

Inquiry into the Decriminalisation of Certain Public Offences, and Health and Welfare Responses

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by

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Background:

FamilyVoice Australia is a national Christian advocacy group – promoting family, freedom, and faith values for the benefit of all Australians. Our vision is to see strong families at the heart of a healthy society: where marriage is honoured, human life is respected, families flourish, Australia’s Christian heritage is valued, and fundamental freedoms are enjoyed.

Introduction:

The opening paragraphs of the Committee’s document made available to the public seem to infer that decriminalization of “certain public offenses” may well be necessary. Why is that? Is our present legislation lacking something? Do changes to the law need to be made?

Parts a) e) and h) of the introductory document, make reference to the “decriminalizing of intoxication...” Decriminalization of an activity is the legalizing and by inference, the legitimizing of that activity. If stealing cars is no longer a crime after Friday, car theft could and probably will suddenly jump, from midnight on Friday!

Is decriminalization of public intoxication really a desirable goal for a free community?

Our Position:

Any society which values its future will permit civil liberties, coupled with individual restraint. Liberty is to be always valued in a free society, but liberty is entirely different to public anarchy and license. A free society still places obligations on each individual to act sensibly and responsibly, not endangering themselves or others by their actions.

Thus we can safely conclude that liberty and personal responsibility are both essential in a healthy community, and one cannot exist without the other.

Queensland has a population of some 5.2 million people. At any given time, there will be a proportion of those 5.2 million people who are in serious need, in a life-threatening situation. It could be merely a handful, or thousands of people. Historically, depending on a number of

variables, including the weather, the day of the week, the time of day and other factors, this number will vary considerably.

We have emergency service personnel, in the form of police, ambulance, fire brigades and other ancillary staff, whose job is to bravely attend to people who have come into harm's way, at any time of day or night, and in all forms of weather. This is a good and necessary thing.

The general public also has a major responsibility in this matter, particularly as first responders to accidents and incidents.

And what we know from experience is that when people are intoxicated they are at far greater risk of being abused, assaulted, robbed, raped, kidnapped or murdered.

Why is this? Criminals love to take advantage of intoxicated, and thus vulnerable persons. Their capacity to resist criminals is significantly decreased, and their judgment is impaired.

Not only this, but intoxicated persons are much more likely to engage in risk taking themselves, such as walking out onto a road, or engaging in an activity that they would not normally consider if they were sober.

Jesus Christ, in relating the story of the Good Samaritan (see Luke 10:25-37), explains for us the predicament of individuals who have come into harm's way, and how they are dependent on others to assist, care for and protect them. The injured man described here, had fallen "...among robbers," who had "stripped him and beat him, and went away leaving him half dead" (v.30).

This man was in a bad state indeed. Even though two other individuals who came by observed him, they were unwilling to take up the man's cause and come to his aid. But the Samaritan man had a different attitude. When he saw this "half-dead man," he

...felt compassion, and came to him and bandaged up his wounds, pouring oil and wine on them; and he put him on his own beast, and brought him to an inn and took care of him. On the next day he took out two denarii and gave them to the inn-keeper and said, "Take care of him; and whatever more you spend, when I return I will repay you" (v.33-35).

If the decriminalization of public intoxication was to be enacted in Queensland, what can we expect, if we logically extrapolate this important legislative change, to a population of over 5 million people?

We can expect significantly less personal self-restraint in relation to public alcohol use, leading to significantly more intoxication.

What will this probably lead to? Higher levels of crime, damage to property, personal injury and deaths.

Furthermore, there would be a much greater demand for Emergency Services staff, requiring a significant expansion of the State's Budget, and probably more taxes. What aspect of this is in any way, desirable and good?

Conclusion:

It is unwise to change legislation in a way that only increases the probability of many individuals falling into misfortune. Our regulations of public order are with us for a reason, not to needlessly restrict people in their social freedoms, but to where possible, minimize injuries and other harms that can befall people.

Casting present restrictions on public intoxication to the wind is actually a form of indifference and callousness towards vulnerable people. It reminds us of those two individuals in Jesus' parable, who saw the injured man, but offered him no help, care or protection.

Today, we are in the circumstance of considering the future's law; thus we can and must act responsibly to show care for those in public spaces in future.

In relation to public begging, I can see no need to change the law in relation to this.

Concerning "urinating in a public place:" as we move around in public places, there are shopping centers in larger towns, Service Stations if we are travelling, and Public Toilets in most places to utilize.

Even in the event that these facilities are not available or provided for the general public, such as in remote areas, we do have the opportunity to use some initiative, with discretion.

The thought of "public urination" being legalized, seems an utterly disgusting proposition, especially if conducted brazenly. We don't need individuals behaving in such an unseemly manner, in the public eye.