

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

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Youth Advocacy Centre's submission on the *Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill*



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Introduction

The Youth Advocacy Centre (YAC) is a community legal and social support centre dedicated to delivering legal and social services to young people. YAC appreciates the opportunity to provide submissions on the *Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill (the Bill)*. YAC's submissions are confined to the changes concerned with 'Jack's Law'.

Relevantly, the key findings of the Queensland Police Service Wandering Trial Report completed by Griffith University in August 2022¹ (**Griffith Report**) included that:

- Wandering should be targeted only to those areas where data shows a proportionately higher prevalence of knife offences. The Bill goes beyond this recommendation;
- There is no evidence of any deterrent effect;
- Wandering has been inconsistently used across different groups in the community;
- The provision of notifications required by the legislation is not user friendly; and
- The trial period was short and was impacted by COVID-19 which decreased its effectiveness.

Independent review

One of the purposes of extending the sunset clause for Jack's Law until 30 October 2026 was to provide time for the expanded framework to be independently evaluated.² The Bill proposes a significant expansion of the existing wandering powers. Currently wandering can occur in defined locations with legislative safeguards, but the Bill proposes that the powers can be exercised in any public place with reduced reporting and oversight.

Given the further significant broadening of police powers contained in the Bill, YAC strongly objects to the removal of independent evaluation which was to take place after 30 October 2026.

No reference to deterrence

The explanatory notes and statement of compatibility both state that 'Jack's Law' '*proactively prevents knife-related crime by authorising police officers to use a hand-held scanner to detect knives or other weapons in certain places*'. There is no evidence which supports that wandering does prevent such crime.

¹ Review of the Queensland Police Service Wandering Trial August 2022 – Ransley J, Connell, N, van Felius M, Walding S, Griffith University Criminology Institute.

² <https://www.legislation.qld.gov.au/view/pdf/bill.first.exp/bill-2024-018>

YAC agrees with the Griffith Report's recommendation that stronger safeguards be introduced to govern how officers use their discretion to select people to be wanded.³

While YAC supports efforts to enhance community safety, wanding itself is not shown to reduce knife crime. Further steps need to be taken to deter people from carrying knives. YAC **recommends** an increased education and engagement campaign with young people, such as the campaign engaged in by the Avon and Somerset Police in the UK: <https://youtu.be/vtqqcjlYS-g>.

In YAC's experience, the majority of young people carrying knives are motivated to do so for protection, rather than for the commission of offences.

'Efficiency amendments'

Given the Bill's significant broadening of police powers across Queensland, YAC is concerned that the efficiency measures will reduce protection against the misuse of these powers. The wanding powers are acknowledged⁴ by the Attorney General as being:

...potentially inconsistent with the fundamental legislative principles, particularly in regard to breaches of rights and liberties of individuals through a potential interference with an individual's freedom of movement and right to privacy and principles of natural justice.

In these circumstances the protections for individuals should not be watered down, as is proposed by the Bill. YAC addresses the proposed efficiency amendments, below, in the context of the greatly expanded scope of the powers contained in the Bill.

Senior Officer Authority

While YAC understands that the removal of the need for authority from a senior police officer is consistent with the Griffith Report recommendations, YAC notes that the proposed changes do not include the increased auditing by senior officers, also recommended in the Griffith Report⁵. Given the significantly expanded powers, senior officers' exercise of these powers should be monitored and audited with public reporting to ensure accountability. YAC also proposes an increased auditing and reporting of street checks, QPRIME data and CCTV and body-worn camera footage.

Information notice on request

YAC strongly opposes the removal of the requirement to issue an information notice upon request. Many young people are unaware of their rights and obligations and can be overwhelmed or intimidated when approached by police, with the possibility of the situation escalating if not handled properly. Providing an information notice is arguably not burdensome for police, especially

³ Review of the Queensland Police Service Wanding Trial August 2022 – Ransley J, Connell, N, van Felius M, Walding S, Griffith University Criminology Institute at page v.

⁴ See page 10 of the Compatibility Statement.

⁵ The Griffith Report at page 84, point 7.

when it helps inform young people of their rights in intimidating situations. YAC disagrees with the justification that the removal of this requirement is because Jack's Law has been in place for several years. Many young people are ignorant of even their most basic rights and obligations when dealing with the police regardless of how longstanding the law is.

The notice given to children and young people under 18 should be clearly written⁶ in a child-friendly style.

Publication

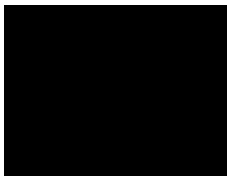
The requirement to publish information about the use of handheld scanners within two months of issue of an authority³ is a reasonable accountability measure, and should remain, but with the adjustment that reporting applies to the exercise of powers under the new sections 39BA or 39E.

The publication of this data within two months assists with police transparency, particularly where the scope of the wandering is proposed to expand much further than the original laws had envisioned.

Justifying the removal of the 2-month reporting requirement by stating there are existing mechanisms such as the annual report, is not sufficient. Publication in the annual report can occur up to a year after the powers have been exercised, which is a significant delay and reduces accountability and transparency.

Thank you very much for the opportunity to contribute.

Yours sincerely



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CEO

Youth Advocacy Centre

⁶ The Griffith Report at page v.