

Police Powers and Responsibilities (Jack's Law) Amendment Bill 2022

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General

Women's Legal Service Queensland ("WLSQ") proactively advocates for cultural and legislative change to end violence towards women, and to represent the voices of those who identify as women in Queensland who experience domestic and family violence. WLSQ provides a wide range of services, from a state-wide helpline, legal advice and casework, social work support, financial counselling, and duty lawyer services in three (3) locations.

General Observations

WLSQ is supportive of the objective of the Bill to increase public safety and reduce opportunities for violence in the community. The Bill provides powers which impact on the rights and freedoms of individuals in public places and, as such, ought to have significant safeguards associated with the exercise of this power. WLSQ is particularly interested in understanding how the rights and interests of vulnerable people, including homeless women, will be protected.

Additional safeguards for homeless people

The expansion of the *relevant places* to include public transport stations may have significant consequences for people who are homeless, as they may regularly be present in the vicinity of bus stops, railway stations, light rail stations, car parks or near a jetty.

The infringement of personal rights authorised by the Bill depends heavily on the exercise of discretion by officers. The training of police who are to exercise this discretion should include input from specialist services who support people who are homeless to ensure that any unintended consequences can be minimised.

The proposed section 39C (2) (c)(i) ought to be amended to include a specific example of people who reside in public places and may possess knives for food preparation, consumption, or other lawful purposes.

Additional reporting requirements

As currently drafted, the reporting requirements extend only to the number of people required to submit to scanning, number of weapons detected, number of searches conducted without a warrant, and the number and type of charges made.

Given the potential impact on the rights and liberties of individuals, it is appropriate that the proposed reporting regime be expanded to include relevant demographic information, specifically gender and Indigenous status. A rough assessment of the most recent publicly available annual report suggests that non-indigenous people were accused of breaching the weapons act at a rate of 4 times that of indigenous people and males 4 to 5 times more than females.¹ Transparency of the exercise of search powers including this key demographic information will provide confidence that the powers are being exercised appropriately and fairly. WLSQ recommends that the proposed section 808C be amended to include these data points.

¹ QUEENSLAND TREASURY Crime report, Queensland, 2020–21 Reported crime statistics, Tables 50, 55 and 56.