1. The Police Powers and Responsibilities and Other Legislation Amendment Bill 2023 (Bill) amends the:
* *Police Powers and Responsibilities Act 2000* (PPRA) and other legislation to expand the scope of the police drug diversion program (PDDP);
* *Drugs Misuse Act 1986* (DMA) to increase the maximum penalty for trafficking in dangers drugs;
* PPRAto create a circumstance of aggravation to the police evasion offence;
* *Police Service Administration Act 1990* (PSAA) to streamline the appointment of Queensland Police Service (QPS) Executive Officers; and
* *Fire and Emergency Services Act 1990* (FES Act) to clarify sections 64, 65 and 105C.
1. The Bill expands the PDDP to provide an early intervention and health‑based response to minor drug possession offences. The amendments in the Bill build on the existing and effective police drug diversion program to broaden its scope, including:
* expanding the program from cannabis-only possession offences to low-level possession of all types of dangerous drugs and unlawful possession of prescription-only pharmaceuticals;
* introducing escalating tiered health diversion options; and
* modernising the eligibility criteria to remove barriers to participation.
1. While the Bill expands the PDDP to divert minor drug offending, it takes a stronger stance on the drug dealers who propagate the extensive social and economic harm caused by drug use. The Bill increases the maximum penalty under section 5 ‘Trafficking of dangerous drugs’ of theDMA from 25 years imprisonment to life imprisonment.
2. The Bill amends section 754 of the PPRA to create a circumstance of aggravation to the ‘Evasion offence’. This supports the Government’s commitment to tackling hooning offences and dangerous driving and complements the Government’s youth justice announcements on
29 December 2022, that are aimed at deterring violent juvenile car thieves.
3. The PSAA sets out the appointment process for Executive Officers in the QPS. The Bill amends the PSAA to allow a person to be appointed as an executive officer either through the person’s position or rank while maintaining the Government’s commitment to the merit principle in the appointment of its employees.
4. In relation to the FES Act, the Bill provides for a regulation to prescribe certain matters about a request or application made under sections 64 ‘Prohibition by commissioner against lighting of fires’ and 65 ‘Granting of permits’. Additionally, the Bill includes an offence in the FES Act of ‘Assaulting a person performing a function or exercising a power’ in addition to the current offence (s 105C) of ‘Obstruction of persons performing functions’.
5. Cabinet approved the introduction of the Police Powers and Responsibilities and Other Legislation Amendment Bill 2023 into the Legislative Assembly.
6. *Attachments*:
* [Police Powers and Responsibilities and Other Legislation Amendment Bill 2023](https://dpcqld.sharepoint.com/sites/DPC-CABINETSERVICES/Shared%20Documents/General/Proactive%20Release/ToBeProcessed/2023/Feb/PPROLABill/Attachments/Bill.PDF)
* [Explanatory Notes](https://dpcqld.sharepoint.com/sites/DPC-CABINETSERVICES/Shared%20Documents/General/Proactive%20Release/ToBeProcessed/2023/Feb/PPROLABill/Attachments/ExNotes.PDF)
* [Statement of Compatibility with the *Human Rights Act 2019*](https://dpcqld.sharepoint.com/sites/DPC-CABINETSERVICES/Shared%20Documents/General/Proactive%20Release/ToBeProcessed/2023/Feb/PPROLABill/Attachments/SoC.PDF)