

Queensland Community Safety Bill 2024

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From: [REDACTED]
To: [Community Safety and Legal Affairs Committee](#)
Subject: Submission of the Queensland Community Safety Bill 2024: Exclusion of Legal Firearm Owners from FPOs and Restriction of Police Powers
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I am writing to express my concerns regarding the Queensland Community Safety Bill 2024, specifically the provisions related to the issuance of Firearm Prohibition Orders (FPOs) and the extension of police powers. While the Bill aims to enhance community safety, it poses significant risks to the rights and freedoms of legal firearm owners. The ambiguous definitions and broad criteria for issuing FPOs could lead to unjust restrictions and invasions of privacy. Therefore, I urge the government to amend the Bill to protect human rights and privacy while maintaining public safety.

Ambiguity in Definitions and Criteria for FPOs

The Bill outlines several factors that can trigger an FPO, but these factors are often vaguely defined and open to broad interpretation:

- 1. Criminal or Domestic Violence History:**
 - The term "criminal history" lacks specificity, potentially encompassing minor offences that do not indicate a serious risk to public safety.
 - The inclusion of being listed as a respondent in a domestic violence order without clear guidelines can lead to FPOs based on unproven allegations.
- 2. Behavioural Indicators:**
 - Terms like "violent or aggressive behavior" and "behavior involving the use of weapons" are subjective and can be interpreted inconsistently.
- 3. Public Declarations:**
 - Using social media posts as a basis for issuing an FPO is problematic. Individuals may make hyperbolic statements online that do not reflect actual intentions, leading to unnecessary FPOs.
- 4. Association with Criminal or Terrorist Organizations:**
 - The criteria for determining association with criminal or terrorist organizations are not clearly defined, risking the inclusion of individuals based on tenuous connections.
- 5. Other Relevant Matters:**
 - The catch-all provision allowing consideration of any other matter indicating a risk to public safety is overly broad and lacks concrete guidelines.

Impact on Legal Firearm Owners

Legal firearm owners, who comply with all regulatory requirements, could be unjustly targeted under the current provisions of the Bill. The vague criteria for FPOs and the significant discretion granted to authorities could lead to the following issues:

- 1. Increased Scrutiny and Harassment:**
 - Law-abiding firearm owners may face unwarranted scrutiny and harassment based on ambiguous and broad criteria.
- 2. Warrantless Searches:**
 - The Bill allows for warrantless searches of individuals, their vehicles, and residences if they are subject to an FPO. This infringes on privacy rights and could lead to abuses of power.
- 3. Potential for Discrimination:**
 - The broad and subjective criteria for FPOs could disproportionately affect certain groups, leading to discriminatory practices.

Need for Clearer Definitions and Safeguards

To protect the rights of legal firearm owners and ensure the fair application of FPOs, the Bill should be amended to include:

- 1. Clear and Specific Definitions:**
 - Clearly define what constitutes a "criminal history," "violent or aggressive behavior," and other criteria to ensure consistent and fair application.

2. Objective Standards for Public Declarations:

- Establish clear guidelines on what types of social media posts or public statements warrant an FPO, ensuring that only credible threats are considered.

3. Narrow Scope of Association with Criminal Organizations:

- Provide detailed criteria for determining association with criminal or terrorist organizations to prevent guilt by association.

4. Judicial Oversight:

- Require judicial approval for the issuance of FPOs and for warrantless searches to protect against abuses of power and ensure due process.

5. Regular Review and Appeal Mechanisms:

- Include provisions for regular reviews of FPOs and clear mechanisms for individuals to appeal FPOs and challenge unwarranted searches.

Conclusion

While the Queensland Community Safety Bill 2024 has laudable goals, its current provisions pose significant risks to the rights and freedoms of legal firearm owners. The ambiguous definitions and broad criteria for issuing FPOs, combined with the extension of police powers, could lead to unjust restrictions and invasions of privacy. I urge the government to amend the Bill to include clearer definitions, stricter safeguards, and greater judicial oversight to protect human rights and privacy while maintaining public safety.

Thank you for considering this submission.

Sincerely,

Henk Harms

