



W.A. POLICE UNION OF WORKERS

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Mr Mark Warner
Committee Clerk
Standing Committee on Legislation Committee
Legislative Council
Parliament House
PERTH WA 6000

Dear Mr Warner

Inquiry into the Criminal Investigation Amendment Bill 2009

On behalf of the members of the WA Police Union of Workers ('The Union') I welcome the opportunity to provide this submission to the Standing Committee on Legislation.

The Union remains strongly in support of the proposed legislation. Whilst acknowledging aspects of the Bill venture into 'new territory' in terms of removing requirements for consent and the holding of 'reasonable suspicion', the Union considers these provisions to be a necessary legislative response to escalating serious anti-social and violent behaviour in this State, particularly within popular entertainment areas. Such areas should be able to be widely enjoyed by the wider community, including families. Indications however, are that sections of our community are deterred from enjoying these areas because of violent incidents.

The proposed legislation will enable our members to more 'pro-actively' police trouble spots and other locations at which persons prone to such conduct tend to gather. It will enable our members to detect and thereby reduce significant numbers of dangerous weapons and articles being brought into such areas upon the bodies of persons and / or in their vehicles. Arguably, it will also operate so as to deter persons prone to violence from arming themselves in such areas thereby significantly reducing the potential for serious injuries and deaths.

Further to reducing potential danger to the public, the Union welcomes the proposed legislation in that it will potentially reduce the likelihood of serious harm (or even worse) being occasioned to our members.

The Union notes that whilst the proposed powers would only be applicable in public places that are within specified or declared areas, in all other situations, our members would be able to seek recourse to present provisions contained within the *Criminal Investigation Act 2006*.

In terms of recent adverse comments by civil liberty groups and others opposed to the Bill upon purported intrusions into privacy through searches, the Union notes that only a 'basic search' can be performed relying on these proposed provisions. Such searches would be limited to 'pat downs', removal of outer clothing and hats, jackets and shoes and the use of

metal detectors. This type of 'basic search' will arguably be no more intrusive than what we have become accustomed to when flying domestic and international air routes.

The scope, purpose and structure of the Bill

The Union considers the scope, purpose and structure of the Bill to be sound in its present format.

Matters pertaining to interpretation of the Bill and application of provisions

The Union has no concerns with respect to the likely interpretation of the Bill in its present format or with respect to its application.

The Union welcomes the opportunity to provide further submissions should the committee seek same. Please don't hesitate to contact me on 93212155 with respect to any aspect of this submission at your convenience.

Yours faithfully

A handwritten signature in black ink, appearing to be 'RL Armstrong', with a long horizontal flourish extending to the right.

R L (Russell) Armstrong
General President