioner Mick Palmer who supports these measures. They can side with every former Queensland-based police commissioner since the Fitzgerald era who support these measures. They can be on the right side of history, or they could side with the LNP and oppose these measures.

Some members say that they cannot support laws that condone the possession of illicit drugs. Nothing about the amendments in this bill condones the use of illicit drugs. Nothing about these amendments minimises the serious impacts that drug use can have on individuals and the community. The opposite is actually true. The government takes the impacts of drug use very seriously. Unlike those opposite, we take it seriously enough to listen to the experts, to listen to the police. Despite what those opposite have tried to suggest, the possession of drugs will still remain a criminal offence. What

is changing is the criminal justice response to give people a chance to turn their lives around before a criminal conviction and all of the devastating consequences that can flow from that. A criminal conviction does not help treat drug addiction. All of the evidence says it actually exacerbates the problem. I will read from the words of Acting Deputy Commissioner Mark Wheeler when he addressed the committee. He said—

... the staff I speak to—and I am talking about hardened detectives who work in drug squads and the like—are happy about this because, instead of wasting their time dealing with small-time people who often have chronic underlying health conditions, they can divert their attention to producers, suppliers and traffickers who trade on other people's misery.

That is an important point. The other side of this legislation is that we are targeting even more harshly those who profit from the misery of others. The penalty for those who traffic drugs will increase from 25 years imprisonment to life in prison. I note that some members have made comments about the way the bill allows quantities of drugs to be prescribed for the purpose of determining whether a drug offence is a minor drug offence. Some members say that this should not be done by regulation. The Drugs Misuse Regulation 1987 is the relevant subordinate legislation. It already prescribes what the dangerous drugs in Queensland are and the quantities that trigger certain aggravating offences. In other words, to say that there is something unusual about this approach is simply not true. It is entirely consistent with the way that the existing legislation is structured and has been structured for decades.

Expanding the police drug diversion program has broad support. The Alcohol and Drug Foundation contracted uComms to conduct a survey of Queensland residents on which action they supported for an individual found with a small amount of drugs for personal use. The survey of more than 6,000 people was conducted in the electorates of Barron River, Broadwater, Cairns, Kawana, McConnel, Moggill, South Brisbane, Mundingburra and Townsville. In Broadwater up to 86 per cent of respondents supported our approach and up to 92 per cent in Barron River, up to 88 per cent in Maiwar, up to 91 per cent in Cairns, up to 77 per cent in Kawana, up to 94 per cent in McConnel, up to 90 per cent in Moggill, up to 88 per cent in South Brisbane, up to 88 per cent in Mundingburra and up to 83 per cent in Townsville.

I will now briefly address one of the issues raised by the member for Maiwar in relation to the application of the expanded drug diversion program to young people. The amendments in the bill provide that where an adult meets the eligibility criteria for a minor drugs offence the application of the scheme is mandatory. Applying the framework in a mandatory way to children would constrain the ability of police officers to use the existing diversionary options in section 11 of the Youth Justice Act. For that reason, the bill makes the use of drug diversion warnings and drug diversion assessment programs in relation to children discretionary. Section 11 of the Youth Justice Act requires police officers to consider the most appropriate way of dealing with a child before commencing proceedings. That section currently provides a range of diversion options—for example, taking no action, administering a caution or, in the case of a minor drug offence, drug diversion.

Under the Youth Justice Act the Childrens Court has the discretion to dismiss charges if the court is satisfied police should have initiated a diversion option rather than charging a child. When dealing with a child for minor drug offences, a police officer must still consider the range of diversionary options outlined in section 11 of the Youth Justice Act. The bill will amend the Youth Justice Act to include a drug diversion warning as well as a drug diversion assessment program as diversion options available to police when dealing with a child for a minor drugs offence. Acting Deputy Commissioner Mark Wheeler also discussed this in the Legal Affairs and Safety Committee hearing. He said—

With young people we are interested in intervening at an early stage—intervening early, keeping kids out of court, keeping kids out of custody and reducing reoffending are the four pillars of the Bob Atkinson report—and working with them to tailor the approach and treatment for them. The most important thing is being able to involve the family and also to be able to use those traditional diversionary approaches more than twice—in fact, at times more than three or four times—because young people may offend over different periods of their young lives. Being able to involve the family allows police to tailor the approach to each individual child, particularly for our young disadvantaged, vulnerable people in our First Nations communities across the state.

I want to take this opportunity to thank police officers, police support staff, firefighters and their support staff and all of the people in the Queensland Police Service and the Queensland Fire and Emergency Services for the work that they do right across the state. The volunteers, the frontline workers, make our community a safer place with their efforts. They go to work every day with a determination to make Queensland a safer place.

I acknowledge the support of my colleagues in the development of this legislation, in particular, the Attorney-General and the Minister for Health. I take this opportunity to thank the Queensland Police Service Legislation Branch, the Queensland Police Service Drug and Alcohol Coordination Unit and the Child Protection Offender Register team who have worked tirelessly on the development of these bills. In particular I would like to acknowledge Acting Inspector Margo Watson, senior sergeants Andrew Wilson, John Henderson, Aydina Pugh and Ian Carol and acting director of the legislation branch

Jessica Mudryk. I also wish to acknowledge the work on these reforms by the Police Commissioner herself and her team, Acting Deputy Commissioner Mark Wheeler, Acting Deputy Chief Executive Paul Friedman and Senior Executive Director Tony Brown. Thanks also to the team at Queensland Fire and Emergency Services including Acting Executive Director Jane Houston and Acting Director Carly Osbourne. Thanks also to former police commissioners Mick Palmer, Jim O'Sullivan, Bob Atkinson, Ian Stewart and former corrective services commissioner Professor Peter Martin. Thanks to Matt Noffs of the Noffs Foundation.

Finally, I would like to acknowledge the health and addiction specialists who help Queenslanders overcome the devastating impacts of addiction for their tenacious advocacy for reform. In particular I acknowledge Dr Erin Lalor of the Alcohol and Drug Foundation, Rebecca Lang of the Queensland Network of Alcohol and Other Drug Agencies, Dr Maria Bolton of the Australian Medical Association of Queensland and her predecessor, Dr Chris Perry, who was a very strong advocate for these reforms. This legislation before the parliament is significant. Importantly, it strengthens the monitoring framework in relation to child sex offenders, it establishes a health-first approach to minor drug offences and it does much more to keep the community safe. As I said at the outset, everything this important legislation does is aimed at building a better and safer community. I commend the bills to the House and I encourage all members to support them.