

Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025

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Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025

**PeakCare's Submission to the Justice,
Integrity and Community Safety Committee
on Police Powers and Responsibilities
(Making Jack's Law Permanent) and Other
Legislation Amendment Bill 2025**

15 April 2025

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INTRODUCTION

PeakCare Queensland is pleased to submit our recommendations to the Justice, Integrity and Community Safety Committee on the Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025. PeakCare is committed to evidence-based youth justice responses that enhance community safety while upholding the safety, wellbeing, and rights of children and young people.

We understand the Bill's intention to enhance community safety and security through the expansion of 'Jack's Law' which proactively prevents knife related crime by authorising police officers to use a hand held scanner to detect knives or other weapons in certain places, we do call on the government to undertake a full independent evaluation of the trial prior to implementing the legislative changes in this Bill. The initial independent review of the trial by Griffith University's Criminology Institute¹ analysed the trial's outcomes and found that while a number of weapons were seized, there was no conclusive evidence indicating a reduction in knife-related violence as a direct result of the wandering operations.

ABOUT PEAKCARE

PeakCare is a not-for-profit peak body for child and family services in Queensland, providing an independent voice representing and promoting matters of interest to the non-government sector. Across Queensland, PeakCare has more than 100 members including small, medium, and large local, state-wide and national non-government organisations which provide prevention and early intervention, generic, targeted, and intensive family support to children, young people, families, and communities. Member organisations also provide child protection services, foster care, kinship care and residential care for children and young people who are at risk of entry to, or who are in the statutory child protection system and youth justice systems.

A large network of associate members and supporters also subscribe to PeakCare. This includes individuals with an interest in child protection, youth justice and related services, and who are supportive of PeakCare's policy platform around the rights and entitlements of children, young people and their families to safety, wellbeing, and equitable access to life opportunities.

PEAKCARE'S SUBMISSION

Use of handheld scanners and resultant removal of weapons.

PeakCare believes the initial trial of handheld scanners in public places needs to be fully evaluated, not only for the number of knives found during search operations but also the impact on the rate of crime involving knives in the trial locations. Following the result of this PeakCare would support the implementation of the amendments in this Bill.

As per our Submission to the State Development and Regional Industries Committee on the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023, dated 18 December 2023, we emphasised the need for more comprehensive data collection about the demographics of young people being wandered by police, particularly those found carrying knives on public transport or in safe night precincts under Jack's Law. This data is crucial to ensure these interventions do not disproportionately target young people based on race or cultural identification and to help design programs that more effectively target those most likely to engage in knife crime.

¹ <https://research-repository.griffith.edu.au/server/api/core/bitstreams/231360c5-d77d-4438-9b3e-8a12cc16af5c/content>

We are concerned about the potential human rights implications of introducing the amendments in this Bill, particularly in terms of police powers to conduct wand searches for knives and expanding the application of Jack's Law to include public places, that are not relevant places.

While acknowledging the severity of knife crime and the necessity for measures to ensure public safety, it is critical that any proposed laws that seek to limit an individual's fundamental human rights, such as equality before the law, freedom of movement, privacy, and reputation, adheres strictly to the *Human Rights Act 2019* (Qld). This Act mandates that limitations on these rights must be reasonable and demonstrably justifiable in a free and democratic society, grounded in human dignity, equality, and freedom. In our view, the proposed expansion of police powers in the Bill excessively encroaches on these rights and fails to meet the required threshold of justification.

PeakCare is concerned by the amendments in this bill by removing the requirement for a police officer to notify a manager or occupier of a premises prior to the exercise of Jack's Law, or the requirement to provide a notice to those individuals who are being scanned by a hand held scanner, which in effect can breach the Human Rights of the individual being scanned.

There appears to be no evidence that stop and search powers will reduce knife crime. The Victorian Office of Police Integrity conducted a review of Victoria Police's use of stop and search powers which were, inter alia, used to reduce knife crime. The report² (2012) that came out of this review, referred to a study into the effectiveness of "stop and search" powers in the United Kingdom which found that:

- the "relationship between incidence of knife-crime and the rates of 'stop and search' is at best unclear" and that after a month, "no significant and consistent correlation between searches and crime levels" was found;
- "a review of the 'stop and search' reporting data over six months compared to crime statistics for the same period showed no relationship between increased searches and a decrease in knife-crime."

Moreover, a Key Finding of the Griffith University Report³ stated in relation to the Trial that "there is no evidence as yet of any deterrent effect given that there has been an increase in detections at one site, and no change at the other".

Given the lack of evidence for the effectiveness for these sorts of powers in reducing knife crime, we do not consider the expanded powers to be justified especially when considering the human rights impacts.

In attempting to remove administrative burdens for our busy police officers this Bill has the potential to directly breach the Human Rights Act 2019 (Qld). In a Question on Notice⁴ before this parliament on 20 February 2025 the response from the Police Minister indicated that since the commencement of "Jacks Law" there have been a total of 101, 611 people scanned and the total number of weapons located in the period was 1,018. This is less than 1% of people who have been scanned have been found to have a weapon. What would be concerning to the community would be the Minister's response that "the total number of handheld scans linked to weapons related charges is not recorded. Handheld scans and weapons charges are tracked cumulatively, without a method to link them directly. As an example, a handheld scan may result in a weapon located whereby possession of that weapon is lawful, with no charges preferred."⁵

² https://www.researchgate.net/publication/330242495_Review_of_Victoria_Police_use_of_%27stop_and_search%27_powers_Office_of_Police_Integrity_Victoria

³ <https://research-repository.griffith.edu.au/server/api/core/bitstreams/231360c5-d77d-4438-9b3e-8a12cc16af5c/content>

⁴ <https://documents.parliament.qld.gov.au/tableOffice/questionsAnswers/2025/122-2025.pdf>

⁵ <https://documents.parliament.qld.gov.au/tableOffice/questionsAnswers/2025/122-2025.pdf>

Cultural targeted groups and unintended consequences

The Griffith Criminology Institute Review Report⁶ Key finding 7 noted: In terms of equity, wandering has been inconsistently used across different groups in the community. While the targeting of young people was clearly intended under the legislation, and there is an evidence base for selecting more males than females, there is some evidence of inappropriate use of stereotypes and cultural assumptions by a small number of officers in determining who to select for wandering.

In the Police Minister's response to the Question on Notice⁷ we also see a breakdown of the types of people targeted for wandering including:

- Young people under the age of 18, as a percentage of the total was 33%.
- Aboriginal/Torres Strait Islanders, as a percentage of the total was 6.92%.
- QPS data relating to a person's housing status is not recorded.
- Culturally and linguistically diverse (CALD) people, as a percentage of the total was 10.02%.

What we have also seen in other jurisdictions, such as the United Kingdom statistical data⁸ indicates significant racial disparities in stop-and-search practices:

- **Disproportionate Stop-and-Search Rates:** Black individuals are stopped and searched at notably higher rates compared to White individuals. For instance, in the West Midlands Police area in 2024, Black or Black British people were stopped and searched almost five times as much as White people.
- **Effectiveness and Community Impact:** Studies have questioned the efficacy of stop-and-search tactics in reducing knife crime. Research by the Youth Endowment Fund found that stop-and-search led to only a 5% reduction in violent crime in England and Wales, suggesting that other strategies, such as community-led interventions, may be more effective.

The experiences in the UK highlight the importance of continuous monitoring, transparent data collection, and community engagement to ensure that stop-and-search practices are applied fairly and effectively. PeakCare advocates for the Queensland Government to adopt similar approaches to address and alleviate community concerns regarding potential racial profiling in policing practices.

Closer to home we have also seen increasing issues and concerns with racial profiling and stop and search programs such as in Victoria. The Racial Profiling Data Monitoring Project⁹, an anti-racism data transparency initiative, has analysed data obtained through Freedom of Information (FOI) requests. Their findings reveal that, in 2023, Victoria Police were:

- **11 times more likely** to search individuals perceived to be Aboriginal compared to those perceived to be White.
- **8 times more likely** to search individuals perceived to be African.
- **5 times more likely** to search individuals of Middle Eastern appearance.
- **4 times more likely** to search individuals from a Pasifika background.

These statistics suggest a significant overrepresentation of these groups in police searches.

⁶ <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5722t1863/5722t1863-952d.pdf>

⁷ <https://documents.parliament.qld.gov.au/tableOffice/questionsAnswers/2025/122-2025.pdf>

⁸ https://www.ethnicity-facts-figures.service.gov.uk/crime-justice-and-the-law/policing/stop-and-search/latest/?utm_source

⁹ https://www.racialprofilingresearch.org/about?utm_source

CONCLUSION AND RECOMMENDATIONS

PeakCare offers the committee the following recommendations to consider before implementing the legislative changes proposed in this Bill:

1. Prior to commencement of the legislation the Queensland Police Service undertake a full Independent Evaluation:
 - Ensure that an expanded wandering regime is grounded in robust, independent evidence that demonstrates clear outcomes in reducing knife-related crime, particularly among young people.
 - Commission an evaluation that includes both quantitative and qualitative data, with a focus on impacts to community safety, rights protections, and demographic equity.
2. That the Queensland Police Service include a mandate for the transparent and disaggregated data collection of people who are stopped for wandering:
 - Require Queensland Police Service (QPS) to systematically collect and report disaggregated data on wandering, including by age, gender, cultural background (including CALD and Aboriginal and Torres Strait Islander identities), and the outcomes of those scans.
 - Ensure this data is made publicly accessible and subject to regular parliamentary scrutiny.
3. That the Queensland Government introduce appoint an Independent Oversight of Wandering Practices body:
 - Establish an independent body or extend the remit of existing oversight mechanisms to monitor the implementation of wandering powers, investigate complaints, and provide annual reporting on equity and compliance with human rights legislation.
4. That the Queensland Government continue to commit to ensure consistency with the Human Rights Act 2019 (Qld)
 - Amend the Bill to restore safeguards such as notification to premises occupiers and to scanned individuals, ensuring transparency and procedural fairness.
 - Require that any limitation on individual rights is demonstrably justified, proportionate, and necessary within a democratic society.

Crime prevention efforts should focus on addressing the root causes of criminal behaviour, such as safe and stable housing, domestic and family violence, mental health and disability supports, childhood trauma and educational disengagement. Ensuring that children have access to role models, employment, and pro-social activities will contribute far more to reducing crime and building stronger, safer communities.

While PeakCare supports initiatives aimed at enhancing public safety and reducing knife-related violence, these must be implemented with caution, transparency, and a commitment to justice and human rights. The current Bill proposes significant expansions to police powers without sufficient evidentiary support that such measures are effective, proportionate, or equitably applied.

The experiences of jurisdictions such as the United Kingdom and Victoria underscore the risks of unintended consequences, particularly racial profiling and erosion of public trust. Queensland must learn from these examples and prioritise approaches that are community-informed, data-driven, and legally compliant.

We urge the Committee to recommend that the Government pause the permanent adoption of Jack's Law until a full and independent evaluation is completed, and that it considers a more holistic, rights-respecting approach to youth and community safety.

Queensland has the opportunity now to refocus on strategies that work, strategies that support children, engage families and communities, and build the capacity of young people to live crime free, productive lives. This is how we truly achieve community safety. PeakCare stands ready to assist the Committee and the Queensland Government in developing and advocating for such evidence-based reforms. We urge you to commit to smarter, safer solutions for Queensland's youth justice system.

Yours sincerely,



Ms Kate Bjur

Acting Chief Executive Officer
PeakCare Queensland Incorporated