

Queensland Community Safety Bill 2024

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From: [REDACTED]
To: [Community Safety and Legal Affairs Committee](#)
Subject: Submission against the QLD Community safety bill 2024
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I wish to make submission against the QLD Community Safety Bill 2024

1. Under Division 2, Clause 56, the period disqualifying people with certain criminal convictions from applying for a licence is extended from 5 years to 10 years. My concern with this element is that there is no grandfathering in of people who, under the current legislation have served their time and the current disqualification period then successfully obtained a licence after demonstrating their reform.

2. Under Division 2, Clause 58 (5)(b), someone is considered not to be a fit and proper person to have a gun licence if, within the last 5 years, “a domestic violence order, other than a temporary protection order, has been made against the person.”

The fact the DVO was made in the first place is the disqualifying factor, and there is no provision for this to be disregarded if the DVO is subsequently withdrawn or quashed. Given the potential for DVOs to be weaponised by abusive or manipulative partners, this clause could inadvertently make a licensed gun owner who is a victim of domestic abuse or manipulation doubly victimised by giving the abusive/manipulative person another weapon to attack the shooter with – “Do what I want or I’ll tell the police you abuse me and you’ll lose your guns for years just on my say-so.”

3. While the intent of FPOs is clearly to stop obvious criminals from having access to guns (which they aren’t supposed to now, so making it double illegal isn’t likely to change that), the criteria under which an FPO can be granted is worryingly broad and could easily capture licensed firearm owners or other people who have the misfortune to be related to that person – and being “an associate of a recognised offender” is highly likely to create “Fit and proper person” issues for a firearms licence-holder or applicant, too.

S141E (2)(d) lists one of the criteria for potentially being eligible for a FPO as being “whether the individual is an associate of a recognised offender” S141E (4) states that someone is consider an associate of a recognised offender if that person

(a) has a romantic or familial relationship with the offender; or (b) associates with the offender in a way that involves seeking out or accepting the offender’s company, whether the association happens in person or in another way, including, for example, electronically. We understand this to mean that police could apply for Firearm Prohibition Orders against the spouse, children, or parents (among others) of an offender merely because of who they are related to, and not because they have done anything wrong themselves.

4. Division 2, Clause 12 of the Bill introduces a 3 year imprisonment penalty for Going Armed in Public so as to Cause Fear offence “if the offender publishes material on a social media platform or an online social network to (a) advertise the offender’s involvement in the offence; or (b) advertise the act or omission constituting the offence”.

I believe this could be extremely easily be abused against shooters taking hunting or range photos in certain circumstances.

I understand the intent of these requirements are to stop out of control youth from posting videos of themselves stealing cars and joyriding in them, but believe the laws need to be more narrowly written to ensure they are not used as a broad “Forced removal of anything online the authorities don’t like” law.

5. Section 141ZF gives police the power to search, without a warrant, a vehicle owned or being used for travel (even as a passenger) by someone subject to a Firearms Prohibition Order. Critically, the Bill says A police officer may do the following in relation to the vehicle – (a) stop the vehicle; (b) detain the vehicle and anyone in or on the vehicle; (c) search the vehicle and anything in or on the vehicle for a firearm or firearm related item.

I understand this to mean it would be entirely legal for Police to search the belongings of every single person who happened to be on the same bus or sharing a ride share vehicle as a person subject to a Firearms Prohibition Order, even if they had never met the FPO subject and were totally unaware of the person’s status.

Section 141ZG gives police the power search premises “owned or occupied by, or in the care or under the

control or management of, an individual subject to a firearm prohibition order; or (b) premises at which an individual subject to a firearm prohibition order resides.”

I understand the point of these sections is to prevent someone subject to an FPO from simply giving illegal guns to other people to hide, I believe the Bill is too broad in this regard and does not contain any safeguards to ensure innocent people are not caught up in a police matter due to simply being related to, working with, or in same the transport as an FPO subject.

I oppose this new bill and request you accept my submission based on the above points.

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