

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

Submission No:	7
Submitted by:	Queensland Police Union of Employees
Publication:	
Attachments:	See attachment
Submitter Comments:	

Queensland Police Union of Employees

217 North Quay, Brisbane, Qld 4000. Telephone (07) 3259 1900

ABN 75 781 631 327



Email [REDACTED]

15 April 2025

Mr Marty Hunt MP
Member for Nicklin
Chair
Justice, Integrity and Community Safety Committee
JICSC@parliament.qld.gov.au

Dear Mr Hunt

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

I would like to take this opportunity to make a submission about the *Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025* (the Bill).

The Queensland Police Union (QPU) represents over 13,000 members, the majority of whom are on the front line providing policing and emergency responses for the Queensland community. While the QPU is committed to obtaining the best industrial outcomes and entitlements for its membership, it is also committed to contributing to the law and order debate to obtain realistic and workable solutions to combatting crime and protecting our community.

QPU elected executives have extensive frontline experience informing the QPU's position on police legislation and the need for it to be constructed and applied in the most efficient and effective way possible to optimise police resources.

The QPU places on record its support for the Bill and makes the following observations on its policy objectives and suggestions to improve the application of Jack's Law.

In March 2025, I wrote to Minister Purdie advocating the permanent expansion of Jack's Law for the safety of all Queensland residents and visitors by making it available to police, *anywhere, anytime*.

I am pleased to see the Bill makes Jack's Law permanent by removing the sunset clause and allowing police to use a hand held scanner in a relevant place, without the need to obtain an authority to do so. It is also satisfying to see the Bill includes proposals expanding the application of Jack's Law to include public places, that are not relevant places, without the need for authorisation from a senior police officer.

The provision allowing Jack's Law to continue if a person moves from one public place to another is also supported. This overcomes a practical difficulty which also came to light in similar 'search' legislation in Victoria. However, the QPU supports the provision that if the person moves to a non-public place (for example, home or private office) then police would need to apply their other powers to continue the search and investigation.

Pleasingly, the Bill also contains provisions enhancing the effectiveness and efficiency of Jack's Law by removing requirements included when Jack's Law was first enacted that are no longer necessary. This change is a significant positive for frontline police. It aligns with QPU efforts, and those of the QPS, to reduce the burden of unnecessary administration, releasing many thousands of 'policing hours' back to the frontline.

The Authorising Officer (when an Authority is needed in a 'non relevant place') also has a much simpler set of requirements to consider when giving (or not giving) an Authorisation.

Most of the existing, prescriptive, considerations required of an Authorising Officer are removed and the Government is to be commended for this effective simplification of the application of Jack's Law.

However, the QPU makes the following suggestions for consideration of inclusion in the Committee's report to Parliament.

Expansion of '12 hour' block to up to 6 months

As the Bill and 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 that the hand held scanner checks are highly effective and not invasive.

Accordingly, we suggest the Committee recommend periods of authorisation for up to 6-months not 12 hour blocks repeated multiple times. The current authorisation system results in onerous paperwork and a system of authorisation and implementation which lags behind identified need. It is acknowledged that outside 'relevant places', consideration of the practicality of a hand held scanner program is needed. However, once authorised, the program has its best effect as a preventative tool when it is known by the community that it can occur immediately and anytime to maximise the deterrent effect.

In addition, the retention of 12 hour authorisations is of little use when a strategic view is taken of the policing of problem areas such as parks, industrial areas and the like. A more suitable authorisation period would be 3 to 6 months to allow the QPS to evaluate the effectiveness of the hand held scanner operation in a particular area. A timeframe greater than 12 hours is also more realistic to deal with a specific problem, as hand held scanners are only one tool in a suite of options dealing with crime areas holistically.

However, for street festivals and short period gatherings or events in non-relevant place areas, 12 hour authorisations or authorisations limited to the period of the event (if taking place over more than a day), are considered suitable.

Inclusion of other areas as ‘relevant places’

In keeping with the QPU preference for Jack’s Law to be available *anywhere, anytime* - areas such as, Southbank, Roma Street rail and parkland precinct, other prominent public spaces plus key shopping and pedestrian malls and night time economy areas (whether part of an SNP or not), should have permanent status (i.e. be ‘relevant places’) not requiring authorisation.

Consideration should also be given to applying Jack’s Law to designated areas used from time to time upon permit from the State Government or Local Government Authorities for festivals, concerts or other large scale community events or where a temporary Liquor Licence is required. While it is noted the definition sections of the Bill and PPRA allow for the probable application of Jack’s Law to these types of areas or events, a specific authority within the Bill for the application of Jack’s Law in these circumstances would remove ambiguity of application.

Evidence of other potential offences

The QPU has been advised by officers, who regularly apply Jack’s Law in police operations, of an issue worthy of legislative amendment.

Currently, police undertaking hand held 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. While Jack’s Law is legitimately focussed on the possession of knives and weapons, these other items described above do not fit neatly into s 15 ‘Possession of implement in relation to particular offences’ of the *Summary Offences Act 2005* (the SOA).

Consequently, prosecutions for possessing these items, commonly found during Jack’s Law scanning operations, are commenced pursuant s 252 ‘Possess Tainted Property’ of the *Criminal Proceeds Confiscation Act 2002* (CPCA), subject to the definition of ‘tainted property’ in s104(1)(a) of this Act.

Section 15 SOA provides safeguards pursuant s 634 of the *Police Powers and Responsibilities Act 2000* and carries a maximum penalty of 20 penalty units or 1 year imprisonment compared to 100 penalty units and 2 years imprisonment under the CPCA. The gravity of s 252 of the CPCA, sufficiency of evidence, the public interest and the age of the offender are factors considered in deciding whether to commence proceedings against alleged offenders.

The QPU argues the SOA provides a better statutory fit for items such as magnets, small cutters/shears and the like that are carried and used for the removal of electronic anti-theft devices commonly attached to high value clothing and other items.

The QPU therefore proposes an amendment to s 15, subsections 1 and 2 of the SOA by adding the following clause:

(g) to unlawfully take away shop goods or aid in the stealing of any goods or chattels.

Evidence from an experienced general duties police officer:

...offender use a small but very strong magnet which they hold over the security tag to lift a pin inside the tag releasing the back, lock mechanism. They then remove the security tag and attach it to another piece of clothing. Myer regularly finds two security tags attached to one item which means someone has stolen something nearby. The magnets can easily be purchased online. They're the same as people use for magnet fishing.

The snips are used to physically cut the security tag off. The middle of the security tag has a steel pin which can be easily cut with a set of electrical snips. When the pin is cut, the security tag comes apart in two pieces and can be thrown.

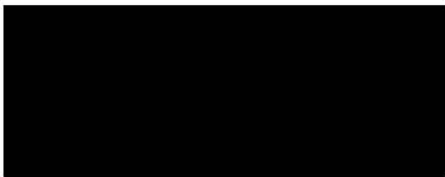
Both methods enable the offender to remove the security tag without damaging the stolen item.

Consideration should also be given to the fact that most 'shop lifting' offenders are juveniles or young adults or those driven to 'shoplifting' due to personal or cost of living circumstances. Adding clarity to s 15 of the SOA would assist in providing balanced options to proceed against offenders while maintaining a strong deterrent to retail theft.

The National Retail Association reports that retail crime costs Australian retailers over \$9billion per year with a significant amount as a result of shoplifting. Of concern is the significant under-reporting of this crime and much of the loss ends up being born by Queenslanders through increased prices. The change as proposed also goes some way to supporting Queensland's retailers.

I trust the information contained in this submission assists the Committee with its Inquiry into the Bill. I am available on (Telephone) 3259 1900 or via email [REDACTED] should you have any questions about the QPU submission.

Yours sincerely



Shane Prior
General President
QUEENSLAND POLICE UNION