




Speech By
Mark Robinson

MEMBER FOR OODGEROO

Record of Proceedings, 25 May 2023

COMMUNITY SUPPORT AND SERVICES COMMITTEE

Report, Motion to Take Note

 **Dr ROBINSON** (Oodgeroo—LNP) (3.24 pm): I rise to speak to the report on the inquiry into removing laws on public drunkenness, public begging and public urination. I start by thanking committee members and committee staff for their work on this inquiry. The committee held hearings across the state, including in parts of North Queensland, the Gold Coast and elsewhere.

We looked at issues in areas like safe night precincts, general CBD shopping areas and we accompanied police officers on the beat. We visited homelessness agencies and diversionary centres. We spoke with a whole range of groups, including Indigenous groups. We heard that communities in general expect to be able to use public spaces free from public bad behaviour, free from public intoxication, free from public begging and free from public urination. Some advocacy and justice groups felt that there should only be a health response and not a justice response. Others, including many police, mayors and councillors, expressed their concern about removing the justice response altogether, especially for public drunkenness.

In terms of the police, the committee visited police stations, police beats and walked the streets with officers. However, there was very little participation of the police in public hearings and very little feedback from senior police in administration which begs the question why they, in my view, seemed to largely stay out of the discussion. Some police at stations—OICs and other officers—and on the beat gave the committee helpful private briefings, and I thank them for those insights into what their job is like policing these aspects.

The picture from individual police officers became much clearer through discussions with individual officers outside the hearings and private briefings. Individual police officers were generally concerned about removing these provisions. Charges are still laid—particularly for public drunkenness—and police officers were clearly against relaxing these offences. This was especially the case where diversionary programs either do not exist at all, which was in many places, or are inadequate, which, in my view, was across a lot of the state.

Police warn that if some lesser offences are removed they may have to charge individuals with stronger offences, like public nuisance, that potentially carry stiffer penalties, and that was not their preferred option. Some police say that at times it is useful to be able to charge people with lighter offences to be able to manage difficult situations. This could involve keeping the individual safe or someone else safe or to avert greater harm or the escalation of a situation. Having those lighter powers was seen as helpful.

In terms of local government, mayors and councillors who attended the hearings were more open publicly about their concerns about relaxing the laws. They were concerned with potentially reducing police powers if it means that their council officers would have to play an increased role in public

nuisance type issues. They were concerned about reducing the police presence on their streets. They thought government should provide more funding for diversionary programs well in advance of relaxing these police powers. That was the view that many mayors and councillors provided.

In terms of public begging, while it occurs commonly, rarely does it result in charges being laid. At its lowest level it is simply asking someone for money or something. Often this happens without it being a particular problem, though it can escalate. In terms of public urination, again, it happens quite often but rarely results in charges being laid unless it is a very indiscreet situation where there were no other alternatives. In terms of public drunkenness, it does continue to be a significant problem across Queensland.

We do need much more investment in effective diversionary programs before we go about relaxing the laws. This is certainly the view of local police in the Redlands who have spoken with me over a period of time. In terms of some of the issues to do with young people behaving badly—drunken activity and loutish and hooning behaviour—that we have been trying to deal with, they were concerned that these laws might be relaxed without alternative resources in advance. Much more needs to be done should these laws ever be relaxed.