



**Judy Spence MP**  
Member for Mount Gravatt



**COPY**  
**Queensland**  
**Government**

Office of the  
**Minister for Police and**  
**Corrective Services**

Ref: 7107 F1 JS

30 AUG 2006

Mrs Carryn Sullivan MP  
Member for Pumicestone  
1/43 Benabrow Avenue  
BELLARA QLD 4507

Dear Carryn

I am writing to provide my response to petition number 634-06 which was lodged by you and received by the Legislative Assembly on 29 March 2006.

The petition seeks the introduction of a new offence for volatile substance misuse (VSM).

In September 2005 the Crime and Misconduct Commission released its report, *Police powers and VSM: a review*. That report contains the following statement (pages 47 and 48):

*VSM is currently not illegal in Queensland, and the Commission is not at this point persuaded that criminalising VSM is either practical or in the best interests of people engaging in it.*

The Beattie Government shares the Commission's view that VSM should not be criminalised.

VSM differs from some other forms of substance misuse in that it generally involves children and young people, with a high representation of Indigenous participants. In view of these differences, this Government believes that the VSM problem should primarily be dealt with in a therapeutic manner that seeks to address the causes of VSM.

It should be noted that current laws do provide for enforcement action to be taken in relation to VSM in certain circumstances. Section 371 of the *Police Powers and Responsibilities Act 2000* (the Act) provides police with the authority to search persons and seize items that are reasonably suspected of being a potentially harmful thing related to VSM.

Level 24 State Law Building  
50 Ann Street Brisbane  
PO Box 15195 City East  
Queensland 4002 Australia  
**Telephone +61 7 3239 0199**  
**Facsimile +61 7 3221 9985**

In a number of declared localities, police also have power under sections 371B to 371F of the Act to detain a person affected by VSM and take the person to a place of safety. Additionally, it is an offence against section 23 of the *Summary Offences Act 2005* to sell a potentially harmful thing to another person if the seller knows the thing is for VSM.

Senior Sergeant Michael Webb of the Queensland Police Service's Legislation Development Unit is available on telephone 3015 5957 to assist with any further enquiries about police powers relating to VSM.

I trust this information is of assistance.

Yours sincerely

Signed - J Spence

**Judy Spence MP**  
Minister for Police and Corrective Services