



STATE DEVELOPMENT AND REGIONAL INDUSTRIES COMMITTEE

Members present:

Mr CG Whiting MP—Chair
Mr JJ McDonald MP
Mr MJ Hart MP
Mr JE Madden MP
Mr TJ Smith MP (virtual)

Staff present:

Ms S Galbraith—Committee Secretary
Dr V Lowik—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE SUMMARY OFFENCES (PREVENTION OF KNIFE CRIME) AND OTHER LEGISLATION AMENDMENT BILL 2023

TRANSCRIPT OF PROCEEDINGS

Monday, 22 January 2024

Brisbane

MONDAY, 22 JANUARY 2024

The committee met at 2.03 pm.

CHAIR: Good afternoon. I declare open this public hearing for the committee's inquiry into the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023. My name is Chris Whiting; I am the chair of the committee and member for Bancroft. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we all share. With me today are: Jim McDonald, the member for Lockyer and deputy chair; Jim Madden, the member for Ipswich West; and Michael Hart, the member for Burleigh. Attending via videoconference is Tom Smith, the member for Bundaberg. The member for Traeger, Robbie Katter, is an apology.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and my direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Could everyone please turn their mobile phones and computers off or to silent mode.

BEASLEY, Ms Belinda, Executive Board Member, Jack Beasley Foundation

O'CONNOR, Mr Sam, Member for Bonney, Parliament of Queensland; and Executive Board Member, Jack Beasley Foundation

Mr O'Connor: I am just here to support Belinda. I am worried about your rigorous questioning, so I am just here to make sure Belinda has someone to back her up!

CHAIR: That is fine. Would you like to make a short opening statement before we start our questions?

Ms Beasley: Good afternoon. Thank you for the invitation to speak at the public hearing for the inquiry into the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill. Unfortunately, Brett was not able to be here today and would like to send his apologies. He has been advocating for this since 2022.

On Friday, 1 December 2019 at 8.27 pm we received a call that changed our lives forever. It was a call no parent should ever receive. Jack had headed out, as many young people do, with a group of seven of his friends. They hopped on the G:link at Helensvale and headed into Surfers Paradise. Just after 8 pm Jack and his friends hopped off the G:link and were walking to a friend's apartment. As they were walking outside the IGA, Jack and his friends were set upon and attacked by five youths for no reason at all. These five youths were all aged between 15 and 18. They were just looking for trouble.

The call we received at 8.27 was to tell us that Jack and one of his friends had been stabbed and taken by ambulance to the Gold Coast University Hospital. We raced up to the hospital as soon as we could. Sitting and not knowing whether Jack was going to make it or not was the beginning of our nightmare. The cardiac surgeon walked into the room and said two words: 'I'm sorry.' Our world was shattered with those two words, and seeing our other son Mitch fall to the floor at being told his little brother did not make it was heartbreaking.

There are so many traumatic images we have imprinted in our heads forever. Jack's friend Ariki was stabbed twice and was very lucky to survive. Along with losing his mate, he has to live with the images of that night for the rest of his life. Along with Jack's other friends who were there that night, he struggles and is still trying to come to terms with it today. This was life-changing for all of them and something that no 17-year-old should ever have to go through. It was Friday night two weeks before Christmas, so it was so very busy and there were a lot of holiday-makers, including Brisbane

Public Hearing—Inquiry into the Summary Offences (Prevention of Knife Crime) and Other
Legislation Amendment Bill 2023

families, around at the time. These people, including children, witnessed the stabbing and the aftermath of paramedics and police trying to save Jack and Ariki on the footpath. This is something that should never have happened, and it will continue to affect them for many years to come.

Jack was three months off turning 18. He was such a character and he was loved by everyone. He had such a bright future ahead of him. We will never get to see him finish his apprenticeship, travel, get married, have kids and so much more. Jack had so many plans for the future. He loved life, his family and his friends. The sad thing is that there are so many more lives that have been lost to senseless acts of violence. These families, like our family, will never be the same and all their lives have been changed forever.

In honour of Jack's memory, we decided that we did not want another life lost or another family to experience the pain and grief we are living through. We wanted to dedicate our efforts towards looking at ways to make the community safer, making necessary changes to current youth laws and, more importantly, putting together an educational platform to teach the country's youth about the dangers, repercussions and snowball effect a single act of violence can have on the lives of so many. The QPS and state government believed in what we were aiming to do and the intent of our original petition to detect knives and save lives. This has now turned into nation-leading laws to prevent knife crime. We were immensely proud to have these laws named in honour of Jack. We view this bill as a vital next step to complement Jack's Law.

As you know, legislation is just one piece of the puzzle. Behavioural change is the only way we are going to have the best chance to stop knife violence. For the Jack Beasley Foundation to contribute to making sure that no other community is devastated like ours, we have to stop young people from even thinking about taking a knife out with them. That is why we created our educational presentation. Since July 2021 we have visited over 30 schools across South-East Queensland and northern New South Wales. We have received visit requests from other parts of Queensland and even other states. Our presentation is delivered in partnership with the Queensland Police Service.

The One Moment presentation aims to educate young people on the dangers of carrying a knife and the long-term effects youth violence has on victims, their families and friends and the offender themselves. The presentation runs for an hour and includes myself, Brett and Mitch, along with Jack's friends, sharing our experiences. We want to reach as many young people as we can so they understand how a split-second decision can change their lives and lives of so many people. We know that the decision to take a knife when they are heading out is often done because they think they need it for protection. It is our hope that hearing the One Moment presentation and Jack's story firsthand empowers them to make better choices and they choose to live their life without a knife. A Queensland police officer also attends and runs students through the laws about carrying knives, Jack's Law, education on situational awareness to reduce victimisation, and strategies to avoid confrontation. The Jack Beasley Foundation aims to stop young people from carrying knives or other weapons.

We believe that the measures taken in this bill will further support our efforts by making it harder for these dangerous weapons to fall into the wrong hands. We strongly support the proposed clause regarding the sale of controlled items to minors. Reducing accessibility to knives and other weapons to minors through the prohibition of their sale is a reasonable and measured step to protect our community. Many of these purchases by young people are opportunistic. Restricting their ability to easily pick up a knife makes sense. Some people may view this as an inconvenience, but that is a small price to pay for the improvement to community safety these laws will bring. We do not believe that any minor should be purchasing a knife unsupervised. There are legitimate reasons for a young person to need a knife—outdoor recreational activities, for example—but it is not a lot to ask to have a responsible parent purchase it for them. All other states in Australia have laws restricting the sale of knives. It is time Queensland did the same.

We also welcome media commentary by retailing representative organisations in relation to these legislative changes. They are vital partners in making sure these laws are a success. We note that some major retailers already have policies in place to prevent minors from buying knives, and we thank them for being proactive. The last thing we want to see as a result of this is an explosion in the online sale of knives to minors. We would be interested in knowing more about how the online sale ban will be enforced and if there is any information on how many knives are currently purchased online.

We agree with some of the comments from other submitters such as 'an education campaign to inform the public about the reforms should be undertaken, to reduce the risk of aggression towards retail staff'; 'QPS take an education-first approach to enforcement'; and 'concealment of "controlled items" including knives and weapons also becoming a specific offence'.

Public Hearing—Inquiry into the Summary Offences (Prevention of Knife Crime) and Other
Legislation Amendment Bill 2023

In March 2023, Jack's Law was passed by the Queensland parliament giving police the power to use wandung devices to search for weapons in safe night precincts and on public transport. In the first nine months, 3,994 handheld scanning operations have been conducted, with 435 weapons being seized. In the two years before that there were 266. There have been 1,148 people charged with almost 2,055 offences, and 43,461 people have been scanned in safe night precincts and on public transport.

Mr O'Connor: We got that data this morning from the police.

Ms Beasley: These figures give some indication of the scale of the problem we are trying to solve. Queenslanders are shocked by these numbers. This is why restricting the availability of weapons to young people is such an important next step in supporting our police in their efforts to tackle youth crime and reduce knife violence. Our hope is that these laws will lead to a reduction in the weapons police find.

Just like the hundreds of weapons taken off the streets thanks to police wandung operations, every single knife these laws stop from getting into the wrong hands is a potential life saved. It is another family and community spared the devastation ours has endured since Jack's loss.

When Jack's Law is reviewed in the next 12 months, we would also like to see consideration given to it being widened to include shopping centres, which are key public areas where young people gather. Thank you again for this opportunity to contribute.

CHAIR: Thank you very much, Belinda. I just want to say thank you for sharing Jack's story again. It must be tough and traumatic to keep sharing your story.

Ms Beasley: Sometimes I get through it.

CHAIR: We thank you for doing that on occasions like this. I also want to thank you for the work that the Jack Beasley Foundation has done in promoting the message that you can live your life without a knife and for the work that you have done in preventing similar tragedies and helping to save lives. Thank you for that.

Ms Beasley: Thank you.

CHAIR: I note in your submission that you ask for clarification about how proposed clauses 19K and 19N are going to monitor the supply and sale of knives online. That is clearly something that you and other submitters have identified as a potential issue. Did you want to talk a bit more about that?

Ms Beasley: I think it is important that we monitor it in some way and that those laws are spread wide. I do not know what the answer is yet. That is why I was wondering whether you were aware of it.

CHAIR: It is certainly something that we might bring up with the department or put in our report.

Mr O'Connor: The explanatory notes talk about making it similar to how alcohol is sold online. We were wondering if it would be similar to that or whether it would be enforced more stringently.

CHAIR: I think that is a fair question.

Mr HART: The department has given us a response. We are publishing it today, so you will be able to read it.

CHAIR: Yes. I note that we have published the police department's response to some of the submissions.

Mr HART: There is an answer in there.

CHAIR: There is an answer in there but I think we can flesh it out a bit as well. Deputy Chair, do you have any further comments or questions?

Mr McDONALD: Thank you very much, Belinda, for being here and thank you, Sam, for supporting her. Congratulations on what you have achieved with Jack's Law. It goes without saying that no parent should have to bury a child. I extend our sincere sympathies to you and your family. Congratulations on the strength that you have shown to advocate for a legacy for Jack. I am sure he would be very proud of what you are doing. What you are doing is meaningful. As a former police officer seeing some of these tragedies firsthand I can say that any tools police can use in a responsible way to take knives off the street is a great outcome, so well done for seeing Jack's Law put in place. I think your submission is self-explanatory. I love the point you made that it is about time Queensland had these laws as well. Thank you.

Public Hearing—Inquiry into the Summary Offences (Prevention of Knife Crime) and Other
Legislation Amendment Bill 2023

Mr MADDEN: Thank you very much for your submission, Belinda and Sam. It is very comprehensive. I am very glad that you mentioned the restrictions on the use of wands by the police. I very much accept your submission that the use of wands should be extended to shopping centres. My position is that I do not know why there are any restrictions on the use of wands. I think they should be a standard part of the police kit that they can choose to take out when they go on duty. I just do not understand why there should be any restrictions.

Ms Beasley: We would love to see them as part of the kit, definitely.

Mr MADDEN: I just hope that when Jack's Law—the act—is reviewed there is a focus on that issue. Again, I do not know see why there should be any restrictions on when police can carry wands.

Ms Beasley: They have done such a great job. They really have.

Mr MADDEN: Currently they can only be used in safe night precincts and on public transport. It should be part of their kit.

Ms Beasley: It is crazy that that many knives have been found in nine months.

Mr MADDEN: I think the numbers speak for themselves. If they find those numbers just in safe night precincts and on public transport, imagine what they would find at shopping centres or even on a Saturday night in the Valley.

Ms Beasley: We said that during the trial in Surfers Paradise, didn't we? We said that we would be amazed at how many knives we would find on public transport.

Mr MADDEN: Thanks again for your submission. Thanks for keeping your son's memory alive. Thanks again, Sam, for coming in today.

Mr HART: Ditto to everything the other members have said. I have a couple of questions. You said that you have gone to 30 schools. When you talk to the kids, do they cop to taking knives out at night?

Ms Beasley: Most of the kids do not come out and actually say it, but you do have kids come up to you at the end. With the presentation we get the police to come out and they go through Jack's Law with them. At the end we show other victims of knife crime—young men. We have five. There are other people, but it is a lot to ask a parent to show their child at the end of the presentation. When we meet people we give them an option and ask them whether they would like to do that. We ask them to submit something about their child. We show that at the end to show that it is not just Jack: there are other victims and other families that this happens to and that it needs to stop.

The kids are very receptive. They very much listen to Mitch, our other son, and Jack's friends when they talk. I think they relate to other kids talking about it and they go, 'They were just out. They were just walking.' We talk to kids about situational awareness. We are not saying that these kids are carrying knives but that they need to be careful who they are hanging around and that they also need to be careful where they are going. If they do not feel comfortable, do not go.

Mr HART: If they are carrying a knife or getting one, do you get a sense from them of where they are getting them from?

Ms Beasley: They do not say. They are stealing them. They are getting them from home. They are going to markets where they can grab them and they do not ask them for their ID or anything like that. There is a list of places they are getting them from. They do not necessarily come up and say that they are carrying them, but kids come up and tell us that they have friends who are carrying them.

Mr O'Connor: Belinda has also participated in youth justice conferences with just her in the room with a young person who has just been caught with a knife. Do you want to share some of those experiences?

Ms Beasley: Has anyone ever been to one of them? You are sitting there with the victims and the police. At the end of it they say why they are carrying it. Most of them say they are carrying it for protection. My response to them is: 'Why are you going somewhere where you feel you have to be protected?' Kids do not think. Our presentation plants a seed and makes them think. We also give out merchandise so they can start a conversation with their parents, because I think it is really important that parents have the conversation with their kids as well. That is just not happening in a lot of households, unfortunately.

Mr HART: This bill will commence on the Governor's assent. They are talking about six months. Is that an acceptable time frame, do you think?

Ms Beasley: I would like it to be done sooner. These are all preventive measures. You are never going to know how many lives will be saved by doing these things. I think it is important that it gets done. I do understand with small business that it is at a bit of a cost to them. I do understand that that will take time.

Mr HART: I have raised this with police myself. My daughter saw somebody buy a machete at a shop and then threw it on their back seat. I just wonder why you need to carry a machete around in a car.

Ms Beasley: It is not just kids. It is adults as well who are carrying these things. People need to understand the ramifications and how life-changing it is. The problem is that people do not think. I think if it is there in black and white that they cannot buy knives and they are taught at a young age that this is what can happen, it is so important. It is all about education. Hopefully in 10 or 15 years time we can start seeing that it has changed.

Mr HART: It is something we should have done years ago.

Mr SMITH: Belinda, thank you for being here and for sharing what is obviously a very traumatic experience but something that is forming a really positive legacy for people in Queensland. Sam, thank you for being here as well. Belinda, one of the things the Queensland Law Society mentioned in their submission is that they do not believe that this will address the root cause of criminal behaviour or antisocial behaviour. It is very much a fact, isn't it, that knife crime does not happen if an individual does not possess a knife?

Ms Beasley: That is exactly right.

Mr SMITH: There may be criminal mentality but a knife crime cannot occur. Would you like to say anything around the Queensland Law Society suggesting that? Whilst it will not stop the mentality of criminal behaviour, there is a difference between having a knife in a situation and not having a knife in a situation. Maybe you have heard in your conversations with young people that if they had not had a knife they would not have made a very bad decision for themselves and for others around them.

Ms Beasley: That is exactly right. It is a preventive measure. It is not going to completely stamp it out but it is preventive. I think all of these things, including education, are so important. Education is the key, but these are all the steps we need. Wandering, not being able to sell knives to minors and all of those things help. Then having education on top of that, the message is getting out there.

Mr SMITH: Absolutely. I also want to thank your family and the foundation for the work around Jack's Law. In Bundaberg we have a safe night precinct and, therefore, we have had wandering operations. The police have reported to me that there are belt buckles out there that are actually knives when they pull apart or there are lipstick knives and so forth. It is opening up the mind that people are going out there with these novelty items. They are purchasing them for themselves and they are intended as a novelty, but what happens with alcohol fuelled violence or when there is an attack, they feel threatened and they turn to self-defence and then all of a sudden something that has been purchased as a novelty ruins their lives and the lives of someone else? I imagine that would be a pretty important part of why this legislation should cover those particular items.

Ms Beasley: Yes, exactly. Somebody sent information to the foundation that they had looked online and you can buy Hello Kitty knives—those sorts of things. That is mind-blowing to me. They are available online. My husband went to the Carrara markets. At the Carrara markets there is a gentleman who sells knives. He is not doing anything illegal as such because there are no laws to say that he cannot. There are morals: you should not be selling knives to children. Everyone just needs to work together. That is the biggest thing—that the community feels safe. That would be another preventive measure.

Mr SMITH: Thank you for all of the work that your family and the foundation are doing.

CHAIR: There being no further questions, thank you, Belinda and Sam, for coming along today and for being a part of this.

BARTHOLOMEW, Mr Damian, Chair, Children’s Law Committee, Queensland Law Society

CHAIR: Thank you for coming along and being a part of this. If you would like to make a short opening statement, we will follow up with some questions.

Mr Bartholomew: Thank you for inviting the Queensland Law Society to appear at the public hearing on this bill. In opening, I would like to respectfully recognise the traditional owners and custodians of the land on which this meeting is taking place. I wish to apologise for the Queensland Law Society president, Rebecca Fogerty, who is unable to appear today due to unexpected circumstances.

Can I start by acknowledging that the Queensland Law Society recognises that the objective of the bill is to reduce knife crime and generally the Law Society supports evidence-based measures that seek to reduce the incidence of knife crime, both by young people and by adults. Whilst knives represent a particular serious form of violence and can have serious and irrevocable consequences, it is important to the broader context in which knife related crime occurs. The reason young people carry knives is complex and influenced by a number of factors, including perceptions of safety.

The Queensland Law Society is committed to ensuring that laws are well founded, just and workable. This can only be achieved by ensuring the laws arise from evidence-based policy. As such, the Queensland Law Society proposes that a review into the Police Powers and Responsibilities (Jack’s Law) Amendment Bill be conducted to evaluate the effectiveness of the legislation reducing the incidence of crime since the introduction of that legislation. In providing our evidence today, we note that we are apolitical and seek to promote good law for the public good. I welcome any questions the committee may have.

CHAIR: Thank you very much. One of the things that you have talked about is the need to address the roots of these crimes. This is clearly shared by many people. I note Belinda touched on that as well. Even though it is outside the bill, could you perhaps explain a bit more about what you are intending or what you are meaning by this?

Mr Bartholomew: Certainly we believe that there needs to be a number of alternative forms of knife crime intervention. That would be appropriate diversionary activities, educational interventions aimed at increasing youth awareness of the issues and consequences related to knife crime, consideration of the broader context in which violence takes place, increasing family support programs, wraparound multiagency services, having interventions, and multiagency approaches in the youth justice system. The Queensland Law Society has also considered the Scottish No Knives Better Lives campaign and the effectiveness of that campaign and would support ensuring there are resources to do a similar sort of campaign here in Queensland.

CHAIR: I want to thank you for pointing out that we are dealing with those broader issues of crime, especially youth crime. It is such a broad and deep issue.

Mr McDONALD: Thank you for being here and thank you to the society for its submission. I am a little bit conflicted as to the purpose of the review of Jack’s Law and tying it to this situation. Can you explain to us what you think the benefit of that review would be?

Mr Bartholomew: I think it is to look at the effectiveness of that law and to see what the outcomes of that are without perhaps unnecessarily introducing other criminal legislation that is affecting young people. If, indeed, we have an effective mechanism for addressing the issue in relation to the possession of knives then is it necessary perhaps to introduce a further penalty in relation to young people, particularly in terms of the purchase of those items?

Mr McDONALD: Do you think this should be delayed until that review occurs?

Mr Bartholomew: We certainly see the benefit of having that information feeding into this legislation, yes.

Mr McDONALD: I take the point of the member for Ipswich West with regard to wandering and increasing the powers. I think of us all going through an airport are completely accepting of being wandered going into that facility. I am thinking as a society, as a culture, of what we do around here. I think if you ask people they would accept that carrying a knife or carrying a gun or something metal is not okay in a shopping centre or other location, so I see this legislation as enabling those conversations to take place as well as assisting police with the fight against youth knife crime.

Mr Bartholomew: As the society pointed out in its submission, there are already laws covering being in possession of a weapon in a public place. Those laws already exist. This law, particularly as it relates to young people, does not in any way affect that. This is really almost an additional penalty

that young people might be facing. If they have the knife, they are already going to be facing the full wrath of the law. This is then an additional penalty—'Well, where did you get it from?', and then you have this additional charge because, indeed, it is unlikely that they are going to be purchased in front of police. It is not going to be a point-of-sale offence, particularly with young people.

Mr McDONALD: I am pretty sure we had that conversation with police when the police came and talked to us about the introduction of the bill. We talked about how there may be a gathering of evidence. The likelihood of prosecuting the young person with the knife was one thing; it was another to go and find the seller and prosecute them for selling the knife. I take it that the police are not focusing on more penalty; it is more about making sure they do not have access to that knife.

Mr Bartholomew: That is not what the legislation does. The Law Society is aware of the fact that, of course, this does introduce that penalty provision.

Mr McDONALD: I know that you were here when Belinda Beasley gave evidence. I think she made a really good point about sale of knives and also education on knives. I think you made the point about the Scottish example and that there is some great work internationally around that. I take your point that it is a good idea that we make sure there is some good education around this.

Mr Bartholomew: Yes, because the unfortunate thing is that it is unlikely that taking these matters to court is going to have that educative effect on young people particularly.

Mr McDONALD: What the Beasley Foundation has done as a grassroots-up approach has been fantastic, as well as other things.

Mr Bartholomew: The Law Society certainly commends that work that has been done.

Mr HART: Thank you for coming in today. I am just wondering what the drawback is in stopping young children from buying knives.

Mr Bartholomew: I think there is one issue about stopping them from buying; it is another thing about criminalising them for doing it. There are mechanisms to prevent the sale and then there is the flow-on effect of making it an offence for young people to purchase them or falsely representing. It is possible, of course, to prevent the sale without necessarily criminalising the young person, just perhaps in consideration of the seller. That is one issue in terms of that net-widening effect to consider.

Mr HART: The real penalties here are for the people who are going to sell them, not necessarily the kid buying them. As you say, there are already laws to stop them from carrying those knives out in public anyway. I put it in the same realm as selling alcohol or cigarettes to children. Am I wrong?

Mr Bartholomew: I appreciate that that can be the position, but I think what we are also looking at in terms of these weapons is that they are dangerous to the community in general; they are not just dangerous to children. Indeed, it is not only children who are buying them. All of this bill is focused around a particular cohort of young people and therefore it does not make the community any safer in the sense that those weapons generally, which are dangerous in the community, are still available.

One of the concerns of the Law Society is that the particular provisions prevent the sale to minors when we are still allowing those weapons to be available to the community generally. It is not only young people. Indeed, there is a danger that we are just focusing and reinforcing a stereotype that it is young people who are, in fact, are a danger to the community rather than the general public carrying these weapons.

Mr HART: From the Law Society's point of view, it is not necessarily stopping the sale of knives? You have an issue with bad laws.

Mr Bartholomew: Yes, and unnecessarily criminalising particularly vulnerable people.

Mr SMITH: Thank you for coming in as a representative of QLS. I am understanding what your submission is saying in that preventing a young person from possessing a knife does not mean that that stops that young person from committing some sort of a crime while acting in an antisocial way. They could still go and perform an act of violence with their fists instead of a knife. I was just wondering, though—and I think it is touching on what the member for Burleigh was saying there. It is 19N, the false representation of age, that QLS is concerned about in terms of criminalising the act of the person under 18 seeking the purchase. Could you speak to that a little bit more? Also, pardon my ignorance, but are there similar acts of law putting a criminal act on a person under 18 possessing a prohibited item, such as trying to purchase alcohol or cigarettes? Is that a criminal act as well?

Mr Bartholomew: In relation to some of those items, it is not an offence for possessing those items. There is in terms of alcohol. There is not an offence for possessing cigarettes. There is the offence for purchasing but not an offence for possessing. With this law, in this instance, we will have

a law for both possessing a weapon and purchasing a weapon. It is the view of the Law Society that perhaps it is that second part that is unnecessary and perhaps may result in additional criminalisation of young people. The Law Society is not suggesting that young people should be exempt from the laws that prohibit them from having a knife; it is just suggesting that they should not be unduly penalised, unlike adults who are equally buying these weapons. There should not be that additional offence for young people.

Mr SMITH: The maximum penalty is 25 penalty units. My math is that that equates to \$3,870. Can that also warrant a term of detention? Does 25 penalty units get you a form of detention or could it be an aggravating factor in a sentence that adds time in detention?

Mr Bartholomew: That is a very reasonable question but, no, it does not attract that for children. That will not attract a period of detention because it does not carry a period of imprisonment for an adult and consequently would not carry a period of detention for a child. Essentially, the orders that would be open to the court would be to refer the matter to restorative justice, to reprimand a young person or to give them a good behaviour order. One of the concerns of the society is the utility of the law in that it perhaps does not provide the educative effect that perhaps would be desired and the limitations upon what would be the consequence of the law for young people.

Mr SMITH: With that 25 penalty units, equating to \$3,870, is that actually effective, because what 16-year-old would be able to afford that so it would more likely go to restorative justice?

Mr Bartholomew: It is certainly something that the court could consider. The court could also consider a reprimand or a good behaviour order, yes. Just to complete the answer, a court, before imposing a fine upon a young person, must ensure that young person has the capacity to pay. There would be a very limited number of young people who would have that capacity to pay a fine.

Mr HART: If the committee was to decide not to make it illegal for people under 18 to pretend to be over 18 to buy this, would that solve the issue?

Mr Bartholomew: It would certainly go a long way to solve many of our concerns, yes.

CHAIR: We have no further questions. Thank you once again. We always appreciate the input of the Queensland Law Society. I know that you do this in your own time. We always really appreciate the time and effort and the very considered submissions that the Queensland Law Society does make.

Mr Bartholomew: Thank you for the opportunity to present today.

LAMB, Ms Dominique, Small Business Commissioner, Office of the Queensland Small Business Commissioner

NARDI, Mr Angus, Executive Director, Shopping Centre Council of Australia (via videoconference)

CHAIR: Good afternoon and thank you both for coming along and being a part of this hearing. I ask you to make a short statement before we have some questions.

Ms Lamb: I would like to acknowledge the traditional owners of the land on which we meet today and pay my respects to elders past, present and emerging. I acknowledge and thank the committee for the opportunity to appear and speak as a witness today at the inquiry into the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023. I would also like to recognise the Jack Beasley Foundation and the Beasley family for all of the work that went into this bill, building on Jack's Law. I acknowledge their tireless advocacy work to reduce the incidence of knife crime and to make our community safer.

As the Small Business Commissioner, one of my key statutory objectives is to enhance the operating environment for small business in Queensland. This includes advocating on behalf of more than 470,000 small businesses, of which 28,000 operate in the retail industry. That is the industry that will be most impacted by this bill. Firstly, my office wholeheartedly supports the objectives of this bill; namely, to reduce knife crime and associated youth offending and to enhance community safety. These matters are important to all Queenslanders, including small businesses. Like with any new regulation, it is important to assess the balance between the fulfilment of the policy objectives and the regulatory obligation it creates—in this case, primarily on small business in the retail sector. It is also important to reduce the likelihood of any unintended consequences.

I have met with many small businesses in my time as commissioner, and in my experience small businesses want to do the right thing and comply with the law. However, it is also my experience that small businesses have many competing priorities on their time and have limited resources. They do not have the dedicated policy, legal, record-keeping and compliance resources of larger businesses. These factors mean a small business may struggle to stay across emerging and complex regulatory requirements and they may inadvertently find themselves in a breach, despite their best intentions.

Therefore, I am concerned by the heavy penalties proposed in this bill for first-time offences by small businesses and their employees. For example, under new section 19G, a small business that inadvertently sold a knife to a minor would receive a \$21,672 penalty for a first offence. On top of the risk of heavy financial penalties, this may also place a financial burden on small businesses to reach and maintain compliance. For example, some businesses will need to implement secure storage facilities or they may feel compelled to install CCTV to ensure they are able to provide proof that they sighted evidence of age under the defence sections of 19G and 19I of the bill. Unlike larger businesses, small businesses, especially those in the retail industry, generally cannot absorb those additional costs. In fact, the retail industry has one of the lowest profit margins of all industries at just eight per cent, as of 30 June 2022, with margins further tightening in response to reduced discretionary spending and ongoing inflationary pressures.

It is for these reasons that my office recommends: that small businesses be given a minimum of six months notice to comply with the reforms to allow time for them to understand their obligations, train staff and implement signage and secure storage requirements; that Queensland police take an education-first approach to enforcement of law in relation to small businesses, with penalties only being issued with fines in the case of repeated breaches or unwillingness to comply; that clarity is provided on what will constitute proof of sighting acceptable evidence of age under the defence sections of 19G and 19I of the bill and what would be considered realistic evidence of compliance; that this bill is accompanied by a grant or rebate scheme for impacted small businesses to offset costs of implementing secure storage requirements and installing CCTV or other compliance systems; that the bill is accompanied by clear guidance material to help businesses implement the reforms; and that the Queensland government provide free proof-of-age verification training to support small businesses and staff who have not previously had to verify proof of age.

Finally, my office is concerned that the bill may have unintended consequences in that, while the bill is designed to improve community safety, it may perversely increase the incidence of verbal and physical abuse towards retail workers. A recent study by the Griffith Criminology Institute found that 88 per cent of retail workers have experienced abusive and aggressive customer behaviour. This aligns to findings from a recent survey of the Shop, Distributive and Allied Employees' Association

that found 87 per cent of workers experienced verbal abuse and 12.5 per cent experienced physical abuse. For point-of-sale staff, those figures increased to 92 per cent and 14 per cent respectively. The same survey found that 46 per cent of instances that caused the abuse were workers enforcing store protocols such as identification checks.

Therefore, I am concerned that by enforcing these requirements—for example, requesting ID or denying sale to a minor—the incidence of abuse against small businesses may increase. I note that most retail workers—I think it is 75 per cent—are aged between 15 and 25, so they are young people. It is for this reason that my office recommends that the bill is accompanied by an education campaign and Queensland government point-of-sale signs to inform the public about the changes and support the respectful treatment of retail staff, and that the Queensland government provides free guidance material and training for small businesses in relation to de-escalation and managing staff abuse incidents.

Thank you again for the opportunity to speak today. I am happy to answer any your questions and also to work with any of the other stakeholders, including the Queensland police, to provide any further feedback.

Mr Nardi: Thank you, Chair and committee members, for this opportunity to speak with you. Thanks also to the committee secretariat for arranging me to do this via video link. Unfortunately, I could not be there in person today. I appreciate the secretariat's support to ensure it is a smooth process for me to dial in.

In short, as is outlined in our submission, we support the bill. I acknowledge the engagement from Minister Mark Ryan's office and also the engagement from the Queensland police on this particular issue. We have indicated our support for the bill. I certainly endorse much of what the Small Business Commissioner just said. We have comments in our submission noting things like the breadth of retailers that sell potentially controlled items, particularly in relation to knives. It could include everything from newsagents to supermarkets and service stations. There needs to be clarity in terms of what exactly the items are. In other words, when is a knife a knife or when is a prohibited knife a prohibited knife?

In particular, I endorse the commissioner's comments that a lot of larger retailers will be able to handle the provisions quite readily where they have that capability. However, very small retailers—it could be newsagents; it could be fishing and tackle type stores—are the ones that will need a bit more support and awareness, possibly including financial support. Certainly, I endorse the commissioner's comments there.

We have also said that, subject to the passage of the bill, we are concerned about aggressive behaviour when people may be refused service. We made a comment in our submission that we would certainly welcome the chance to do something of a risk analysis with government and the police to identify possible areas of concern. As the commissioner noted, we have seen an increase in aggressive behaviour towards retail workers. On the campaign that the commissioner just mentioned, we have run a campaign for the shop assistants union. We ran their 'No one deserves a serve' campaign ads for free across the Christmas trading period. We did that nationally and across Queensland, particularly to try to ensure that customers, when they are in a shopping centre and before they enter a store, are mindful about how they treat retail workers with respect.

We made a comment for the committee's consideration. In addition to the content and nature of the bill, we believe that government should consider creating an additional or new offence in relation to the deliberate concealment of weapons. We certainly acknowledge the work of the Jack Beasley Foundation and the Beasley family and the positive effect of what is known as Jack's Law. Within shopping centres, our cleaners and staff are finding dangerous weapons in places such as planter boxes. We have a view that possibly that is people trying to get around Jack's Law. There may be a police presence onsite, so to avoid being identified and confronted by police people are hiding those weapons, possibly to return to use that weapon. We have raised respectfully that the committee give that consideration—maybe not for the bill itself, noting the importance of the bill, but for government to look into that issue as a possible future or further policy response. Thank you, Chair and members.

CHAIR: Thank you for that, Angus. We read through your submission and noted the point that you made about the deliberate concealment of weapons. You have added that the concealment is perhaps not on the person but within a centre. Probably at some stage we can chase up whether further work needs to be done within that area.

Angus, on the issue of what constitutes a knife, we have authorised the publication of the police department response on this issue. I note that within this act they say we are defining what is not an exempt knife—that is, a butter knife, a cheese knife or a plastic knife. I note that section 51 of the

Weapons Act defines 'knife' instead of 'dangerous knife'. I think that is the kind of clarity that you are after. That could be in the materials so that it is unambiguous that these are the dangerous ones that we are talking about. Is that the kind of clarity you are looking for so you can say to your members, 'These are the things that are going to be restricted'?

Mr Nardi: That is correct, Chair. That is a good summary of the issue, noting that where you have a legislative definition ultimately you are getting down to, as you are aware, where things have product names, whether it is this type of knife or that type of knife. I note the commissioner's comments that, ultimately, it comes down to a salesperson within a store or in a retail environment trying to make a judgement, noting that at the moment there could be fines involved. Ultimately, the clarity is for the people in the stores. That is exactly the type of clarity that I think would be useful, Chair.

CHAIR: Dominique, you made a good point about education and transition. I note also in the departmental response the police say there would be some discretion, as they do with other things. One of the things that I think your members are looking at is the expense they may need to go to in order to house these weapons in appropriate settings, for example at markets, as the Jack Beasley Foundation said. Would I be right in saying that your members would be willing enough to go along with the new housing or physical restriction requirements for these items if that is also implemented at a local market? Would that be correct?

Ms Lamb: I think it is really dependent on the store itself in the sense that if you have a large number of knives it is going to take up space that potentially you do not really have in the tenancy you are in. You may find that some are more willing than others. I think at a local market level yes, but I think any changes to tenancies—and Angus might be better placed to answer this question—are just expensive. What they will be more concerned about is proving they did the right thing as well. That CCTV component is something that is unfortunately not inexpensive, no matter how you source it or implement it. The way that costs generally are going across small business everywhere, this will be another pressure for them.

CHAIR: Once again I point out that in that submission, which we have just authorised publication of today, police do talk about that to a degree.

Mr McDONALD: Thank you for your submission and being here today. Dominique, with regard to assistance for small business, I understand it is really twofold or threefold if you look at the educative approach from police. Do you think there could be time frames around that? I do not like the word moratorium, but to have some period of time where—

Ms Lamb: Like an amnesty or something for that particular period?

Mr McDONALD: Yes.

Ms Lamb: Yes, I think that would work. It could be similar to what has been done with plastic bag bans in retail, where there was a particular date given and you needed to get ready. I think something like that would work. I think asking the police to manage a campaign of this size, when we are talking about 49,000 retailers in small business in Queensland, is probably a bit much. In terms of what needs to be done, I think there needs to be significant engagement with industry while ensuring the small business component is not missed, especially in that retail industry space.

Mr McDONALD: That leads to assistance regarding security and CCTV. I would really like a CCTV program where you can support business with 50 per cent funding to enable them to get security, because it is not just for business security; it is to benefit everybody. How do you see those things tying together to support small business?

Ms Lamb: I think you could tie them together. You could match funds, for instance, to become ready for this particular program up to a certain point. I think you cannot have one without the other. If you are stocking knives, you are going to need storage. You are also going to have to be able to prove that you are checking ID appropriately. Then there is the question of how to teach 15- to 25-year-old staff to identify and provide them with tools and skills to de-escalate any of those situations. I think it is a wraparound approach.

The Queensland government offered a number of free customer violence training programs during COVID when there was mask wearing and QR scanning, so I think you could repurpose. There are a number of industry bodies in this space that already have programs developed, including Business Chamber Queensland, the National Retail Association and the Australian Retailers Association. You could probably leverage those as well. It is really going to be about coverage. There will need to be dynamic translations and translations for our multicultural communities whom we will not get to unless we provide those. There will also need to be work in those other industry bodies,

like our multicultural associations and chambers, to get into some of those communities that we struggle to get some of these messages out to from time to time. It is going to be really good to have clarity about what a knife is, but we need them to be able to go to one location. It has to be accessible for them. It is hard enough at the moment with all of the other things they have to go looking for.

Mr McDONALD: I am sure Angus would agree with regard to CCTV being best practice, but for small business operators surely just a scanned copy of the licence or something like that would satisfy the onus of proof.

Ms Lamb: If you are asking them to scan then they are going to have to retain the record, which is problematic. They will also have to deal with the privacy implications of holding that kind of information. It really needs to be a digital solution that can be held in a cloud that is inexpensive. Otherwise, we are going to have to ask them to have space to retain records.

Mr McDONALD: Yes, a photograph or something like that; I can see that. Angus, with regard to knives being secreted throughout shopping centres and what have you, do you have any more information about that? Do you feel they are being hidden so they are not detected on the person, or are they being secreted for later opportunities? Do you have any evidence of that?

Mr Nardi: We do not have evidence as to a person's intent. Fundamentally, we are coming across knives or weapons generally in concealed areas, so areas that would suggest someone has tried to hide them or conceal them from a person or members of the public. We certainly do see knives utilised in crime within our centres. From our experience and ongoing discussions with Queensland police, it is our view that—and we think it is an informed view—one possibility is that people are hiding them to get around Jack's Law. We obviously have a police presence in shopping centres from time to time and we certainly welcome that. We take the view that possibly a person has come to the realisation that they may be approached by police so it is best to get rid of the weapon, or they are hiding it for use in some kind of activity later on in the day. They are the concerns.

Mr McDONALD: In your submission I also noted the establishment of a working group. Have you been part of the working group for the implementation of this bill? I can see how that working group could also assist in a conversation about the extension of Jack's Law into shopping centres. Could you see those two causes fitting together?

Mr Nardi: Yes, absolutely. It is a good question. I think where there is a group of interested stakeholders there is probably finessing what government policy may be or may look like. We would certainly be a willing party to that, and we can bring forth our experience and evidence. In terms of the implementation of the bill before the committee and the parliament, we would be very happy to be part of any working group, including discussions with the Small Business Commissioner, particularly to ensure there is an awareness of what the law is and there is obviously that kind of time frame for such affected businesses to prepare for that.

One thing we also noted, as you may have seen in our submission, is who is caught by the definition of commercial seller. You may have online platforms that sell into Queensland, so it is not limited to shopfronts. We gave the example where even in Victoria police have now had issues—and markets were talked about earlier—with people now selling knives at local markets. I suppose it is just trying to understand the whole breadth of possible retailers or sellers of these items that are covered. The commissioner would know better than I do, but I think getting to certain small businesses can be quite difficult versus larger retailers that are a bit more organised and have a better capability of engaging with such issues.

Ms Lamb: As it currently stands, the major retailers will not sell knives online at all, but there are other smaller providers that might be selling picnic goods, for instance, or other homewares that just would not be aware if they are not based in Queensland.

Mr MADDEN: Thanks very much for coming in today, Dominique. Angus, it is great to have you online. I do not know if either of you have had an opportunity to read the submission by the Woolworths Group. There was an item they suggested that I think is worthy of further investigation. That is, as an alternative to having locked cabinets and tethered items, they suggested tamperproof packaging that would be removed at the point of sale, at which time store staff would be able to confirm age. I would welcome your opinion on that. I think it has merit. Unfortunately, it is bad timing. It is very difficult for us to recommend that when there is no standard for that at the present time. I welcome your opinion on that. I think that suggestion by Woolworths has some merit.

Ms Lamb: Woolworths and other retailers such as Chemist Warehouse have successfully implemented that with the use of deodorant cans. I do not know if you are familiar, but chroming incidents in the past have impacted Queensland. A number of retailers have put specific deodorant

cans into perspex type boxes that are then released at check-out. I am aware that it stops the theft of a number of those items because they are very hard to get into. Obviously it is not impossible, but it is difficult enough to probably make that work. I think the question would be whether that is going to be cheaper for a small business operator in Ingham, for instance—probably not. Potentially it could work as an alternative. It is not going to work for all of them because I think we are also including swords, so you are talking about a very big perspex box if you are not putting it in a cabinet. Potentially it could work.

Mr Nardi: Firstly, I have not seen Woolworths' submission, but we do a lot of work directly with Woolworths and their community safety and security team. Knowing the basis of how they look at things and how they operate, I think there is merit to that suggestion as a way of ensuring the integrity of the proposed law is upheld.

Mr MADDEN: With regard to containers, I notice that in my local Woolworths they now have a cabinet for deodorants because of that issue. I just wonder how effective it is given that it is open most of the time. I think it might be CCTV and they are activated by you being near the cabinet, but at least they are making an effort. I was very interested to hear what had you to say about Chemist Warehouse having containers. I had not noticed that.

Ms Lamb: The CBD has quite a few retailers that do it, particularly with deodorant—that is typically where you will see it—and other probably more expensive items if they are being targeted for the removal of those items.

Mr MADDEN: Thanks very much for coming in today, Dominique, and thanks for coming in online, Angus.

Mr HART: Angus, with the hiding of knives in planter boxes and things like that, do you know whether your retailers report that to police or whether they review their CCTV footage and give that to police? What is happening with that?

Mr Nardi: There certainly is a gap between official police data, as in reported incident data, and what actually happens in the industry. Over a number of years there has been an issue of under-reporting, whether it be by individual retailers or shopping centres. That may be due to a previous experience or where someone believes it is a relatively minor matter. Under-reporting has certainly been an issue within our industry previously. From our perspective, the shopping centre perspective, we engage with Queensland police and all police forces across the country. In a case where there is CCTV we certainly do provide CCTV to provide any evidence in relation to any activity that we think is of concern. We obviously do that within privacy legislation and relevant legislation that applies. There is an issue of under-reporting to police within the retail industry.

Mr HART: Dominique, do you know whether small businesses take it upon themselves to not sell knives to under-age kids?

Ms Lamb: That would be a very difficult question. Generally, in my experience they try and do the right thing. Most of the time they are incredibly engaged in their communities, particularly regionally. Normally what that means is that they are aware of who in the community might be an issue. They do their absolute best to protect themselves and their staff and to do the right thing if they think something is not quite right.

In our office we do not get a lot of reporting around crime. It is mainly around tenancy and debt claims and things like that. From time to time when we are in communities we see a lot more damage to property that occurs within that space, especially if they are not in a centre. If they are in a strip of shops in a particular location or it might be in a CBD that is not doing particularly well, we hear a lot more about damage to property as opposed to weapons. I am certainly aware of the increase in assaults that are occurring for small businesses in centres. Angus would have that data for Queensland.

Mr HART: I take everything you said before about staff interactions and CCTV and having to have proof of the process you went through. Sometimes members of parliament ask questions to see what the reaction is going to be and to see if there are any unintended consequences to what we are doing. My question is—and I am being very careful about what I say: do you think these changes may lead to some people deciding that it is all too hard to sell a knife, and is that a bad thing?

Ms Lamb: If you were dealing with a business owner who is under significant pressure and already considering whether they should continue being a business owner, it could be over anything that they start to question being in business. In terms of selling knives, the concern I have is probably for the retailers that are selling things like homewares—knives that an ordinary person would not consider are going to be used in any type of crime. I do not think it will change their perception as to whether they sell the knife or not.

Mr HART: That goes to my point. I can understand kitchen shops and hardware stores but what about newsagencies selling a knife that is not a decorative knife for a wedding or something like that? Do they really need to be selling knives?

Ms Lamb: They may be selling a scalpel, for instance, that might fall under the definition of 'shiv' because they are for doing craft. At the moment when we look at small businesses, particularly newsagencies, they have very much branched into giftware. That could mean any number of things. Hopefully the knives they are selling fall into the exempt knives in the list. There will be some components even at an Officeworks level that will need to be removed.

Mr HART: Angus, do you have any input to that?

Mr Nardi: I have nothing further to add other than to say that that comment the commissioner made is probably about understanding the breadth of what may be caught by the definition and is part of their normal business—so for newsagencies it might be things for art and craft or for service stations it might be fishing knives and the like. I underscore the point that was picked up before about clarity. They can make an informed judgement—'Am I affected and how am I affected?'—and they can make that business decision going forward.

Mr SMITH: Commissioner, I have a couple of questions around the suggestion of taking an education-first approach for a first offence instead of being charged. As I am sure you are aware, there is legislation and then there is policing of legislation and the practical realities around that. How do you envisage a scenario where a commercial seller is charged having inadvertently sold a prohibited item to a minor? What does that look like?

Ms Lamb: Let's say a retail worker sells a butcher's knife to a particular individual and they fail to check ID. That knife is then used in a crime. That then comes back to them via the police. The police then investigate and, under the legislation as it is currently drafted, they apply the highest level of fine not only to the business but also to the individual who sold it. There might be a whole raft of background around that as to why they might make that decision. In that very basic scenario I have given you, it could be the case that they are in a remote and regional community. It might not have been front of mind. They may not have been aware of the change. They may not have been aware about training their staff. It could be a new staff member who started a week ago and they have not had time to do it. There is a whole raft of things that could happen in that space where, as has been discussed, I hope the police would use their discretion to educate in that scenario as opposed to applying the full impact of those fines.

If those fines were applied at the \$21,682 amount or \$3,000 for an individual, for some businesses in some of those communities that could be break point. They may not have \$20,000 to pay the fine. It could be the end of a particular business in a community that does not have other businesses. I think about places such as Karumba, which has one fishing and tackle shop that has been there for 50 years. They do not use a computer. They do not use the internet. Unless somebody finds a way to tell him that this change has come in, he may not know about his fishing knives and he is the only place in that community that might sell them and they might inadvertently end up in a crime. They are the kinds of business owners I worry about—the ones who are not technically savvy, who are just unaware or who are in a community where maybe this message does not get to.

Mr SMITH: In that scenario, an act of the commercial seller who breaches the law has then resulted in another criminal offence with the use of that item that they have sold without following the law. That is not a great example, is it? I will move on though. The likelihood of a first offence does not necessarily mean that is the first time they have inadvertently sold. It might be the first time they have been charged. More than likely, police are going to investigate a series of times when the commercial seller has engaged in an act that is a breach of this legislation, more so than they stumble across a murder weapon that happens to have been sold without checking ID. That is the problem. Whilst I understand your view, a first offence does not mean that this is the first time that has happened. That is why there is a defence in this legislation. If there is inadvertent selling, there is beyond reasonable doubt. If there is enough doubt within a court of law then that commercial seller has a defence. Would that not be the case?

Ms Lamb: I think in all of those scenarios there would be police discretion. As you say, if this is a person who may have done this a number of times and the police are aware of it then they are going to take that action. I am trying to protect the small businesses in Queensland that for the majority of the time are trying to do the right thing and provide a service to their community and may not know. It happens time and time again that they may not know. This is really about making sure we can educate as many of them as possible. If it is the case that the police have to take those actions then that is how it is. We do support the bill and its intention. We just want to make sure we are not targeting the wrong people who are trying to do the right thing.

Public Hearing—Inquiry into the Summary Offences (Prevention of Knife Crime) and Other
Legislation Amendment Bill 2023

Mr SMITH: Yes, but by not checking ID for a weapon that eventually becomes part of a criminal act—I understand what you are trying to do. There definitely needs to be education around this, but I just do not believe that the argument stacks up that a first offence should be let off for education. Thank you for your time.

Mr HART: When the Queensland Law Society were before us they talked about their preference to not make it illegal for someone under 18 to pretend to be over 18 in order to buy a knife. Does the retail industry have an issue if that was not made illegal?

Ms Lamb: I cannot comment for the retail industry. From a small business perspective, it just needs to be as clear as possible as to what the crime is. There is always going to be difficulty if someone is using a false ID or something like that. All of that would be able to be proven. There is no objection from us.

Mr HART: If you have to go through the process of proving you are over 18, you should be able to avoid that.

Ms Lamb: That is right. If you have to provide ID, you physically have to hand something over. If you have been trained, you should be able to check for the hologram or now that everything is digital, however that works.

Mr HART: Angus?

Mr Nardi: In light of the way the policy is set out in the bill—which I think is sensible in the sense that there are requirements about not just the sale but also the display of signage and all of those types of things—and what will be required for an actual seller or a retailer—the provision that we are looking at I think is clause 19N—I think it is appropriate that there is also an offence if someone falsely represents their age or misrepresents their age. Given the purpose and the intent of this bill and the other measures, I think it is appropriate that someone should not be able to misrepresent their age.

CHAIR: There being no further questions, thank you Dominique and Angus. Thank you both for your evidence today. We appreciate you taking the time to be a part of this. That concludes our hearing. Thank you to everyone who has participated today. Thank you to Hansard. Thank you to our secretariat and to all staff who have been here. A transcript of these proceedings will be available on the committee's webpage in due course. We do not have any questions on notice. I declare this public hearing closed.

The committee adjourned at 3.26 pm.