

LAW ENFORCEMENT (POWERS AND RESPONSIBILITIES) AMENDMENT (DETAINED PERSON'S PROPERTY) BILL 2008

Bill introduced on motion by Mr Barry Collier, on behalf of Mr David Campbell.

Agreement in Principle

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [10.22 a.m.]: I move:

That this bill be now agreed to in principle.

The Premier's Delivery Unit [PDU] works with government agencies to meet improved service delivery targets in key areas and to deliver the targets set in the New South Wales State Plan. Recently, the Premier's Delivery Unit has been working to reduce police paperwork and to improve police efficiencies. For example, one project, which was completed at the end of 2007, resulted in significant reforms to the service of briefs of evidence. In October 2007, the New South Wales Police Force requested that the Premier's Delivery Unit assist in streamlining the charging process by undertaking a review in an attempt to identify potential time saving and red tape reduction opportunities.

It was made clear that any proposed opportunities would need to maintain the current objectives of the charge process, including the quality of evidence for court; the rights and safety of a person in custody, including vulnerable people; the efficient use of police resources; and corruption resistance. With this in mind, the Premier's Delivery Unit undertook the project focusing on the charging process. The unit produced a report recommending the immediate implementation of many quick-win, charge-streamlining proposals, which it estimated would save considerable New South Wales Police Force time and allow police to get away from paperwork and back to front-line policing.

Only one of the recommendations required legislative amendment and that is the recommendation that relates to defendants' personal property. Currently, under section 131 (2) (d) of the Law Enforcement (Powers and Responsibilities) Act, the custody manager must record the details of any property taken from the detained person in the custody record. The word "details" has caused difficulties as it has been interpreted to mean that each and every item needs to be individually itemised and described in detail. This process has become time consuming and unwieldy. This bill will amend section 131 (2) (d) to allow for the use of clear tamper-proof bags in which the property will be placed and then sealed. Accountability will be maintained by the tamper-proof seal and the requirement for the bag to be physically signed and dated by the detained person to verify that all their property has been placed in the bag. The placing of the property into the bag would also be done under camera surveillance where possible to do so. This is a small but important change that will save valuable police time. I commend the bill to the House.