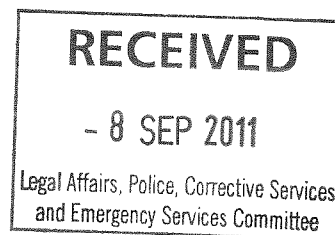




5 September 2011

LAPCSESC
Police Powers
Submission 001

Research Director
Legal Affairs, Police, Corrective Services and
Emergency Services Committee
Parliament House
George Street
BRISBANE Q 4000



Dear Sir/Madam

**Re: Police Powers and Responsibilities and Other Legislation Amendment Bill
2011**

I refer to the letter dated 2 September 2011 from the Honourable Dean Wells MP, Acting Chair, seeking Submissions in relation to Police Powers.

As you may be aware, Protect All Children Today Inc. (PACT) is a non profit community organisation established in 1986 as a service provider of court support and therapy as well as advocating for abused and neglected children/young people and their families.

PACT's Child Witness Support Program provides support for children and young people who are required to give evidence in the courts, either as victims of, or witnesses to, a crime.

PACT's comments reflect our child focussed philosophy, which is mandated by:

Convention on the Rights of the Child -

- **Article 3.1** *"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration".*
- **Article 19** *"Children must be protected against all forms of physical and mental violence".*

Section 21 AA of the Evidence (Protection of Children Amendment Act) 2003 –

States that with respect to a child witness the court is; "to require wherever practicable that an affected child's evidence be taken in an environment that limits, to the greatest extent practicable, the distress and trauma that might otherwise be experienced by the child when giving evidence."

Part 2 of the Child Protection Act 1999 – ... having regard to the principle that it is in the best interests of the child for the application to be heard as soon as possible.

Section 60CA-CG Family Law Act 1975 (Commonwealth) – Child's best interests paramount consideration in making a parenting order.

Vice Regal Patron: Her Excellency, Ms Penelope Wensley, AC, Governor of Queensland

In relation to the proposed Bill changes to broaden the powers of Queensland Police officers, we offer the following:

- PACT support is focussed on building rapport and preparing the child for the court process in order to enable them to give the best evidence possible. Therefore, we have minimal experience or expertise in relation to many of the proposed amendments.
- We are supportive of pat-down searches of minors suspected of unlawful possession of alcohol, providing they are done in an open and safe manner which does not pose unnecessary trauma or stress on the suspected young person.
- Whilst we do not have a sound understanding of what currently occurs when taking DNA samples from child victims, we are supportive of this occurring in principle, if this will ensure that children who have been sexually or physically abused are afforded the justice they deserve. However, this must be done as quickly as possible, in a safe and secure environment, to minimise further trauma and distress of a child or young person victim.
- PACT would be supportive of the use of non-government forensic laboratories for the analysis of DNA samples so long as due diligence is followed and this reduces the lengthy delays in the court process for child and young person victims.

PACT appreciates the opportunity to provide comment on police powers and responsibilities and commends the Committee for their work in this regard.

Yours sincerely



Jo Bryant
Chief Executive Officer