



JUSTICE, INTEGRITY AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr MA Hunt MP—Chair
Mr MC Berkman MP
Hon. GJ Butcher MP
Mr RD Field MP
Ms ND Marr MP
Mr PS Russo MP

Staff present:

Ms F Denny—Committee Secretary
Ms S Dodsworth—Acting Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE POLICE POWERS AND RESPONSIBILITIES (MAKING JACK'S LAW PERMANENT) AND OTHER LEGISLATION AMENDMENT BILL 2025

TRANSCRIPT OF PROCEEDINGS

Wednesday, 30 April 2025

Brisbane

WEDNESDAY, 30 APRIL 2025

The committee met at 9.00 am.

CHAIR: Good morning. I declare open this public hearing for the committee's inquiry into the Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025. My name is Marty Hunt, the member for Nicklin and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today. With me here today are: Peter Russo MP, member for Toohey; Russell Field MP, member for Capalaba; Natalie Marr MP, member for Thuringowa; Michael Berkman MP, member for Maiwar; and the Hon. Glenn Butcher MP, member for Gladstone, who is substituting for Melissa McMahon MP, member for Macalister.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee. These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages.

BEASLEY, Mrs Belinda, Founder/Secretary, Jack Beasley Foundation

CHAIR: Would you like to make an opening statement before we proceed to any questions?

Mrs Beasley: Thank you. Good morning and thank you for the invitation to speak at this public hearing for the inquiry into the Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025. It was Friday, 13 December 2019. Jack had come home from work that afternoon. He had a shower, something to eat and got ready to meet up with friends to go out to a mate's apartment in Surfers Paradise. Jack and his friends hopped on the G:link and headed to Surfers Paradise. They were all happy, carefree and ready to have a great time, oblivious of how much their lives were actually going to change that night. Just after 8 pm Jack and his friends were walking south from Cavill Avenue to their friend's apartment when they were followed and set upon by five youths aged between 15 and 18. These boys surrounded Jack and his friends like a pack of wolves. They were looking for trouble and were determined to create problems. This was all done in front of shocked onlookers having dinner and families walking around in Surfers Paradise. It was the start of school holidays. Within 40 seconds a 15-year-old boy cowardly and without provocation stabbed Jack once in the heart and Jack's friend Ariki twice in the back and lung. They ran away with not a care in the world, leaving Jack and Ariki to die on the footpath and changing our lives and that of many others forever. CCTV footage showed the group high-fiving each other. I still to this day cannot comprehend how cruel that is.

At 8.34 pm we received a phone call that every parent fears and dreads. That phone call that day, the weeks leading up to the funeral, seeing Jack's lifeless body, touching him and feeling how cold he was, feeling the stitches all over his body, the 3½ years of court proceedings, trials, appeals and the list goes on—this is forever imprinted on our minds and will haunt us for the rest of our lives. To this day, the trauma is raw, real and relentless, but somehow we have managed to survive. I cannot explain how or why, but we did. We have poured our energy into understanding youth crime and in particular knife related crime. It hasn't been an easy journey but it has been one fuelled by a shared determination to prevent others from experiencing the same pain we have, making changes and honouring Jack's memory.

We welcome the expansion of the existing Jack's Law provisions which currently allow police officers to use handheld scanners to detect knives or other weapons in certain places. The expansion includes making Jack's Law permanent by: removing the current sunset clause that schedules its expiry on 30 October 2026; allowing a police officer to use a handheld scanner in a relevant place without the need to obtain an authority to do so from a senior officer; expanding the application of Jack's Law to allow a police officer to use a handheld scanner in public places, which are not relevant places,

provided they first obtain authority to do so from a senior officer; and improving policing efficiencies by making amendments to the legislative framework provided by the Police Powers and Responsibilities Act 2000.

Since Jack's death on 13 December 2019, the number of weapon related offences has skyrocketed and it seems to be the weapon of choice for not only teenagers but also adults. Jack's Law is a nation-leading law thanks to Queensland leading the way and the exceptional work of the Queensland police. These laws must keep moving forward as we see better ways of working and enhancing the current laws and making these amendments is a further step. Jack's Law is allowing weapons to be taken off the streets and we believe every weapon off the streets is a potential life saved. Jack's Law is also allowing for education and community engagement by Queensland police who have done a remarkable job and with the proposed changes this will only be enhanced.

We as a foundation have gone out with the police on numerous occasions over the past four years, including in the trial period, and have watched how wandering is done and how well QPS do this. It is not invasive. It takes minimal time. It is educating the people who are being wanded and it is keeping our community safe. In this time there have been over 100,000 people wanded with only one person who has made a complaint, which is a credit to the Queensland police. We have spoken to many people while out with the QPS, from children to adults, and received positive feedback and many messages supporting the wandering and its expansion. With over 1,300 weapons that have been removed from the streets in four years, we truly do think that the community have been shocked at the number of weapons that have been found and the areas they have been found in. At the end of the day, we all have family members and friends and we want them all to come home safe. The community deserves to feel safe when they are out. Every weapon taken off the streets is a potential life saved and we are proud to say that our communities throughout Queensland and now interstate are measurably safer thanks to Jack's Law.

As you are no doubt aware, the success of Jack's Law's approach has been the combination of legislative reform, new public policy, police operations and education. The multifaceted approach, together with the power of the Jack's Law brand, is pivotal in achieving such a significant change within a short period of time across Australia. Jack's Law is a nation-leading law and has now seen the Jack's Law model used in other jurisdictions across Australia, including New South Wales, Western Australia, Tasmania and the Northern Territory. We have seen Western Australia police and New South Wales police visit Brisbane and the Gold Coast to see how Queensland police operationalise the wandering legislation. Queensland police have done a remarkable job with Jack's Law and we would like to thank them for being so passionate and making Jack's Law such a success. We would also like to place on record our acknowledgement to some outstanding members of the Queensland Police Service—Acting Assistant Commissioner Rhys Wildman, Inspector Jim Monckton, Senior Sergeant Brad Rix, Senior Sergeant Paul Hunter and Acting Senior Sergeant Michael Chalmers—who are the driving force for the ongoing success of this law in Queensland.

While advocating for legislative changes and better police resources to deter knife violence is part of the solution, the Jack Beasley Foundation knew that we needed to formulate an educational piece to educate the youth of today about the ramifications, the snowball effect, a single act of violence can have on them and so many other people. The Jack Beasley Foundation educational presentation commenced in July 2021 and we have visited over 50 schools in South-East Queensland, with a further 43 schools booked in so far for 2025, including a visit to Mount Isa and Townsville and 20 schools in New South Wales. The presentations are delivered in partnership with the Queensland police, 'I live my life without a knife'. Our 'One moment' presentation is all about educating young people on the dangers of knife crime and the long-term effects on the offenders, victims and indirect parties, including friends, families and complete strangers. These presentations raise awareness to equip students with the tools to make positive choices and be the drivers of change. This one-hour presentation has direct interaction with Brett and myself sharing our experience, along with video footage of Jack's brother Mitch and Jack's friends who were with him that night, showing firsthand how life can change because of that one moment of senseless violence whilst also promoting better decisions and choices. The Queensland police also deliver further information on knife legislation, including Jack's Law and the awareness around prevention of becoming a victim to knife violence.

We know the decision to take a knife for a young person when they are heading out is often a split-second one and is often done because they think they need it for protection. It is our hope that through education and hearing myself, Brett, Mitch and Jack's friends talk about our loss will plant that seed and make some of these young people think twice before carrying a knife or hanging around anyone carrying a knife. We would like to thank Mark Ryan MP, for having the law named in honour of Jack when he was the police minister and for his support during that time. We would also like to thank

Premier David Crisafulli and police minister Dan Purdie for their support and for putting forward the expansion of Jack's Law with the necessary changes to widen the areas where the wandering can be conducted, improving policing efficiencies and making Jack's Law permanent in honour of Jack. A special mention also goes out to our local member, Minister Sam O'Connor, for his ongoing support. He has been advocating for the Jack Beasley Foundation from the very beginning.

There is nothing that could ever replace the loss of our beautiful boy, but knowing that we have been able to make some changes has given some comfort. It means so much to us that the weapons will be taken off the street and that communities throughout Queensland and Australia will be protected under Jack's name. Our motto from the very beginning has always been 'Detect knives, save lives'. Thank you again for the opportunity to speak. I would also like to say when we visited Western Australia we saw how they are using Jack's Law—the way that they present it to people; they have signs all through public transport areas. They also have a thing when you go through into a safe night precinct, for example, that dings on somebody's phone. It is a demographic thing. I don't know exactly how it is done. It was so impactful to see all of that there. I think that is something that Queensland could possibly consider. I think we can learn off other states as well, even though they have adopted it from us. If we all work together we could have one thing that is exactly the same everywhere.

CHAIR: Thank you, Belinda. That might be something we can canvass with the police when they give evidence later on today. Thank you for coming along today. Can I start by saying how sorry I am for your loss and pay tribute to your son Jack. Also congratulations for the work you do in continuing his legacy and for the courage you show to keep coming along to things like this, speaking up and letting us know what we need to do. It is great and I thank you for that. You did mention that you went out quite a number of times with police to see the wandering procedures and you mentioned the Western Australian experience and how it has been improved. Because we receive submissions from the Human Rights Commission and the Queensland Law Society et cetera, which have concerns about people's rights being impacted by this, can you comment on what happens in practice on the streets, how people take being wandered and your experience of that process?

Mrs Beasley: It is not invasive. It is so quick. I think the interaction between the police and people when they are out is so positive. The police have always been known as these people that people don't want to go near. They are approachable people and they are lovely people. I think Jack's Law has enhanced that as well because that educational piece is there while they are doing it. They explain to them why it is being done and they often bring up Jack's name, like, 'Did you hear about Jack?'—those sorts of things so people understand why we are out doing what we are doing. It is non-invasive and quick. With every person I have seen it has been a positive. We have been there when people have been arrested as well. It is not just people who are not carrying knives, we have been there when people have been. Sometimes they have had drugs. They have had weapons or something like that. Even so, they are positive. It is not a horrible thing to have done. It is non-invasive. It takes not even two minutes. The education piece is such an important piece as well, I think. We are scared to go out. It is not just me; it is lots of people. People are scared to catch public transport and things like that so by having this in place we are helping communities feel safe.

Mr BUTCHER: Thank you for your advocacy and supporting the program. Obviously some amazing work has been done with your support. You mentioned earlier that other states have picked up Jack's Law and are now running it, and with further improvements that they have done. Have you seen anything the other states and territories have done additionally to Jack's Law that we have here in Queensland that potentially could be utilised in the new laws coming up?

Mrs Beasley: I think the way we do it in Queensland is still the best, and this expansion will make it even better. The only additional thing I think that can be done is the advertising. We need to have it so that people see it when they are on the train and understand. I can show you the pictures from WA later. It is important that there is more of a message out there. Yes, people know about it because they have heard it on the news, but not all young people listen to the news. I think by having something that could be put to their phones when they enter a safe night precinct or a train station which alerts them, that would be more positive, and then seeing the actual advertisements there.

Mr BUTCHER: As a follow-up, obviously these days there are the social media platforms out there—TikTok and Instagram. You mentioned that you have the program that you are running in schools and different places. Is there potentially a way, as part of these new laws coming through, to get that messaging on social media platforms in a short, sharp version where kids are looking at it continuously or non-stop, or is that already part of the program that you run? Is there an option to expand that?

Mrs Beasley: The 'I live my life without a knife' campaign started back in 2021. It was previously there, but they brought it back in 2021. They did have a face behind it, but that person is no longer in it. Young people are always on their phones. I really do not know a lot about TikTok and all that sort of thing, but I think there is a message that can be out there with 'I live my life without a knife' because I think it is a very sharp thing, and 'detect knives, save lives'. That is why we have used those mottos because they are quick, they are sharp and they are to the point. If we can do something along those lines and that platform, I think that would be very important.

Mr RUSSO: Belinda, the photos you said you have, is it much of an impost to provide them to the committee?

Mrs Beasley: No problems. They are all on our Facebook as well because we took them when we were over there. I can show you. They send us some of the information. WA police and Queensland police have a very good relationship.

Mr RUSSO: Can you provide that to the committee?

Mrs Beasley: Yes, the pictures are on Facebook.

Mr FIELD: Firstly, I and, I think, everybody here applaud you and Brett on the foundation and everything you do here. Both of us are sitting here for a reason. You were saying earlier that there had been 100,000 wandings and 1,300-odd knives captured or detected in that process. Can you put a number on how many people's lives have been saved through that?

Mrs Beasley: I would hope that every knife we have taken off the streets has potentially saved a life, yes, because the thing is that Jack was in Surfers Paradise, in the middle of Surfers Paradise on a busy Friday night, and if this law had been in place then, would those kids have taken the knife? We will never know. However, I would like to think that we have saved lives. Even if it is just one, we have saved somebody's life.

Ms MARR: Belinda, thank you so much. I have listened to you today and I cannot believe that nobody would want this to be extended. You have listened to people and watched them be wanded. Of those people you have actually seen, what do you think their attitude would be if we were to make these changes to make it permanent? Do you think it would be positive? Obviously, it would be with education and engagement with the QPS. How do you think it will be perceived by the people you have encountered along the way?

Mrs Beasley: I do not think people have a problem with it. We all have family members. We all have brothers, sisters, mothers—it does not matter. We all have somebody we love who goes out onto the streets. Why would you not want them to be safe? That has always been the case. You tell us why you would not want your family to be safe. It is a one-to-two-minute thing; that is it. The education behind it is so important. Once we educate one person, they will then educate somebody else, whether they be a brother, sister or a son. Do you know what I mean? It is twofold. It keeps going, and that is the important thing about it.

CHAIR: Thank you, Belinda, for coming along. We have run out of time.

Mr BERKMAN: Excuse me, Chair, I appreciate we do not have time, but could I take half a second to say thank you to Belinda for the work of the foundation?

CHAIR: Of course.

Mr BERKMAN: My now 15-year-old watched the 'I live my life without a knife' presentation at Indro State High School. He came home and spoke to me about how impactful he found it, and I know it was a real conversation piece amongst his friends and the whole school. I just wanted to thank you.

Mrs Beasley: Thank you.

CHAIR: Thank you, member.

BROWN, Mr Anthony, Director, Policy and Legislation, Queensland Police Union of Employees

PRIOR, Mr Shane, General President, Queensland Police Union of Employees

CHAIR: I now welcome representatives from the Queensland Police Union of Employees. Out of an abundance of caution in terms of conflict of interest, I want to declare that I was a member of the Police Union as a serving police officer for 33 years. I am no longer a member of that union. I invite you to make an opening statement.

Mr Prior: Thank you, Chair, for the opportunity to appear here today before you. The Queensland Police Union represents over 13,000 members based across the state, the majority of whom are on the frontline keeping the community safe. As I said to this committee on Monday, in addition to advocating for the industrial interests of Queensland Police Union members, I also have the responsibility to contribute to the law and order debate to ensure police have the best available laws to help them combat crime and to protect the community.

I would like to place on record the Queensland Police Union's support for this bill. From our observations, Jack's Law has been well received by Queenslanders, since its first trial began in May 2021. In fact, the success of the Queensland trial of Jack's Law has led to all other Australian states and territories, with the exception of ACT, adopting similar laws. Not only that, the Operation Safer Communities plan, released by the Liberal Party during the federal election campaign, commits a coalition government to providing leadership in tackling knife crime by working with states and territories to develop uniform knife laws across all jurisdictions. This will give police the powers to stop and search using detector wands, like Queensland's Jack's Law, and limit and restrict the sale and possession of knives to minors and dangerous individuals. You might say, Chair, that the coalition's policy is a direct lift from the Queensland playbook, and it is a compliment to both current and former Queensland governments for its success.

The Queensland Police Union is a strong advocate for Jack's Law. Earlier this year, we wrote to police minister Dan Purdie advocating for Jack's Law to be made permanent, the reduction of burdensome red tape required to apply Jack's Law, and finally making Jack's Law available anywhere, any time. We thank Minister Purdie for responding so positively to those requests through this bill. However, as detailed in our written submission, we think there is scope for three additional enhancements, which I will now briefly outline.

Firstly, as the bill and the explanatory notes acknowledge, many of the current safeguards imposed when Jack's Law was being trialled are now considered unnecessary red tape and are being removed or reduced by this bill. The trials have found handheld scanner checks are highly effective and not invasive. The Queensland Police Union suggests a further change to section 39D(12) of the bill by allowing a handheld scan authority to have effect for up to six months rather than the repeatable 12-hour blocks, with the actual period to be determined as part of the authorisation assessment process. This would further reduce administrative burden. In 2024, there were 5,369 scanning authorities issued by senior police officers. Longer authorisation blocks of up to six months would also maximise the deterrent effect of handheld scanning, much like a roadside breath test which can occur anywhere, any time.

Secondly, in keeping with our preference for handheld scanning to be available anywhere, any time, we support broadening the list of relevant places to include key additional locations such as South Bank Parklands; Roma Street Parklands; major shopping and pedestrian malls, for example, Queen Street Mall; night-time economy areas that are not located within a safe night precinct; and any major event prescribed under the Major Events Act 2014. This would overcome the need for a senior officer to authorise the use of handheld scanners in such locations.

Thirdly, and finally, the Queensland Police Union has been advised by officers regularly engaged in handheld scanning operations of an issue worthy of legislative amendment. Currently, police undertaking handheld scanner checks locate numerous items such as clippers and magnets which are being used to overcome anti-theft devices to facilitate the theft of retail items like clothes and shoes. Whilst Jack's Law is legitimately focused on the possession of knives and weapons, these other items described do not fit neatly into section 15, possession of implement in relation to particular offences, of the Summary Offences Act 2005. Consequently, prosecutions for possessing these items commonly found during Jack's Law scanning operations are commenced under section 252 which is 'possession of tainted property' of the Criminal Proceeds Confiscation Act 2002. Section 15 of the Summary Offences Act provides safeguards under section 634 of the Police Powers and Responsibilities Act 2000, and carries a maximum penalty of 20 penalty units and one year imprisonment, compared to 100 penalty units and two years imprisonment under the Criminal Proceeds Confiscation Act.

The seriousness of section 252 of the Criminal Proceeds Confiscation Act, the sufficiency of evidence, the public interest and the age of the offender are factors considered in deciding whether or not to commence proceedings against alleged offenders. What experienced Queensland Police Union members have suggested to me is that the Summary Offences Act provides a better statutory fit for items such as magnets which are detected through scanning operations and suspected of being used for the removal of electronic anti-theft devices commonly attached to high-value clothing and other items. It would also better reflect community expectations as compared to the more serious charge under the Criminal Proceeds Confiscation Act.

The Queensland Police Union therefore proposes an amendment to section 15 subsections (1) and (2) of the Summary Offences Act to make it unlawful to possess an implement used to unlawfully take away shop goods or aid in the stealing of any goods. Most shoplifting offenders are juveniles, young adults or those driven to shoplifting due to personal or cost-of-living circumstances. Adding clarity to the Summary Offences Act would provide a balanced option to proceed against offenders while maintaining a strong deterrent to retail theft. As reported by the National Retail Association—

CHAIR: Mr Prior, I am mindful of the short time we have today. I want to draw you back to the bill because we are straying into other legislation that does not necessarily have an impact on this particular bill. Can we deal with the bill?

Mr Prior: You had me at one paragraph to go so I will skip to the last one, which is: thank you, Chair. We are happy to take any questions that you may have about the submission.

CHAIR: Thank you. I appreciate the submission in relation to that further legislation, which I do not believe necessarily has to be tied into this. It is a separate offence, you are suggesting, and those magnets could be found under different circumstances, for example.

Mr Prior: It is certainly a circumstance that our members find themselves in continually.

CHAIR: Mr Prior, we know the current authorising framework makes it difficult and time consuming for police to commence a wandering operation. Have you heard feedback from frontline police about the impacts of the current administrative burdens associated with Jack's Law and are frontline police discouraged by the current compliance framework?

Mr Prior: The current framework is cumbersome and it is burdensome. Police have demonstrated an ability to carry out these laws in a very effective manner under the current framework. This frees up police time. The Queensland Police Union fully supports the government's commitment to reducing crime and bringing down victim numbers, but in order to do that we need police on the streets engaged in proactive duties and not stuck behind desks. Initiatives such as this bill, in removing red tape that restricted police from scanning individuals for bladed weapons, are a strong step towards achieving that.

Mr BUTCHER: Thank you, Shane, for coming in and talking to us today. While acknowledging the hundreds of weapons that have been taken off the streets under the current powers and the unknown incidents and seizures of weapons that have potentially prevented some serious crime, are you able to provide any case examples of what police on the ground have seen and how that potentially could have saved a serious incident from happening?

Mr Prior: I do not have numbers of weapons, bladed weapons or other weapons for that matter seized in terms of numbers of quantum. I can tell you that the introduction of these laws has resulted in significant seizure of bladed weaponry that would have been taken out into the general public and used, on some occasions, as weapons to cause alarm and, frankly, used on members of the public in a criminal manner. We are very supportive of the introduction of this law. It has empowered our police, who do an extraordinary job every day, to go out into the community and seize these weapons where they should not be in the first place.

Ms MARR: You mentioned something that I made a note for today and that is proactive policing, which is old-school policing. As you said, our police are finding they have less and less time on the ground. Can you comment on how your police officers would appreciate the opportunity of engagement in a proactive exercise and the community expectation of seeing police being proactive and not reactive? Can you tell us how that would affect your police officers and the community?

Mr Prior: When I joined this job 20 years ago, I had the unique ability to proactively and positively engage with the community. Unfortunately, due to the current load of work that our police are experiencing, they no longer have that ability. They are virtual slaves to their job lists. Essentially, that means they come to work, they look at the work list that they have on their QLite, so on their LCAD,

and they are literally going from job to job to job. This has a dual benefit. First, our people will have positive interaction with the community, which leads to better health outcomes for our people. Second, the community feels safer with police being visible in the community and also engaging with them in a positive manner.

In terms of its effectiveness, all we have to do is look at the current coronial inquest in New South Wales concerning that terrible knife attack in Bondi and last year when we had the knife attack in Goodna where a grandmother was killed. It is just outrageous what is happening in terms of youth offenders and offenders more broadly using edged weaponry in the community. This bill, by further reducing red tape and also allowing wandering to be used in more places, is a good thing, in my view, for the Queensland community.

Ms MARR: Is that why it is so crucial that the admin side of this is less burdensome?

Mr Prior: Absolutely. As I said, we are calling for a further reduction in red tape. As I said to you before, I think there were just over 5,200 wandings last year. All of that came with an administrative burden that is required to be completed before doing that out in the community. Reducing that means more police on the beat. Reducing that means more police having interface with the community and, again, that is a good thing.

Mr BERKMAN: I think it is uncontroversial to say that this is a very significant expansion of police stop-and-search powers. For the committee's benefit, say for the 20 years of your service that you have just referred to, Mr Prior, can you point to another greater expansion of police stop-and-search powers? I want to get a sense of how this compares to previous reforms that have opened that up for serving officers.

Mr Prior: I would refer you to the Police Powers and Responsibilities Act. We have always had fairly extensive laws when it comes to stop and search in the first place, but that obviously required an invasive search. The use of wandering is not invasive. In fact, it gives officers the ability to detect early. What I have seen in the last 20 years of my policing is that offenders are more willing to take weapons and edged weapons out into the community. It is a concerning trend that needs to be addressed by giving appropriate laws in the first place to detect that.

Mr BERKMAN: I appreciate that and I appreciate that this is non-invasive. However, as far as suspicionless search powers go, there is no comparable expansion of police powers that you can point to in the last couple of decades; is that fair to say?

Mr Brown: Chair, through you, I can add to that. Recently, there has been an introduction of firearms prohibition orders in Queensland. If you look at that legislation you will find that there are similar powers available to police.

Mr BERKMAN: On a separate issue, the statistics, at least as far as February this year, make clear that some 83 or 84 per cent of people wandered were male. In the absence of any kind of profiling, how do you explain that disparity in the actual application of these powers?

Mr Prior: I would have to refer to the statistics around that to come up with a reasonable response. I am happy to take that on notice and come back to you if that is something that pleases you. That said, I will follow up by saying that our police in the community turn up to work every single day in very trying and dangerous circumstances and they carry out their duty with the utmost integrity and professionalism. I would expect that if you are being wandered in the community then it is for a reason that our people very professionally assess at the time.

CHAIR: Would it be fair to say that statistically males are overwhelmingly more likely to be using bladed weapons?

Mr Prior: Again, I would have to look at the statistics around that to give you an accurate response. That said, I have every faith that our 13,000 members on the front line make these assessments every single day. In fact, an officer right now is probably making that assessment of an individual that they are going to wand.

CHAIR: On the question about stop-and-search powers, particularly random stop-and-search powers, would that be comparable to random breath testing as a community safety measure where we have decided as a community that we do impede on people's time?

Mr Prior: Yes, anywhere, anytime, but we needed to introduce that because obviously drink driving in the community became an issue that needed to be addressed, much like offenders taking bladed weapons into the community has become an issue that needs to be addressed. Much like the committee members, I would like to live in a world where we do not have to worry about such things but we do, unfortunately. An initiative such as this is a very important initiative. It is forward thinking. We commend the government for proceeding in this manner.

Mr BERKMAN: Is it possible to tease out a distinction there? You gave the comparison with random breath testing but it is not itself a search power, least of all a suspicionless, warrantless search power. It is a very discreet roadside process that does not involve any additional search that could lead to additional charges. The comparison is not a particularly reasonable one, surely?

CHAIR: I was just suggesting it to Mr Prior; I was not giving evidence of it. He made his comments in relation to that. I have been notified that the Human Rights Commission is not coming as our last witness so we do have a couple of minutes to spare.

Mr Brown: I can add to the member's comments. We subject ourselves to search powers all the time. Coming in here today, my bag was scanned. If I take a domestic flight, my bags are scanned, I empty my pockets, I take my jacket off and I subject myself to a body scan. We do that every day. More and more that is happening. If you have seen a demonstration, it is a very quick scan. It takes less than 30 seconds and you are on your way.

Mr BERKMAN: In response, Mr Brown, do you draw any distinction between submitting yourself for a voluntary scan and an involuntary, suspicionless, warrantless scan in a public place?

Mr Brown: I am happy to do it if it keeps me safe.

Mr BERKMAN: The question was: do you draw a distinction between the two? If we are making these comparisons, I think it is important to at least acknowledge the very different circumstances between a voluntary search and an involuntary, suspicionless, warrantless search.

Mr Brown: That is a fair point but we are used to those sorts of searches all the time so I do not see it as being a big issue.

Mr FIELD: Going on with that, I am happy to be wanded by the police and if the person beside me gets wanded and they feel offended then I do not really mind because I know I am going to be safe if you wand someone who is carrying a bladed weapon. Going on from that, you suggest expanding it into other relevant places, precincts and so on. Is there any reason we do not have it everywhere so that, no matter where you are in public, you will possibly scanned? Is that an issue?

Mr Prior: I fully endorse the rollout of this everywhere. I come back to my original description of this. We engage in roadside breath testing anywhere, anytime, where effectively we are directing someone to stop driving their vehicle, submit themselves to a test that requires them to physically blow into a tube and then allow them to move on if they have not returned a positive test. Unfortunately, we had to do that because people were dying on our roads under horrific circumstances because people were engaging in stupid behaviour and drinking whilst driving. Unfortunately, we live in a world where people are engaging in stupid behaviour by taking edged weaponry into the community and using it in the community to either cause fear or to stab someone. We need to be progressive in the way that we are thinking. We think this bill and the initial introduction of the law in 2021 is a step forward in addressing that social issue, which is by far becoming a trending issue.

CHAIR: I want to clarify: we talked a bit about stop-and-search powers but this is not search.

Mr Prior: No.

CHAIR: It is a non-invasive wandering procedure.

Mr Prior: Absolutely. Obviously, if the wandering returns a positive response then that would subject the person to a search pursuant to the PPRA.

CHAIR: In practical terms, they would be invited to produce that metal object?

Mr Prior: I would expect so. That said, again, these assessments are made by our people every single day. Taking out an edged weapon from, say, your jacket and producing it to a police officer may be somewhat problematic so it would be our preference that we assist that person in doing that because we have seen, unfortunately, the results of edged weapons being used not only against police but also against members of the public. They are very dangerous implements. The matter needs to be responded to at the appropriate time with the appropriate response of our officers and our people do this every single day. They are professionals.

Mr RUSSO: I am interested in the senior officer authorisation and how that actually works on the ground. What rank are we talking about for a senior officer authorisation?

Mr Brown: It is an inspector or someone delegated at senior sergeant level, as we understand it.

Mr RUSSO: Is that authorisation done within the office or is it done on the ground where the wandering is about to occur?

Mr Brown: It happens before the wandering operation takes place. You might be better off asking for those specific details from the department when they are here later on.

CHAIR: Thank you, gentlemen. We appreciate your appearance today.

Mr Prior: We thank the committee.

Mr BERKMAN: I understand a question was taken on notice around what explanation, if any, there might be for the disparate imbalance and what explanation, if not profiling, there would be for that.

Mr Prior: That is a probably a matter for the department, Chair, to be honest.

CHAIR: Michael, the police might be able to respond to that better than the union.

Mr BERKMAN: Mr Prior has indicated that he is happy to respond.

CHAIR: Okay, that is taken on notice. If we could have the answer by the close of business on Tuesday, 6 May.

Mr Prior: Thank you, Chair.

KAY, Ms Sarah, Executive Director, Office of the Victims' Commissioner

O'CONNOR, Ms Beck, Victims' Commissioner, Office of the Victims' Commissioner

THOMS, Ms Dimity, Director, Policy and Systemic Review, Office of the Victims' Commissioner

CHAIR: Welcome. Would you like to make an opening statement?

Ms O'Connor: Good morning. I begin by acknowledging the lands of the Turrbal and Yagara people and pay my respects to elders past and present. I acknowledge all victims of crime, especially those who have lost a loved one to violence. I pay tribute to Brett and Belinda Beasley, whose strong advocacy after the tragic loss of their son Jack has led to lasting change and stronger protections against knife crime. I acknowledge the efforts of the Queensland Police Service in implementing and supporting these measures. It is because of their combined commitment that we are here today. I support making Jack's Law permanent and believe that this honours Jack's life and the lives of all of those who have been taken or harmed by knife crime.

This bill responds to deep and ongoing community concern about knife related violence. It shows a clear intent to strengthen public safety by equipping police with proactive tools to reduce harm. At the same time, I recognise the committee's complex task to weigh urgent crime prevention against the equally critical need to uphold public trust, rights and the justice system's integrity. As Victims' Commissioner, my role is to uphold the rights of all victims—their safety, dignity, access to justice and trust in the systems that serve them.

In fulfilling my role, I have heard firsthand the enduring harm caused by knife violence. This violence is life altering. It is intensely personal and it is often sudden. It involves close proximity, force and speed. To be stabbed is to be attacked at a range where escape is rarely possible. It leaves lasting physical injury and deeply affects a person's sense of safety and autonomy. Survivors can carry trauma long after the wounds heal—withdrawal, panic attacks, disrupted sleep and a pervasive sense of being unsafe even in ordinary settings. These invisible injuries can be the most debilitating. For families whose loved ones have been taken by knife crime, the grief is compounded by the abruptness and brutality of the act—the knowledge that a life was taken in minutes, often without warning and with no chance to intervene or to say goodbye. Many speak of the deep injustice that their loved one's final moments were marked by such violence. I ask that preventing such harm remains a central consideration for this committee.

Victims have also told us clearly that accountability matters. Community safety is not just about the presence of powers; it is about how they are exercised. While operational efficiency for police matters, it cannot come at the expense of an individual's rights, safety and dignity. Safeguards and police trust must remain central to any expansion of powers. In my submission I recommended retaining safeguards, establishing independent oversight, transparent reporting, targeted application and mandatory training for police. These reflect engagement with victims and careful review of the evidence in the pilot evaluation.

It is crucial to recognise that victim-survivors of domestic, family and sexual violence, children who have experienced abuse and people with sensory, cognitive or intellectual disability may experience profound fear, distress or retraumatisation when subjected to wandering. A trauma response, such as freezing, panicking or withdrawing, can be misread as suspicious or defiant, even when the person has done nothing wrong. Without proper safeguards, these risks compound trauma and erode trust in police.

To be clear, I am not suggesting that legitimate searches should not occur where there is evidence of a heightened risk of knife crime. Proactive policing plays an important role in safety. I am simply calling for trauma informed practice and for powers to be carefully targeted to high-risk settings, consistent with evidence, expectations and the need for public confidence. We must also be honest about what the evidence shows: wandering helps detect knives already carried but there is little evidence that it stops people carrying knives.

This is why the Jack Beasley Foundation's work is so vital. Through education campaigns with young people in communities, they address root causes, shaping attitudes and reinforcing that knife carrying is dangerous and unacceptable. Education and early intervention must continue to complement enforcement. At the same time, public confidence in police powers must be protected. If trust erodes, we risk reducing the reporting of other serious crimes, harming victims far beyond those targeted by knife crime. Extraordinary powers require appropriate caution. They must be used for their intended purpose: detecting and deterring knives in public spaces where genuine risk exists, not for broader, unrelated policing.

Finally, the principle stands: if we have nothing to hide, we should not fear oversight. Independent reviews, clear limits on the use of powers and transparent evaluation are not barriers; they are vital safeguards to strengthen it. Victims and communities have the right to feel safe, to be heard and to trust that systems meant to protect them will act with fairness, respect and integrity. This bill is a real opportunity to make Queensland safer, but it must do so in a way that prevents harm, protects rights and continues to build community trust. Thank you, and I welcome your questions.

CHAIR: Thank you. You were present for Mrs Beasley's evidence in relation to going out with police and her experience in wandering operations. Given that wandering is a non-invasive process and from the over 100,000 wandings we have had in Queensland there has not been one complaint about improper police conduct, why do you suggest there is a need to amend the bill to provide that wandering can only be conducted by someone of the same gender?

Ms O'Connor: I think what is considered invasive is subjective. Even though it is not physically invasive as the general public would assume, that is not taking into account somebody's prior experiences of victimisation or where they have experienced control or violation of their bodies in the past. Having safeguards about having same gender is best international good practice with policing. It respects dignity, particularly for survivors of sexual violence, and it avoids retraumatisation even in non-contact procedures.

CHAIR: Is there a danger, though, that someone of the same gender could still trigger a trauma response in a person depending on their lived experience?

Ms O'Connor: It is about having a right to choose and having choice in that situation. I think being sensitive to reducing the impacts needs to be taken into consideration.

Mr BUTCHER: Have you received any feedback from victims or victim advocates about the perceived or actual effectiveness of wandering operations here in Queensland during the trial or on those knife crimes more broadly?

Ms O'Connor: I have received quite a lot of feedback. Many support stronger enforcement. They want to feel safer and know that there are visible measures in place; there is a strong emotional logic to that. It validates the seriousness of the harm of knife related violence. It is predominantly public in nature and they want to feel safe in public places. There is a strong belief that removing weapons can prevent impulsive and deadly escalations. That is part of the feedback I have received.

There is also a legitimate fear of overreach and how powers are used, because how powers are used matters as much as whether they exist or not. As I have spoken about, there is fear of retraumatisation in public wandering. For many, even the idea of being scanned in a semipublic environment does evoke fear and distress. There are concerns about being misinterpreted due to trauma reactions when faced with being confronted by a police officer. Not everybody has positive experiences with the police. I think a lot of us are in a very privileged position where when we need the police we are confident to reach out, but that is not a universal experience for people. Another concern raised is that of being stereotyped and unfairly targeted. I think all in all there is a greater desire to want to have targeted actions but also have protections in place for dignity and rights.

Ms MARR: Thank you for your submission. You suggested that a threshold test requiring a senior officer's authorisation prior to commencing wandering should remain. I understand in your presentation this morning that, quite legitimately, you are trying to find a balance, so I do acknowledge that. Given there have been no allegations of abuse of power, why do you feel that a lower ranked police officer would be unable to perform the non-invasive task in compliance with the law?

Ms O'Connor: I understand in terms of the police reporting through the evaluation what those experiences have been. I guess I take into consideration complaints that have been received by my office, not necessarily in terms of wandering but in terms of concerns with police conduct or their experiences with police. To date, about a third of the complaints we have received to the Office of the Victims' Commissioner have been about the QPS so I guess it is thinking about that.

I think reducing that authorisation can reduce transparency, especially around police discretion. Transparency builds public confidence and reduces any kind of misuse. This is a very controlled environment as well. What we are talking about here is expanding that to be at any place, at any time, which I think needs to be considered in context. There is also a risk of normalising extraordinary powers, because these are extraordinary powers. They are unprecedented in terms of what the suggestion is. I think it needs to remain targeted and not become routine practice without clear justification. When we lower the threshold in terms of its use, it becomes a concern. These powers need to continue to be used deliberately, not casually, and a senior review offers that safeguard.

Ms MARR: To clarify, you spoke of some complaints to your office in relation to the QPS. None of those complaints you just spoke of were about wandering; is that correct? They were not about wandering specifically; it was just complaints about QPS.

Ms O'Connor: I am not in a position at the moment to be able to talk about any individual complaints to the office.

Ms MARR: That is okay.

Mr BERKMAN: Is there anything more you could provide in terms of the basis for your recommendation that the expansion to other public places should not go ahead? I appreciate the context you have given around the Griffith review. Is there anything more you can add to that?

Ms O'Connor: I think allowing wandering at any time, anywhere and without criteria for reasonable suspicion, again, is unprecedented. It could risk an authorisation occurring for what might otherwise be a peaceful and lawful gathering. I think policing should be proportionate to the risk in terms of that approach. These powers are an exception to normal legal standard, and expanding them too broadly could risk blurring the line between extraordinary and everyday policing. I think they are meant for genuine high-risk environments, for detecting and preventing knife related crime, so they should not be general powers in that way because it can increase the sense of unjustified surveillance rather than protection. As I have mentioned, it can inadvertently harm innocent people.

Mr FIELD: I see you are arguing against expanding the use of wandering in other locations. You mention high-risk environments, but everybody knows that anywhere you go can become a high-risk environment, as has been in the media over the last couple of days. Anybody who goes to that facility or a facility like that would think that was a non high-risk area. Why are you against expanding these powers? Why can't the police, which are the authority body, have the opportunity to wand anybody any time if that person is suspected of carrying a lethal weapon or bladed weapon? Hypothetically, if you are walking through a shopping centre and you have your partner or your child with you and an individual comes past you, who looks totally innocent, and attacks one of you and maims or kills one of you, you would be the first person to say why were they not wanded back at a particular point in time. Not you personally, but one would think they would be asking the question: why were they not wanded, why did the police not have the opportunity to wand those people and stop them getting to that particular point in time?

Ms O'Connor: If they are environments where intelligence suggests that there is high knife crime probability then I would support that. I am supporting that in that way, but I think that it needs to be proportionate to the risk. Part of my role is consider all victims of crime. I appreciate that prevention and detection is really important, but when you have one in three girls and one in seven boys who have an impact of sexual violence in their lifetime, when we have domestic and family violence as prevalent as it is, the likelihood of somebody being concerned about that approach, about those kinds of things, is very real. It is about how we balance that versus where we think the risk is and being able to do that at any time.

Mr RUSSO: I have a question in relation to the accountability mechanisms. What would you propose would be better accountability mechanisms to balance the community safety?

Ms O'Connor: I am a very strong supporter of education campaigns, as I suggested. The work that Brett and Belinda and the Jack Beasley Foundation are doing is extraordinary work. I think early intervention with young people in particular is important and I think that clear visible policing presence in high-risk areas without overreach is necessary.

CHAIR: Thank you for your appearance today. We appreciate it very much.

BARTHOLOMEW, Mr Damian, Chair, Children's Law Committee, Queensland Law Society.

BELL, Ms Kristy, Chair, Criminal Law Committee, Queensland Law Society

CHAIR: Good morning. I invite you to make an opening statement

Mr Bartholomew: Thank you for inviting the Queensland Law Society to appear at the public hearing today. In opening I would like to respectfully recognise the traditional owners and custodians of the land on which this meeting is taking place, Meeanjin, Brisbane. I recognise the country north and south of the Brisbane River as the home of the Turrbal and Yagara nations and pay deep respects to all elders past, present and future. We also note the overrepresentation of Aboriginal and Torres Strait Islander peoples in many aspects of the justice system, including as victims in the youth justice system and the domestic and family violence systems.

The Queensland Law Society acknowledges that knife crime has a significant impact on our community. We recognise the suffering and trauma of victims and their families. We particularly honour the memory of Jack Beasley and pay tribute to the work of his parents in working for community safety. In providing our evidence today we note that we are an apolitical organisation seeking to promote good law for public good. In carrying out its central ethos of advocating for good law and good lawyers, the society proffers views which are representative of its member practitioners and, in particular, I note the efforts of the Criminal Law Committee and the Children's Law Committee in compiling the written submission on this bill.

At the outset, I would like to note that the society is supportive of measures to preserve and enhance community safety. In this regard we would like to acknowledge the important role of our hardworking police officers. The society also believes that community safety and security is best served by maintaining a balance between individual rights and liberties and restrictions on the overexpansion of police powers. We would welcome any questions the committee may have.

CHAIR: Thank you. You refer in your submission to the significant infringement on human rights and the human rights aspects around these particular powers. As the Queensland Police Union representatives observed in their evidence, on entering the building today you have been subject to metal scans and x-raying of what you carry. We regularly accept that at airports, stadiums et cetera. Can you comment on whether or not you felt an impact on your human rights coming here today going through that process and the difference between that and the powers suggested here today to keep communities safe?

Mr Bartholomew: I think from the Law Society's view there is a significant difference between someone who seeks to voluntarily enter a building having conditions placed upon their entry to that building and someone who is conducting themselves in a public environment. That infringement upon that capacity to walk through public spaces and to be stopped and to move freely in the community is significantly different. It is significantly different to me. One of the reasons, of course, is that when I come into this building today it is something that I would anticipate. You are aware of that, of course, when you go to airports. There has been significant education around that need for safety. If I were to be stopped in the street by the police that would be a very different issue. One would be asking why is this happening and what are the parameters around why this can happen. To me there is a very significant awareness of going into a private space that you may have some restrictions placed upon you, quite different from interference in a public environment.

CHAIR: As the public get used to what is a relevant place—safe night precincts, for example—would then the expectation not be that if they wished to voluntarily enter that relevant place that it would become known over time that you, by entering that place, similarly subject yourself to being able to be wanded?

Ms Bell: I think the significant difference in terms of what is proposed by this amendment is that we are talking about expanding that power outside of those identified places and that is where our submission really takes issue with the expansion into any public place. You are quite right, where a member of the public is entering an area where there is this perception of potential risk, then that member of the public can voluntarily subject themselves to that safeguard and that protective measure knowing that it is a condition of entry. But when we are talking about expanding these powers into public places generally, there is not that anticipation and perhaps not that justification for the exercise of that power.

CHAIR: That public place still has to be declared by a senior officer. There are still safeguards around that.

Ms Bell: There are still safeguards around that, but the society's position is that expanding the exercise of that power into public places generally is at this stage not supported by any evidence in terms of the efficacy of the trial as it has been conducted to date.

Mr BUTCHER: Thank you for attending today. With many submitters, including the QLS, calling for further evaluation of the program, what do you guys believe the scope of that evaluation should be and what potential findings from a review would the QLS deem necessary to justify permanent expansion of the program?

Mr Bartholomew: I think society certainly was grateful for the work that had been done by Griffith University in preparing the initial report and certainly there were recommendations in that report around a continuation of that evaluation. The society itself obviously is not a research body, but we recognise the importance of having that information available and certainly we would commend a following of that recommendation of the previous report. Certainly that assisted the society in the formulation of its findings in relation to the submission.

Ms MARR: Thank you for being here today. In your submission with regard to your aversion to the removal of the senior police officer authorisation process, you make reference to anecdotal evidence. With respect, there is no anecdotal evidence that has been provided. Do you have anything further on that point?

Ms Bell: The society supports oversight in relation to the exercise of these extraordinary powers because that is one very important safeguard to ensure that the power is being exercised as it is intended. Our members report, and particularly in relation to the Criminal Law Committee, a concern about potential misuse of these powers if there is not that oversight and, indeed, the Griffith review has produced some indication of those powers not always being exercised in the manner in which they were intended. So it is very important from the society's perspective that that oversight is retained. The very requirement for a police officer to justify why they intend or foresee that the exercise of that power is necessary is important because if it cannot be justified it ought not be used.

Ms MARR: But you did say you had received anecdotal evidence. Do you have that today or is that just in the report from Griffith?

Ms Bell: I believe that is in the report from the Griffith Criminology Institute.

Mr BERKMAN: I do not know if you were here before, but when we had the QPU before us the point was quite fairly made that these are not strictly speaking stop-and-search powers; wandering powers are slightly different. Yet when it was suggested that anyone who does register on a wandering scan to have a metal object, while they are in theory supposed to be able to produce whatever item is setting off the scanner, Mr Prior from QPU—I do not mean to verbal him—kind of suggested that there is some difficulty when we might be dealing with a bladed weapon. I am curious from your experience how those wandering powers translate into the exercise of actual stop-and-search powers if any metal object is detected, whether or not it be a weapon or pose any risk.

Ms Bell: I think the answer to that can be seen in the statistics and the discrepancy between the number of people charged versus the number of weapons actually detected and the percentage of offences that were proffered versus the percentage of offences that were, in fact, weapons offences. There is concern from the society's perspective that the wandering power is being perhaps translated into a power to stop and search more generally because you are quite right, if there is a metal object detected it may be that due to concerns for police officers' safety and the like they do not feel comfortable allowing the person to produce the object, they instead comply with ordinary search powers in relation to a person. So there is a real risk of net widening from the society's perspective in terms of the detection of other crimes and the risk of these powers being exercised in relation to other matters.

Mr BERKMAN: If I could ask, for clarity, as these laws are drafted, there is supposed to be an ability for a person to produce whatever item has set off the wand—the metal detector—but in practice there is a very real concern that that right will not necessarily be afforded and the police will, in those circumstances, have discretion to instigate a stop and search.

Ms Bell: I think that is right and perhaps that could be a matter that would be appropriately subject to review and how that could be dealt with because, of course, the society is also concerned with ensuring the safety of police officers doing their job. However, that needs to be balanced to ensure that the power is being exercised appropriately and in the way in which it was intended.

CHAIR: That might be something we canvass with the police a bit further, too. Having done it myself, I understand the procedure is to invite that person to declare anything before the wandering and if it is not declared and then found, a suspicion is then formed. I think we will explore that with the police. Do you have a comment on that?

Ms Bell: Perhaps the difficulty inherent in that is that a person may not be aware what may set off a response from the wandering exercise. It may be that they validly do not have a weapon to declare but inevitably that power is exercised for a different reason.

Mr Bartholomew: Perhaps I can add to that. As chair of the Children's Law Committee I think young people in particular are less likely to be aware of what it is that might be evoking that response from the wandering and, therefore, leave themselves more vulnerable. Other more vulnerable minority groups are perhaps more likely to then find themselves being subject to that because they have less of an understanding of the nature of the questioning and what is being asked of them.

Mr FIELD: When the police wand individuals the body worn cameras are working; is that right?

Mr Bartholomew: That would be a question for the police I suspect. I can certainly say—and I suspect Kristy will also be able to add to this—that there do seem to be many instances when, for whatever reason, body cam footage was not working on particular occasions when it was requested. That is just an experience; I am not drawing any adverse inference of the police. Like all technology, we all have those experiences. When it works, it is great.

Mr FIELD: You have raised concern that the wandering trial had not been subject to a full independent evaluation, as the member for Maiwar was saying. Wouldn't one think that conducting 100,000 wandings and from that finding 1,300 weapons be a fair indication of an appropriate evaluation that it actually is working?

Mr Bartholomew: The purpose of this law is to prevent knife crime, not necessarily to locate knives. That is the purpose of it. The finding of a certain number of items does not necessarily mean that we prevented crime, which is the purpose. The society is very aware of the fact that this does cause significant infringement upon people's liberty and freedom of movement within the community. That is what needs to be weighed up.

We are also very aware of the fact that of the items that were found, charges did not necessarily arise. While there were 1,300 weapons found, some of those people had lawful reasons to be in possession of them. Does the finding of the weapons in a very small number of cases then justify the significant infringement on human rights of the capacity to be able to move freely within the community and the risk it might then pose for officers who are, of course, exercising that power? That is an issue where the society would form the view that it does not merit it, particularly without further review.

Mr FIELD: In a sense, if you wand 100,000 people and 1,300 weapons are found, as Belinda was saying before, if it saves one life it has done its job. There is no data indicating how many stabbings or assaults were prevented by taking those 1,300 knives or bladed weapons out of the environment; we do not know how many lives it has saved. You cannot put a number on how many it has saved, but it has saved. Hasn't it done its job?

Mr Bartholomew: The evidence that the Law Society was able to adduce, both from the Griffith report and from reports overseas—the evidence that you might want to see is a decrease in knife crime during that period. That is not observable in the statistics and that is, of course, why the society calls for a further proper evaluation before the temporary nature of this legislation is lifted.

Ms Bell: I might add to that. The Victims' Commissioner observed that this trial has clearly led to an increase in detection of weapons but not necessarily a decrease in people carrying weapons. A proper review of the success of the pilot might reveal a number of really helpful pieces of information such as whether there are other means to achieve the policy objectives set out by this legislation. One of the comments in the Griffith review was that there was this perception of increased public safety but that was largely attributable to the presence of more police officers in those safe night precincts. That may be a means of achieving the policy objective without embarking on this extraordinary use of power to authorise police to stop and search persons without justification.

Mr FIELD: If that is the case, say in a shopping centre environment—and you were saying before about people coming into a precinct such as this one where they are scanned and then they go—do we get to the point where we put scanners at the front of shopping centres so that people walk through and are scanned before they go into that public place? In that sense there could be 100 police officers in that shopping centre and they say they are not going to wand for a knife because there is a police presence. Isn't there a—I will not say duty of care, but if somebody looks suspicious shouldn't they go and wand them?

Ms Bell: There is already a power to wand a person or to search a person if a police officer forms a reasonable suspicion that that person may cause a risk to the public. That power exists. The short answer from the society's perspective is that if there is an evidence-based justification for imposing those measures they would be supported, but at the moment there is not. At this particular point in time that would not be supported.

Mr RUSSO: I was interested to ascertain what other offences are being detected during wandering other than the possession of a weapon or a knife?

Ms Bell: It is primarily drug offences. In terms of the statistics that are available to us from the Griffith institute, there were primarily drug offences and some nuisance type offences.

Mr Bartholomew: Perhaps I can expand upon that. The Children's Law Committee experience of what we have seen is there are some young people who do not understand the parameters of this law and that has then resulted in an adverse interface with police. It obviously puts the police at risk, which is an unfortunate consequence. We are seeing some increase then in a number of young people being charged with police related offences as a result of that.

CHAIR: There being no further questions from the committee I thank you for your appearance today.

**BICKNELL, Ms Lauren, Senior Policy Officer, Youth Justice and Human Rights,
Queensland Council of Social Service**

McVEIGH, Ms Aimee, Chief Executive Officer, Queensland Council of Social Service

CHAIR: Good morning. I invite you to make an opening statement.

Ms McVeigh: Thank you to the committee for the opportunity to speak to you today. I begin by acknowledging that we are on the land of the Turrbal and Yagara people and pay my respects to elders past, present and emerging. As committee members may know, QCOSS is the peak body for community organisations in Queensland. We represent hundreds of community services located right across the state. Our submission is based on feedback and perspectives gained from engagement with those members.

Our submission is fairly limited in terms of wanting to have further consideration of the impact of the bill on children and young people and also the need for further review and evaluation of the impact of the laws. Our members are particularly concerned around the impact of this bill on children and young people, and we note that the explanatory notes to the bill and other supporting documentation do not give sufficient consideration of how children and young people in Queensland will be impacted by, or further impacted by, the bill. In particular, we think there needs to be further consideration of how wandering is currently being used with children and young people, the age of those children, how issues of consent are being dealt with as well as what adjustments are being made by police when interacting with children and young people. In addition to that, we would like to understand the data about the outcomes of wandering young people and children, including where children have been referred or diverted from the justice system to services and other supports.

Our submission around the need for review and evaluation is also connected to our concerns about a lack of attention to the impacts related to children and young people. We think an independent evaluation and review is required to fully understand those impacts as well as to understand the types of people who are being potentially targeted by police officers for wandering activities. We also think it is incredibly important to look at the impact of this for First Nations people in particular. I am happy to take any questions.

CHAIR: Your submission objects to the removal of the requirement to provide an information notice. Why is that important?

Ms McVeigh: We think that is an important safeguard so that people understand what is occurring. It is particularly important when it comes to children and young people that information is being provided in relation to what is happening, why it is happening and their rights in relation to the activities.

CHAIR: Over time would you see there is less of a need for that? As the community becomes more widely accepting of these laws as they expand, would you see a time when that would not be necessary? We have discussed random breath-testing before. The requirement to give somebody a notice every time we use a power, for example, would be an administrative burden, but could you see a time when this law would not require that?

Ms McVeigh: Our submission is primarily focused on the impacts for children and young people, so I think it would be really important to understand how those notices are being provided to children and young people and the benefit or otherwise of those notices. I could foresee there may be a need to adjust how notices are provided or what is contained in notices, but we do not have enough information about how children and young people are being treated in connection with wandering activities to fully understand what that notice should look like into the future.

Mr BUTCHER: You raised concerns just now about the use of wandering powers on children. Do you and your organisation have any age-specific safeguards that you would recommend be included in this legislation?

Ms McVeigh: In answer to that question, it is difficult to make firm recommendations because we have limited information about what is actually occurring in relation to children and young people. We only had two weeks to provide our response to this bill, so we have not been able to have a detailed conversation with our members. As a general rule, we know that children are different from adults in their ability to understand what is occurring or what to expect in different public places, so it would make sense that adjustments are made appropriate to the age of children. As to what those recommendations should be, we would need to undertake further consultation.

Mr BUTCHER: How would you respond to suggestions that expanding the powers now before the 2026 expiry is necessary to protect public safety?

Ms McVeigh: We do not support the removal of that sunset clause at this point because we do consider there to be a need for review and evaluation, particularly to understand the impact on children and young people.

Ms MARR: I note in your submission you suggest that there is inadequate consideration given to whether there is a disproportionate impact on Indigenous Australians but you have given no evidence of what Indigenous Australians have experienced under Jack's Law. Has any evidence been provided to you to make that statement?

Ms McVeigh: What we are concerned about is the lack of attention that has been given to impacts for children and young people and First Nations people. It is not that we are bringing forward evidence that it has had that disproportionate impact but, given the disproportionate impact of the criminal justice system on First Nations people, it would be appropriate for an independent review and evaluation to look at the impact of Jack's Law on First Nations people in particular.

Ms MARR: I am not quite sure if you were here when we spoke to Mrs Beasley about the education program and how the police do the wandering. Would you agree, though, that it is all about education for every Australian, how they are approached and how they are managed when they are approached? Mrs Beasley was saying that the way that they do it is very appropriate and non-invasive. Do you think a major part of this for all Australians is that we have education about doing it correctly?

Ms McVeigh: I want to acknowledge the extraordinary work that the Beasley family have done and the extraordinary loss and trauma that they have experienced because of knife crime. Of course, education is very important. The primary point that I am making remains that we do not have sufficient information about the impacts of this legislation. A review and evaluation of the law was anticipated and we think it would benefit the government to understand those impacts on children and young people and First Nations people to make sure that appropriate safeguards are in place.

Ms MARR: Thanks for your submission today.

Mr BERKMAN: The QPS is required to report annually on the use of these wandering powers. The last annual report showed that the use of wands had resulted in 1,384 charges under the Drugs Misuse Act compared to 413 under the Weapons Act. Do you have any comments or observations to make about that imbalance and the apparent disparity between the actual consequences of these powers for people and the charges made against them?

Ms McVeigh: Our submission in relation to that is that the bill should be connected to the public policy intent. In this case, it is about dealing with knife crime, which we consider to be a legitimate policy purpose. If the evidence is showing that the law is not effective in relation to that legitimate aim then we would say that police powers should not be expanded in this way because there is a lack of evidence to say that the expansion of those powers leads to that legitimate public policy objective.

Mr BERKMAN: I received an answer to a question on notice back in February that related to the entirety of the scanning trial to date. That showed that roughly 83 or 84 per cent of people who were wanded were male and a full one-third of the people who were wanded were under the age of 18, which clearly relates to your concerns about young people. Do you see anything in the material or in support of this bill that allays potential concerns around profiling or the disproportionate use of these powers against particular groups of people, whether that be by age, race or any other demographic split?

Ms McVeigh: Yes, our submission raises the concern that there is the potential for racial profiling and stereotypes to inform when wandering is used. It is also important to note that wandering is being used in relation to children regularly. It is very concerning that the documents supporting the bill do not go to additional safeguards for children and young people, in consideration of their vulnerabilities in the legal system.

Mr BERKMAN: As a side note, my 15-year-old, as I understand it, has been wanded three times now while hanging around Indooroopilly Shopping Centre, which clearly has not turned up any problematic devices so far.

Mr FIELD: You talked about your concern for the number of young people and First Nations people being wanded. Do you have any indication of numbers? Of the 100,000 people who have been wanded so far, is there any indication of how many young people or First Nations people are involved? What age do you classify as a 'young person'?

Ms McVeigh: When we are talking about children and young people, we are talking about people under the age of 18. In terms of the numbers of children who have been wanded, I point to the reference that the member for Maiwar just made in relation to the police's reporting, which showed that one-third of the people who had been wanded were young people. I am not aware of the impact on First Nations people. We submit that that is an issue that needs further investigation.

Mr FIELD: Given the current environment with young people of today, one would think that most wandings would be of younger people. They appear to be the majority who are carrying knives. History has shown that young people can kill. Why are you concerned about young people being wanded? If a young person is carrying a knife, for whatever reason, and they are wanded and are also caught with drugs, that is good. That is another thing that is off the street. A lot of the knife crime is related to drug crime, as far as we understand, and a lot of other crime as well. If the wanding picks up not only carrying a bladed weapon but also other offences, isn't that a good thing?

Ms McVeigh: Our submission is that this bill is likely to have a significant impact on children and young people, which you have rightly also emphasised and has been emphasised by the member for Maiwar as well. What is striking is that the statement of compatibility, which goes to the impact of this legislation on the human rights of Queenslanders, does not pay attention to the particular rights of children and young people as articulated in our Human Rights Act. In addition to that, the explanatory notes do not reference what special consideration has been given to the fact that this law applies to children and young people. It is well established that children and young people are different to adults in terms of their brain development and their ability to understand consequences for actions. It is a well-established principle that adjustments need to be made in the justice system to take that into consideration. We think it is striking that, in a bill like this, no consideration has been given to the impact of this bill on children and young people.

Mr RUSSO: In your submission, you recommend exploring how current safeguards could be strengthened rather than removed. Is there a specific mechanism that you believe would enhance the oversight of Jack's Law while still achieving its community safety objectives?

Ms McVeigh: I would go back to my earlier comment that we currently do not have enough information about how policing is occurring with wanding in relation to children and young people. We would like to understand that more. We think a review and evaluation would be appropriate. We think that further consultation with the community services sector around adjustments that could be made would be appropriate.

Ms MARR: Further on that statement, you are saying you are concerned that we need to have a trial yet other states have seen such success with Jack's Law that they have implemented it into their legislation. I do not understand why you suggest there has not been any success with the program that we have in Queensland. I want to understand why you think a trial is necessary when we have seen other states take on the same legislation.

Ms McVeigh: Our submission is related to a lack of consideration given to the impact on children and young people as well as the lack of good information through a review and evaluation so that we can properly understand the impact on children and young people. We know, from our members, that there are concerns that, for example, police may not be using their diversionary powers when they are interacting with young people. We do not know what adjustments are being made when police are using these powers in relation to children and young people. What we are saying is that we need more information and a further review and evaluation so that we can properly understand the impacts on children and young people and ensure there is a balance between the rights of children and young people and the very valid policy objective of community safety and reducing knife crime.

CHAIR: There being no further questions, I thank you for your appearance today and your submission to the committee.

SCHWARTZ, Ms Thelma, Principal Legal Officer, Queensland Indigenous Family Violence Legal Service (via videoconference)

CHAIR: I invite you to make an opening statement to the committee.

Ms Schwartz: The Queensland Indigenous Family Violence Legal Service, or QIFLS, welcomes the opportunity to speak to our submission in relation to the Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill. We have provided a very discreet, limited-scope submission to the bill, particularly from the standpoint of our position as an Aboriginal and Torres Strait Islander community controlled organisation and family violence prevention legal service, which is primarily dedicated to ensuring that Aboriginal and Torres Strait Islander families and households are safe from domestic and family violence and sexual violence within the state of Queensland.

You can see within the submission there is a map setting out our regions. QIFLS operates within the state of Queensland, servicing over 90-plus Aboriginal and Torres Strait Islander communities, stretching across the eastern seaboard, down to Brisbane, through Rockhampton, into Mount Isa and the Gulf Country, up to Bamaga and the Northern Peninsula area and out to Thursday Island. Our primary practice is supporting domestic and family violence victims. From that perspective, I think there is an interaction with policing. You can see the submission has called for, I suppose, a balance in how we proceed, particularly given our representation of Aboriginal and Torres Strait Islander persons and their interaction within the system more generally.

I want to also note—and I know I have dived straight into my submission—that the bill is quite an extraordinary bill. I want to acknowledge the work of Brett and Belinda Beasley—I did not catch Mrs Beasley's evidence this morning—and their campaign to eradicate knife crime on behalf of their son Jack, after whom the bill is named.

As you can see from our submission, we, like every other community member within Queensland, want enhanced community safety, including an end to knife crime. It really comes down now to achieving that balance and ensuring that there are safeguards, particularly when drawing upon some of the issues or key findings that were raised in the Griffith report. That report particularly focused on, firstly, the use of wandering in areas where data shows a proportionately higher prevalence of knife offences and, secondly, the engagement with people of culture, particularly Aboriginal and Torres Strait Islander peoples, and avoiding the inappropriate use of stereotypes, cultural assumptions and biases, which the Griffith report noted were confined to a small number of police officers.

We would also call for further evaluation of the success to see not only a detection of concealed weapons—knives—but also a decrease in the prevalence of knife related crime. Unless there is anything further, that is the very brief opening statement I have on this matter and I am happy to take questions.

CHAIR: Thank you very much, and thanks for taking the time to appear before us today on video. It is very good of you.

Ms Schwartz: Thank you.

CHAIR: Given there have been over 100,000 incidents of wandering by police and only two complaints, which were mainly related, as I understand it, to the laws themselves rather than police behaviour, do you have any other evidence—anecdotal or otherwise—of the impacts of, or objections to, having been wandered by police et cetera, in relation to Aboriginal and Torres Strait Islander people particularly? We have heard submissions today that these laws could have a larger impact on that community.

Ms Schwartz: If you are narrowly confining it to the impacts related to the offence of wandering, I am not in a position to speak to that, given that that is a criminal law offence category. If you are talking more generally about the impact of Aboriginal and Torres Strait Islander peoples' interactions with the Queensland Police Service, I would look more generally at the findings of the commission of inquiry's review into police responses to domestic and family violence victim-survivors where there was an evidence-based finding of disproportionate impacts when contacting Aboriginal and Torres Strait Islander victim-survivors.

We know from the National Partnership Agreement on Closing the Gap—particularly targets 10 and 11, which are the justice targets and Queensland's own justice agreement—that more needs to be done in relation to building better policing responses and engagement with Aboriginal and Torres Strait Islander peoples more generally as we seek to achieve those reductions and those justice targets around overcriminalisation of Aboriginal and Torres Strait Islander adults and children in the criminal justice system. I think that is the only position I can speak to, not narrowly in relation to wandering.

CHAIR: I appreciate that.

Mr BUTCHER: My question is in relation to a recommendation developing an enhanced co-responder model involving specialist support workers from an Aboriginal and Torres Strait Islander community controlled organisation. Can you explain a little bit more how you envision that model operating alongside police during the wandering operations that they are undertaking?

Ms Schwartz: We know, generally, that there are poor outcomes when Aboriginal and Torres Strait Islander peoples engage with police. I saw that in my broader practice prior to coming to QIFVLS as a defence lawyer with the Aboriginal and Torres Strait Islander Legal Service—ATSILS—in Cairns for over nine years defending men, women and children across all facets of the criminal justice system. These negative responses come from a history of mistrust and a history of not really appreciating and understanding the impacts of trauma.

I was watching a bit of the evidence from the Victims' Commissioner this morning about the impacts of trauma on domestic and family violence victims. There is also trauma associated with Aboriginal and Torres Strait Islander peoples—and I have made a point of referring to the National Partnership Agreement on Closing the Gap—who we know are significantly over-represented within the criminal justice system. The co-responder model has really been born out of the work that arose from the Women's Safety and Justice Taskforce.

We are talking about potential scenes where you are going to get pretty heightened responses when police come on to the scene. We are talking about going out to a DV incident. How do you calm people down? How do you get the best information out of people, particularly if they are an Aboriginal and Torres Strait Islander person, for example, coming into contact with the system? I believe there is a co-responder model in Cairns that is set up with a DV-specific framework. I believe the original trial for the co-responder unit started on the south-east coast as well. This is an additional resource to policing. We are not against proactive policing. This is to assist police in their roles when they are going out to whatever scene they are sent to.

Ms MARR: Good morning, Thelma. Thank you for your time this morning. I note in your submission you make reference to the Griffith report, indicating the legislation should prioritise areas where prior crimes have occurred. Considering this is all about community safety, are you not concerned that existing legislation fails to catch significant events, like the GC500, music festivals and schoolies events?

Ms Schwartz: That is a concern. I am a human being, as we all are. We want to feel safe moving about our communities. We are now living in unprecedented times where acts of random violence are occurring in places we never thought possible, let's say, 20 years ago. I look at that need for safety against what is being infringed. I am probably concerned about thresholds that seek to strike the balance in ensuring community members feel safe where they are. For those events which have a lot of people coming in, I would still like to see the evidence base to having it, as Griffith pointed out. Is there a high prevalence of knife crime in that area where an event is being held? I know it is a really fine balance trying to achieve feeling safe when you are out and about without impinging on people's movements. I do not like fence-sitting but I also do not know where you strike it.

Ms MARR: I do appreciate that. I know you are trying to find the balance of your position and possibly as a parent. As a parent, when my daughter goes to a festival, I would like to think that, regardless of whether there has been a prior offence there or concern, there is the opportunity for wandering. Thank you. You were very honest in your response. I do thank you for that.

Mr BERKMAN: Thank you for taking the time to join us, Thelma. The stats that have come back from QPS up to February this year show an over-representation of Aboriginal and Torres Strait Islander people, with just under seven per cent of all instances of wandering being of people of Aboriginal and Torres Strait Islander descent. That is before we get to the 40-plus per cent where it was unknown or simply not recorded. As we have heard in evidence this morning, the use of these powers does often trigger the exercise of police discretion to exercise stop and search powers. From your experience at either QIFVLS or ATSILS, can you offer any extra information or insight into how that exercise of police discretion might be expected to play out with respect to particularly Aboriginal and Torres Strait Islander people and young people?

Ms Schwartz: Unfortunately, my experience has not been positive. I would see an influx of charges. You would have the request to stop. You would then probably have an interaction that would probably be described as confrontational. You would have police then trying to calm down the situation with an individual who may or may not be under the influence of alcohol and/or other intoxicating

substances, coupled with an unidentified mental health diagnosis. We then see a quick escalation of a situation and an individual is then arrested. We then see a charge of committing public nuisance with a charge of obstructing and assaulting police being added on. What was meant to be a relatively simple process has now turned into the charging of offences.

That, for me, causes concerns when I look at the downstream impact of over-representation within the criminal justice system. I have someone who has been charged, who most likely has a relevant criminal history of like offences. I know our submission has touched a bit on what the education and awareness is. Part of the Jack Beasley Foundation's focus is on education and raising awareness of what is going to happen if you carry knives. 'This is what happened to us, quite tragically, as a consequence of someone carrying a knife.' I think there is a lot of emphasis on that early intervention and prevention work we have to do with young people, particularly about knowing the consequences of actions and what will happen when you come into contact with policing.

That is a bigger part of our advocacy for, and journey to, build better responses from police with Aboriginal and Torres Strait Islander peoples and vice versa. We need an understanding of rights and the ability to actually articulate, 'Hang on a minute, what's going on here? Why am I being spoken to? What's the reason? What's the reasonable suspicion of me that's now got your attention?' rather than just being targeted simply because of race or ethnicity. That was touched on in the Griffith University report.

Mr FIELD: Thelma, just one question: do you agree that, after 100,000 wandings and over 1,300 weapons being removed from the streets, Jack's Law is successful and should be made permanent?

Ms Schwartz: In terms of the detection of knives, absolutely it has been a success. I would ask you, with respect, where is the evidence to show a decrease in associated knife related offending? I have no issue with making Jack's Law permanent. Absolutely. It strikes that balance of keeping the community safe. We should feel safe in our communities but I call for, with respect, an evidence base to show me that there has been a decrease in knife related offences. I am grateful for those police officers who are going out and about and proactively policing to get these weapons off the street, to prevent another tragedy like Jack's. That should not be occurring. I want to see that we are having a long-term impact on the reduction of knife related offences and other offences where weapons are used against people going about their ordinary business in public.

Ms MARR: Considering 1,300 weapons have been removed, if there is the intention to go somewhere with a weapon there is possibly the intention to harm somebody. That possibly means that 1,300 offences have not happened because they were confiscated. Do you not see that that is relevant to how many have been taken off the streets? We would rather not see the knifing numbers escalate before we put this through as permanent.

Ms Schwartz: When I look at the policy objective as to why this bill has been brought into existence, with the additional limb to reduce knife crime, I look at that and I also look at the corresponding data to see a decrease in the charging. I accept that knives have been seized. I will look at the reasons for people to carry weapons. There might be some people carrying them for valid reasons, and I do not know what those valid reasons are. I am not in criminal practice anymore here at QIFVLS, and it is not the data that I have spoken to. I have no objections, as I have indicated before, to supporting the permanency of Jack's Law provided sufficient safeguards are put into place, given the concerns that we have raised in our written submission.

CHAIR: With some witnesses today, we have touched a bit on random breath testing being a community safety initiative. It took a long period of time to reduce drink driving. Would the expansion of these laws and more wandering be useful to evaluate over a longer period of time to see if that is effective?

Ms Schwartz: With the random breath testing as well, there was an associated education and awareness campaign that was also run to demonstrate the risks. I know it seems silly what we are talking about. The risk is pretty evident when you are going to get behind the wheel of a car and you are intoxicated: you are going to cause harm not only to someone else but also to yourself. Running that campaign and targeting it with the general public and raising awareness, I think, is best, but particularly when we are talking about the use of these powers and particularly expanding it into public places so that people are aware that this is what is going to happen—'If you are then asked, this is the purpose of what they are asking you to do.'

CHAIR: I would agree with that, and the Beasley Foundation is doing wonderful work in that space.

Mr RUSSO: Thelma, my question goes to your submission where you caution that 'streamlining the Jack's Law framework must not bypass reasonable suspicion safeguards'. I know you have touched on this in part of your answer to questions today, but I was hoping you could expand on that. Could you provide examples of how streamlined procedures might inadvertently bypass safeguards, and what protections do you believe should be maintained? I apologise for the double-barrelled question.

Ms Schwartz: I think this comes down to the intelligence that police are working on when they are looking at knife crime in particular areas. The concern I have is: who are you going to be wanding? What is your intelligence that you are basing the ability to then go out and wand on? If we are expanding it more generally, what is the reasonable suspicion that you are forming that someone has committed a crime, is about to commit a crime, or has a knife on them? I am always curious about those aspects. I know from a criminal defence perspective, you look at the formation of that reasonable suspicion as to why someone particularly was identified to be subject to it. I take the point it is a non-invasive process where you are wanded which may or may not detect something. I am hoping that has covered that point. I do not know if I touched on the other point there.

Mr RUSSO: Are there any procedures that you think might be bypassed by the reasonable suspicion safeguards not being implemented or not being followed? If you do not have an answer, that is quite alright, Thelma.

Ms Schwartz: I probably do not have an answer to that one.

CHAIR: There being no further questions, we will close. Thank you, Ms Schwartz, for your appearance today. That concludes the public hearing. Thank you to everyone who participated today. Thank you to our Hansard reporters. A transcript of these proceedings will be available on the committee's webpage in due course. I declare this public hearing closed.

The committee adjourned at 11.03 am.