




Speech By  
**Cynthia Lui**

**MEMBER FOR COOK**

---

Record of Proceedings, 21 May 2024

## **POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL; CORRECTIVE SERVICES (PROMOTING SAFETY) AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms LUI** (Cook—ALP) (3.03 pm): I rise to speak on the cognate debate with regard to the Police Powers and Responsibilities and Other Legislation Amendment Bill and the Corrective Services (Promoting Safety) and Other Legislation Amendment Bill. Both bills speak directly to, and aim to protect the rights and liberties of, the people that these bills affect. I will focus my speech mostly on the police powers and responsibilities bill.

I was part of the committee that took carriage of the Police Powers and Responsibilities and Other Legislation Amendment Bill. Since the examination of the bill, I have a much greater appreciation for fairness when it comes to protecting the rights and liberties of the LGBTIQ+ community. The thought of being searched at the best of times can make anyone feel uneasy or anxious. I believe everything that the police powers and responsibilities bill aims to achieve carefully considers the impact for not only the individual being searched but also the individual having to carry out a search. It promotes safe practices and, as such, will certainly build relationships, trust and community confidence.

The Police Powers and Responsibilities and Other Legislation Amendment Bill proposes to introduce a range of changes that are designed to promote and protect the rights of gender diverse people undergoing personal searches or other procedures in law enforcement and/or clinical settings in Queensland. The key objectives of the bill are to make the necessary amendments to ensure that trans and gender diverse people receive the same protections as other Queenslanders in legislation without making specific reference to gendered language unless absolutely necessary; and achieve operational improvements in legislation administered by the Queensland Police Service, the Department of Justice and Attorney-General and Queensland Health.

The bill's stated purpose is to amend Queensland statutes to enshrine safeguards in primary legislation relevant to people who are being searched being able to express a preference regarding the gender of the officer conducting the search. It will ensure that searching officers can continue to conduct lawful searches to protect the community while also protecting searching officers. The bill will replace existing same-sex safeguards with a new framework to provide protections in the exercise of powers, enabling the consideration of a person's gender. The bill proposes that provisions regulating searches or procedures would be governed by a 'same gender starting point' approach, supported by a 'dialogue model safeguard'. This would mean that gender diverse Queenslanders would be able to express a preference as to how the search would be conducted and the gender of the officer conducting the search or procedure.

The bill will also remove the ability for any police officer to view the monitor of a video camera in the area where a person is being searched. The new safeguards retain the safe gender starting point—that is, the officer and the subject person should be of the same gender. The bill also provides for similar gender preferences in clinical settings for the safety of patients, visitors and staff. Ultimately, this bill aims to keep people safe by respecting and protecting the rights of individuals.

The Corrective Services (Promoting Safety) and Other Legislation Amendment Bill is about supporting victims of crime and enhancing safety in Queensland's correctional system. The bill would promote safety for victims and their families, safety for corrective services officers and safety for offenders. The bill seeks to strengthen support for victims of crime in a number of ways, including by improving the operation of the victims register; protecting the use of victim and intelligence information in parole decisions; requiring representation for victims on the Parole Board Queensland; strengthening powers to respond to the abuse of prisoner communications channels; and increasing oversight of child sex offenders.

I want to acknowledge both the Community Support and Services Committee and the Community Safety and Legal Affairs Committee, the committee chairs, the committee members, the committee secretariat and Hansard for all their work in the examination of both bills. I commend the bills to the House.