

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

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Second Reading

The Hon. PENNY SHARPE (Parliamentary Secretary) [11.10 a.m.], on behalf of the Hon. John Hatzistergos: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The Premier's Delivery Unit's (PDU) mandate is to work 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, PDU has been working to reduce police paper work and improve police efficiencies. For example, one project, which was completed at the end of 2007, culminated in significant reforms to the service of briefs of evidence.

In October 2007, the New South Wales Police Force requested that the PDU 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:

Quality of evidence for court;

Rights and safety of a person in custody, including vulnerable people;

Efficient use of Police resources; and

Corruption resistance.

With this in mind, PDU undertook their next project which focused on the charging process. PDU produced a report recommending the immediate implementation of 13 "quick win" charge streamlining proposals, which they estimated would save the New South Wales Police Force time and allow Police to get away from paper work and back to front line policing. Eleven of these proposals were approved by the Government.

Only one of the recommendations required legislative amendment and that is the recommendation that relates to a detained person's 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 itemised and described in detail. This process has become time consuming and unwieldy.

This bill will amend s131 (2) (d) to allow for the use of clear tamper proof bags in which the property will be placed. Accountability will be maintained by a requirement for the bag to be physically signed and dated by the detained person. 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.