




Speech By  
**Andrew Powell**

**MEMBER FOR GLASS HOUSE**

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### **JUSTICE LEGISLATION (LINKS TO TERRORIST ACTIVITY) AMENDMENT BILL**

 **Mr POWELL** (Glass House—LNP) (4.31 pm): I rise to address the Justice Legislation (Links to Terrorist Activity) Amendment Bill 2018. I abhor violence; I cannot stand it. I particularly abhor violence that is premeditated, calculated and determined to cause maximum impact, damage and media coverage with the sole purpose of putting fear into the hearts of our communities—

**Mr DEPUTY SPEAKER:** Sorry, member. Pause the clock. There is too much audible conversation. If you need to have a conversation, take it outside.

**Mr POWELL:** It puts fear into our communities and terror into the hearts of individuals across the world.

My heart goes out to the people of Christchurch. My wife, Taryn, and I have visited there many times and spent many nights there. In fact, one of my wife's closest friends is a doctor who serves in the Christchurch Hospital. On the day of that event my wife sent her a text. She replied that she had been on shift all day. She had been on shift in the step-down facility of the emergency department. When the incident occurred they went into lockdown. Equally, her kids' school went into lockdown. At the time we got the text they had finally been released. That was 8.30 at night. She was spent. My understanding is that she had a small amount of sleep and then went back to the Christchurch Hospital.

It is not fair on this community. During the time we have spent with these friends we have spoken about the ongoing impact of the Christchurch earthquake and the scars that that has left not only on the physical landscape around Christchurch but also on each and every individual in that community. There are a lot of people still struggling to overcome the fear and feelings that that earthquake created. The people of New Zealand and of Christchurch are beautiful people. To then have to face what they faced in that calculated attack by an individual, who deserves to have the book completely and utterly thrown at him, is simply not fair.

I struggled to sit through the contribution we just heard from the member for Maiwar. I accept that there are long-held beliefs that things like bail and the presumption of innocence are important elements of our community, but that preceded a time when this kind of terror takes place. I am sorry, but I cannot support any element of the argument presented by the member of Maiwar, and indeed I support every element of this bill.

There are individuals—as we spoke about last night with regard to the child sex offender register—who are beyond rehabilitation and for whom the chance of recidivism is too high. Indeed, the threat of terror acts exceed the consideration of any human right. This individual must be treated accordingly.

The bill is based on the following. On 9 June 2017 the Council of Australian Governments, COAG, agreed that there will be a presumption that neither bail nor parole will be granted to those persons who have demonstrated support for, or have links to, terrorist activity. This became known as the COAG commitment. The terrorist threat in Australia remains elevated. As we have seen from the events of recent weeks, it is ever-present. The cross-border nature of the threat of terrorism requires a national

response to keep all Australians safe. As we have seen by the fact that the perpetrator in Christchurch is Australian, this issue transcends international borders and needs an international response. National consistency is important to support interoperability and cooperation in national efforts to prevent and respond to terrorist threats.

On 5 October 2017 COAG further agreed that implementation of the COAG commitment would be underpinned by agreed principles recognising the ongoing importance of national consistency in counterterrorism legislation and responses more broadly. The COAG commitment recognises the unique risks posed by a person with demonstrated links to terrorism. The amendments in the bill are significant departures from existing provisions and must be viewed as extraordinary measures to combat this unique risk to the community.

I again reflect on the contribution we just heard from the member for Maiwar. These are unique individuals who present unique risks. Those unique risks apply to our community as a whole. They cannot be dealt with through existing legislation. There is a genuine fear that if such persons were released on bail or on parole, the activity that police and other forces are attempting to prevent may come to pass.

Therefore, a number of principles have been agreed upon; that is, the presumption against bail and parole should apply to categories of person who have demonstrated support for, or links to, terrorist activities. High legal thresholds should be required to overcome the presumption against bail and parole. It is not just a case of them having to meet a threshold; those thresholds need to be extremely high to ensure that they cannot gain bail or parole. The implementation of the presumption against bail and parole should draw on and support the effectiveness of the joint counterterrorism team model. Implementing a presumption against bail and parole should appropriately protect sensitive information.

The men and women who serve on our front line in counterterrorism do an outstanding job. Our police at the federal and state level do an outstanding job. We are fortunate in Queensland that we have not to date, touch wood, experienced the kind of attacks that other cities in Australia and around the world have experienced. Therefore, I and my colleagues in the LNP are very comfortable in supporting these amendments to our laws to ensure those men and women on the front line, our police, have every power to ensure that any individual who has demonstrated a propensity or a link—any evidence that they could undertake a terrorist activity—is locked away so that those on the front line can continue to keep our community safe.