

# JPs in the Community Check In Qld app – policy and guide.

## Justices of the Peace Branch

Date: July 2021

Version	Date	Author	Description
0.1	30.06.2021	Team Leader CETPD	First draft
0.2	05.07.2021	Team Leader CETPD	Final review
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## Summary

The purpose of this document is to provide information to support Justices of the Peace (JPs) and Commissioners for Declarations (Cdecs) who are registered volunteers in the JPs in the Community program (JPITC).

The Justices of the Peace Branch (JP Branch) has received information with regard to the use of the Check In Qld app and the obligations and responsibilities of its use.

All JPITC signing sites have been registered and issued with a unique QR code.

Collection of information is mandatory from 1.00am on 9 July 2021 at each JPITC site.

If it's not possible for a person to use the Check In Qld app, for whatever reason, contact information about the client must be collected using another method.

The information contained in this document does not apply to JPs and Cdecs providing witnessing services in a private capacity or at their place of business.

## The Public Health Direction

The *'Restrictions on Business, Activities and Undertakings Direction (No 21)* (or its successors), effective from 28 June 2021, imposes a legal obligation in the Department of Justice and Attorney-General to make reasonable efforts to comply with the requirements to use the Check In Qld app. Direction 21 is available at <https://www.health.Qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/business-activity-undertaking-direction>

The JPITC program signing sites are captured under Schedule 1C of this direction as *'Any part of a government service to which the public is ordinarily given access to obtain government services'*.

It is a criminal offence to fail to comply with the Public Health Direction, without reasonable excuse.

## Definitions

**Contact information** means the information collected by the Check In Qld app or, if another collection method is permitted under the Direction, the name, phone number, email address, and date and time of attendance of guests, patrons and staff.

**Another method** means another method such as a spreadsheet or another method such as a paper-based form.

**Contact information collection sheet** means the sheet provided in the QR Code kit provided to all JPITC signing sites to manually collect contact information.

## Policy

Each JPITC signing site have been registered for and issued with a unique QR code.

### All JPITC volunteers:

- Must check in at the commencement of each volunteer shift by using the Check In Qld app or another method.
- Must ask clients to show them the successful check in screen or the check in history screen.

### Collection of contact information using another method

- If clients are not able to use the Check In Qld app, the volunteer should use the *'Contact information collection sheet'* to record contact information of the client and any person accompanying the client.

- ‘Contact information collection’ sheets should not be shared between volunteers. Each JP should collect contact information on their own sheet.
- The ‘Contact information collection’ sheet should be returned to the JP Branch at the earliest convenience, and, within 24 hours of the end of the volunteer shift by the volunteer.
- Details on the ‘Contact information collection’ sheet can be returned to the JP Branch via scanning or taking a photo and send via email, phone call, text of the sheet.
- Volunteers cannot ask or request a site host e.g. library or shopping centre to scan and email to the JP Branch. This is not in accordance with the *Information Privacy Act 2009*.
- A new sheet must be used at the commencement of each shift. 1 shift = 1 sheet.
- After the information on the ‘Contact information collection’ sheet has been returned to the JP Branch the ‘Contact information collection’ sheet must be destroyed.

## Common questions

**If a JPITC program signing site, which is located within the confines of a site host (e.g. shopping centre, courthouse, library etc.) and can only be entered after a person has checked in, also required to be registered to use the Check In Qld app?**

*Yes, the JPITC program signing sites which are situated in other premises are required to use the Check In Qld app, have a QR code and persons must check in.*

**Are the JPITC signing sites able to operate without requesting a client to ‘check in’ using the Check In Qld app when it is already a requirement for a person to ‘check in’ prior to entering the place or premises?**

*No, JPITC program sites are required to request patrons to use the Check In Qld app or another method to collect contact information at the time of witnessing, regardless of if a client has previously checked in to the host place or premises.*

**If a JPITC signing site team refuse to comply with the use of the JPITC QR code or another method to check in clients does the Department have the right to suspend the services at that site?**

*Yes, the Department does have the right to suspend services. The Public Health Direction 21 imposes a legal obligation to make reasonable efforts to comply with the use of the Check In Qld app. It is a criminal offence to fail to comply with the Public Health Direction, without reasonable excuse.*

**If an individual volunteer refuses to comply with the use of the JPITC QR code or another method to check in clients does the Department have the right to suspend them from the JPITC program?**

*Yes, if a volunteer will not comply with the law, then the Department can take steps to suspend them from the JPITC program.*

**Can a JP or Cdec insist that a person use the Check In Qld app?**

*No, the Public Health Direction 21 clearly states if contact information cannot be collected electronically then contact information must be collected using another method. The client can choose which check in method they prefer.*

**How can I safely destroy the contact information collection sheet?**

*Documents can be disposed of in a number of ways. However, simply disposing of the contact information collection sheet in a normal rubbish bin is not sufficient. Alternative methods include shredding, pulping, burning or any other method used which will render the document useless and the information unable to be read.*

## Schedule 1 – Guidance

If	Preferred action	Alternative action	Human Rights
Client attends and checks in using the JPITC QR code.	JP or Cdec proceed to witness the client's document.		No human rights limited.
A client attends and does not have a mobile device.	Collect contact information manually (paper).	<p>JP or Cdec declines to witness the document as current QLD Health direction cannot be met.</p> <p>Client advised to use the afterhours 'Search for a JP' function.</p> <p><a href="http://www.qld.gov.au/findjp">www.qld.gov.au/findjp</a></p>	No human rights limited.
<p>Client attends and does not have a mobile device.</p> <p>A person accompanying them checks them in using the JPITC QR code.</p>	JP or Cdec proceed to witness the client's document.		No human rights limited.
Client attends and refuses to check in using the JPITC QR code but provides information for manual contact details registration.	Collect contact information manually (paper).	<p>JP or Cdec declines to witness the document as current QLD Health direction cannot be met.</p> <p>Client advised to use the afterhours 'Search for a JP' function.</p> <p><a href="http://www.qld.gov.au/findjp">www.qld.gov.au/findjp</a></p>	No human rights limited.
Client attends and refuses to check in using the JPITC QR code and refuses to provide information for manual contact details registration.	JP or Cdec declines to witness the document as current QLD Health direction cannot be met.	<p>Client advised to use the afterhours 'Search for a JP' function.</p> <p><a href="http://www.qld.gov.au/findjp">www.qld.gov.au/findjp</a></p>	No human rights limited.

<p>Client attends and does not have a mobile device.</p> <p>Client asks the JP or Cdec to check them in on the JP or Cdec's mobile device as a guest.</p>	<p>JP or Cdec declines to check in the client as a guest. The JP or Cdec does not collect the personal and contact details of the client as part of their witnessing role.</p> <p>JP or Cdec collects contact information manually (paper).</p>	<p>Client advised to use the afterhours 'Search for a JP' function.</p> <p><a href="http://www.qld.gov.au/findjp">www.qld.gov.au/findjp</a></p>	<p>No human rights limited.</p>
<p>Client attends and does not have a mobile device.</p> <p>Client advises that they checked in manually when entering the premises or place.</p>	<p>JP or Cdec indicates that current QLD Health direction requires that each restricted business must collect contact information.</p> <p>JP or Cdec collects contact information manually (paper).</p>	<p>JP or Cdec declines to witness the document as current QLD Health direction cannot be met.</p> <p>Client advised to use the afterhours 'Search for a JP' function.</p> <p><a href="http://www.qld.gov.au/findjp">www.qld.gov.au/findjp</a></p>	<p>No human rights limited.</p>
<p>Client attends and has a mobile device. Client has difficulty using the device and asks for assistance from the JP or Cdec to check in using the JPITC QR code.</p>	<p>JP and Cdec are encouraged to assist the client to check in using the JPITC QR code and proceed to witnessing the document.</p>		<p>No human rights limited.</p>
<p>Client attends and is asked to check in using the JPITC QR code. Client advises they have already checked in to the premises/place.</p>	<p>JP or Cdec advises they are required to also check in using the JPITC QR code.</p> <p>If the client checks in using the JPITC QR Code then the JP or Cdec proceeds to witnessing the document.</p>	<p>If the client refuses to check in using the JPITC QR code then the JP or Cdec declines to witness the document as current QLD Health direction cannot be met.</p>	<p>No human rights limited.</p>
<p>Client attends and appears to be younger than 16 and is not accompanied by a parent or adult</p>	<p>JP or Cdec can provide witnessing services without collecting personal details (paragraph 11a Public Health Direction 21 permits this exception).</p>		<p>No human rights limited.</p>

who can provide information on their behalf.			
The person enters the site in an emergency or is entering to provide emergency services.	<p>This is an exception to the requirement to obtain contact information (paragraph 11b of the Public Health Direction (No. 21).</p> <p>In this situation witnessing services are not advised.</p>		No human rights limited.
It is not reasonable to collect contact information due to a risk to a person's safety.	<p>This is an exception to the requirement to obtain contact information (paragraph 11c of the Public Health Direction (No. 21).</p> <p>In this situation witnessing services are not advised.</p>		No human rights limited.
<p>Client attends and cannot enter their details into the Check In Qld app due to:</p> <ul style="list-style-type: none"> <li>• unexpected circumstances</li> <li>• risk of safety issues</li> <li>• no internet connection</li> </ul>	<p>These are exceptions to the requirement to use the Check In Qld app (paragraphs 13, 14) of the Public Health Direction 21.</p> <p>JP or Cdec collects contact information manually (paper).</p>		No human rights limited.

**Contact information collection**

**Justices of the Peace Branch**

**Signing site:** \_\_\_\_\_

**Volunteer name:** \_\_\_\_\_

Send this sheet to: [jpsinthecommunity@justice.qld.gov.au](mailto:jpsinthecommunity@justice.qld.gov.au)

JPs in the Community contacts: 0436 680 883 or 0428 457 409

Date	Time in	Time out	Client Name	Phone number	Email address

**Collection notice**

Department of Justice and Attorney-General (DJAG) is collecting your personal information, including your name, email address, telephone number and time of visit to this service for public health purposes and managing the containment of the COVID-19 virus. Your personal information is being collected under the Restrictions on Businesses, Activities and Undertaking Direction (No. 21) or its successor made under the *Public Health Act 2005* and will be disclosed on request to a Public Health Officer or Queensland Health. Your personal information will be managed by DJAG in accordance with the *Information Privacy Act 2009* and the *Public Health Act 2005* if relevant.



# Information Collection Notice

## Check In Qld app

You are required to register your attendance at this site.

You may choose to do so electronically using the Check-In Queensland app on your mobile or you may choose to provide your information manually.

If you do not register we will be unable to deliver JP services to you at this site.

Failure to comply with the check-in requirements is a criminal offence.

If you do not wish to provide your contact details you will need to leave this site and find an alternative Justice of the Peace.

The Department of Justice and Attorney-General (DJAG) is collecting your personal information, including your name, email address, telephone number and time of visit to this service for public health purposes and managing the containment of the COVID-19 virus.

Your personal information is being collected under the Restrictions on Businesses, Activities and Undertaking Direction (No. 21) or its successor made under the *Public Health Act 2005* and will be disclosed on request to a Public Health Officer or Queensland Health.

Your personal information will be managed by DJAG in accordance with the *Information Privacy Act 2009* and the *Public Health Act 2005* if relevant.

You can contact the Justices of the Peace Branch on  
1300 301 147 for further assistance.

[www.qld.gov.au/findjp](http://www.qld.gov.au/findjp)

<https://www.covid19.qld.gov.au/check-in-qld>

