

## Queensland Community Safety Bill 2024

**Submission No:** 67  
**Submitted by:** Robert Cross  
**Publication:** Making the submission and your name public  
**Attachments:** No attachment

### Submitter Comments:

Clause 73, Section 141ZD-ZG The legislation seems well intentioned when applied to subjects where it is clearly not in the public interest for them to have access to firearms. However, in its current form, it seems specifically targeted at licensed firearm owners, even though it does not specifically state this, the overwhelming majority of whom are of no risk whatsoever to public safety and likely have a significant financial investment in the hobby that they are passionate about. It is a concern that licensed shooters will be treated as 'guilty unto proven innocent'. The FPO system seems to be a way for police to be able to perform warrantless detention and search in cases where there is insufficient evidence to justify a lawful warrant to a judge under the existing processes. It is possible that use of judges will reduce significantly with a much easier 'back door' process available to police which requires no evidence or justification to be presented. Given that the the FPO has far more impact on a subjects rights and for an extended period compared to a search warrant that currently requires a judge to sign off, it should only be possible for an FPO to be obtained after presenting relevant evidence to a judge. If this power is granted to the police commissioner it is very likely to be abused, especially as there are no consequences for the commissioner and no compensation for a wrongfully targeted subject following any mis-use of these powers. Clause 73, Section 141E (4) (a) "familial relationship" is not clearly defined. (a) should be removed, the mere existence of a, possibly distant, family member that is not an associate should not be used as the basis for a prohibition order. This association should apply only to people that a subject chooses to spend time with, excluding work colleagues or casual acquaintances. We are defined by who we choose to associate with not by those we are born related to or happen to share a workplace with. Further to this, if an association is the basis for an FPO then notice to a potential subject should be given to give them an opportunity to sever any such association before police action is taken. Clause 73, Section 141F The section relating to firearm prohibition orders for children is odd as children are not authorised to possess firearms except under the supervision of a licensed adult. This again suggests that the application of an FPO is more for the ability of police to perform warrantless searches than to actually prevent mis-use of firearms. Clause 73, Section 141H (7) The legislation should not provide conditions under which a court can revoke a firearm prohibition order that has been made by the court and it should not need the permission or approval of the commissioner to make any decisions that it deems appropriate. Clause 73, Section 141X (2) It should not be a requirement that firearms are consigned for sale for a licensed dealer before a dealer can take possession of a subject's firearms from police. The subject should be allowed to arrange safe storage with the dealer for an unlimited period prior to any decision regarding sale, disposal or return of those firearms. Clause 42, Section 43A Checking of appropriate licenses is already completed manually, given the known poor state of the firearms registry this is probably more reliable than an electronic system. Clause 42, Section 43A (3) The server being operational is not sufficient to define system availability, there could be client system or network carrier issues which also prevent the server from being used.

## Queensland Community Safety Bill 2024

**Submission No:** 67  
**Submitted by:** Robert Cross  
**Publication:** Making the submission and your name public  
**Attachments:** No attachment

**Submitter Comments:**

Apologies for making a second submission but the short community engagement timeline has made it difficult to create a single comprehensive response. I would like to add the following comments for consideration by the committee. Clause 46, Section 715(b) (ba) Police disposal of weapons should not take place whilst any appeal to the prohibition order is in progress, the section should state that disposal may take place 3 months after the day that any appeal is finally determined in favour of the commissioner. Clause 73, Section 141ZA 1 (a) Prohibiting a person who is the subject of a prohibition order from attending a place endorsed on a dealer's license is in contradiction with Section 141X 2 which prescribes that the subject may arrange consignment sale of firearms with a dealer (and as previously commented, should also be permitted to arrange long term safe storage with a dealer)