

Telephone: [REDACTED]

Reference: [REDACTED]

Committee Secretariat
Justice, Integrity and Community Safety Committee

Via email: [REDACTED]

Dear Committee Secretariat

The Queensland Family and Child Commission (QFCC) welcomes the opportunity to provide a submission on the *Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025*.

The QFCC acknowledges the legislation aims to enhance community safety and security through the expansion of Jack's Law through the proactive prevention of knife-related crimes. Community safety cannot be achieved through policing and justice responses alone. My previous submissions^{1,2} have highlighted the need to invest in holistic and relational models rather than transactional justice given their ability to address underlying causes of offending. This is particularly important for young people.

I am cognisant that while young people are not specifically mentioned in this amendment, given the original 2022 trial specified young people as the target cohort, I will focus my submission on this cohort.

Early intervention and addressing root causes

Everyone wants the community to be safe. Responding to young people who engage in risky behaviours requires a delicate balance between expert advice and community expectations - and remains a space where the scope and pace of change is volatile and can become more influenced by public narrative rather than evidence.

The best approach to community safety is to make every effort to prevent and address offending, in a way that addresses underlying factors of adversity and disadvantage: investing in school re-engagement; youth employment programs; mental health services; youth centres;

¹ Commissioner Luke Twyford, QFCC. (2025). *Youth Justice Initiatives (Principal Commissioner)*.

https://www.qfcc.qld.gov.au/sites/default/files/2025-03/Principal%20Commissioner%20submission%20to%20Youth%20Justice%20Initiatives_0.pdf

² Commissioner Luke Twyford, QFCC. (2024). *Making Queensland Safer Bill 2024*.

https://www.qfcc.qld.gov.au/sites/default/files/2024-12/Making%20Queensland%20Safer%20Bill%202024_0.pdf

youth housing; and parenting support. Efforts must be focused on creating a world in which a young person does not seek to be armed in the first place.

Non-weapons charges

The numbers of young people aged less than 18 years wanded during the initial trial period were disproportionate to the broader population.³ The 2022 Griffith review reported 201 charges resulting from wandering operations, including 56 charges under the *Weapons Act 1990* (28%), 76 under the *Drugs Misuse Act 1986* (38%) and 69 other miscellaneous charges (34%).⁴ The removal of reasonable suspicion safeguarding and subsequent ‘net-widening’ has the potential to funnel large numbers of young people being charged with minor offences and becoming entangled in the criminal justice system. We know that early, minor offences carry the risk of further instances of criminalisation, and as such, these unintended consequences cannot be overlooked.

Disproportionate impact

The QFCC is concerned that the Queensland laws allow for a person to be subjected to wandering without any reasonable suspicion. This contrasts with other Australian jurisdictions, including Tasmania, where police are only permitted to search someone if they form a reasonable suspicion that they are carrying a dangerous article. Officers interviewed as part of the Griffith review commented that they generally chose to stop young people, particularly those moving in groups and/or of certain ethnic backgrounds based on their belief that they had been previously found with edged weapons.⁵ These comments indicate justifiable concern that this law will disproportionately affect vulnerable communities, including young people, and those from ethnic backgrounds.

Independent review and ongoing monitoring

The QFCC echoes the many calls^{6,7} for an independent evaluation that is broad and based on how the youth justice system keeps the community safe. This evaluation should inform any decision regarding the removal of the sunset clause and associated amendments.

I encourage the Queensland Government to invite the QFCC to contribute to the design of the assessment, monitoring and evaluation of this law as it pertains to Queensland children and young people. The design of a robust review methodology would highlight any reduction in

³ Griffith University (2022). *Review of the Queensland Police Service Wandering Trial: August 2022*.

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

⁴ Griffith University (2022). *Review of the Queensland Police Service Wandering Trial: August 2022*.

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

⁵ Griffith University (2022). *Review of the Queensland Police Service Wandering Trial: August 2022*.

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

⁶ Queensland Human Rights Commission (2024). *Queensland Community Safety Bill 2024*.

https://www.qhrc.qld.gov.au/data/assets/word_doc/0007/49057/QHRC-Submission-Queensland-Community-Safety-Bill-17-May-2024.docx

⁷ Queensland Parliament (2023). *Record of proceedings: First session of the fifty-seventh parliament – Thursday, 20 March 2023*.

https://documents.parliament.qld.gov.au/events/han/2023/2023_03_30_WEEKLY.pdf

crime resulting from Jack's Law as well as any unintended consequences, particularly any disproportionate impact on vulnerable cohorts.

I am also interested in understanding the number of children and young people who, as a result of an incidental charge arising from a wandering operation, have been housed in watch houses, including the number and duration throughout the time the law has been operational.

Child safe standards

The QFCC welcomes the opportunity to work alongside the Queensland Police Service to ensure all policing activities, including wandering, is conducted in a manner which aligns with the ten Child Safe Standards (CSSs) under the new *Child Safe Organisation Act 2024*. This includes the right to be informed of their rights, and to be treated equitably.

In line with CSS two, we call for educational resources to ensure young people are aware of their rights when stopped for a wandering search, including how and to whom they can make a complaint if they feel they were treated unfairly or felt unsafe during the wandering process.

If you have any queries in relation to this matter, please don't hesitate to contact me directly on [REDACTED] or via email at [REDACTED].

Yours sincerely

Luke Twyford
Principal Commissioner
Queensland Family and Child Commission

April 2025

