



**south bank**  
corporation

20 February 2009

Mr R Needham  
Chairperson  
Crime & Misconduct Commission  
GPO Box 3123  
BRISBANE QLD 4001

Dear Mr Needham

**Crime & Misconduct Commission: Review of Queensland Police's move-on powers**

Thank you for your letter of 9<sup>th</sup> January 2009 inviting South Bank Corporation (the Corporation) to make submissions for your consideration in the review you are currently undertaking of Queensland Police's move-on powers under the Police Powers and Responsibilities Act 2000 (Qld).

As you would be aware CMC officers met with our General Manager of Operations and Security Manager on 3 February 2009 to discuss in detail the day to day implementation and effectiveness of the Corporation's exclusion powers under the South Bank Corporation Act 1989. ("SBC Act")

We are pleased to provide the following responses as our submission to the review

**What has been your experience, or the experience of your client's, customers, staff or friends, of police move-on powers in Queensland?**

The Corporation has a dedicated Security team and that team has the benefit of the exclusion powers given to the Corporation under the South Bank Corporation Act 1989. The Corporation's Security team operate 24 hours a day, 7 days a week in both an on-site control room and walking patrol of the 32 hectares which make up the Parkland precinct.

We see the Corporation's Security team as the frontline in responding to and dealing with complaints, criminal and generally anti-social behaviour. The extent of security presence, armed with the Corporation's exclusion powers means that it is unusual for the police to use their move on powers in the parklands. However, they have been used in the case of an individual interfering with or being likely to interfere with the peaceful passage or enjoyment of the Parklands by others. Generally however our experience is that the police have preferred to allow the Corporation to utilize it's exclusion powers in the first instance.

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In addition to the Corporation's exclusion powers, Section 84 of the SBC Act, entitles our Security officers to hand over to the police, people:

- (i) committing an exclusion offence
- (ii) unlawfully damaging property
- (iii) contravening an exclusion order

This is generally the stage at which the police become involved in the enforcement of the Corporation's exclusion powers.

The Corporation and the Security team have a strong rapport with the local police. The Corporation has also provided the South Bank Police Station with a mobile phone which is used as a first point of call to assist with two way communication.

**Do you believe police move-on powers are being used properly, fairly and effectively?**

The Corporation's experience of the use of the police move-on powers is very limited but in those cases the Corporation had no reason to consider that there had been any improper or unfair approach adopted by the police.

The Corporation's experience with its exclusion powers and any police involvement in enforcing those, is in the Corporation's view, an effective tool in controlling criminal and anti-social behaviour in the Parklands, by targeting them in the initial stages, to try and maintain a safe and enjoyable environment.

Our Security team find the majority of people are reasonable in their response to security and police. If security or police either move on an individual or issues exclusion notices it has a far greater potential to de-escalate a situation. The Corporation's experience is that if people see a proactive security and police presence then the potential for an offence to be committed is reduced because of the deterrent of a perceived likely arrest.

The majority of serious offences committed in the Parklands are crimes of opportunity. If police and security are able to target and move on individuals and groups exhibiting unacceptable behaviour, then there is a better chance of increasing public safety. In addition, if the general public sees a strong police and security presence within the Parklands then their perception of safety is increased.

**Do you have any recommendations regarding the existence or use of police move-on powers in Queensland.**

The Corporation strongly supports the existence of police move-on powers as they provide an effective tool in the maintenance of public order and crime prevention as discussed above. The Corporation sees the move-on powers, as currently in force, as being complementary to the exclusion powers held by the Corporation.

The Corporation would recommend that an analysis of the definition of "prescribed place" under the Police Powers and Responsibilities Act 2000 be undertaken to ensure that the whole of the Corporation area (as that term is defined in the SBC Act) is covered. The definition of "prescribed place" currently specifically includes the "site" declared under the Act, which is in effect the Parklands area only. The Corporation area is substantially larger than the Parklands. The majority of the roads in the Corporation area are private roads owned by the Corporation but which we open to the public. It is, in our view, important that the move-on powers of the police extend to those privately owned roads, if it doesn't already do so.

Please let me know if you require any further information or require the Corporation to elaborate on this submission in any way.

Thankyou for the opportunity to make this submission.

Yours sincerely

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Malcolm Snow  
**Chief Executive Officer**