




Speech By
Jim McDonald

MEMBER FOR LOCKYER

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SUMMARY OFFENCES (PREVENTION OF KNIFE CRIME) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr McDonald** (Lockyer—LNP) (3.12 pm): It is a pleasure for me to rise and speak on the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill. As the shadow minister mentioned, we certainly support the bill although, as has been said, this government is missing a great opportunity. I thank my colleagues on the State Development and Regional Industries Committee for their work on this bill. I particularly thank my colleague the member for Burleigh for his serious deliberation and questioning through the inquiry process. I certainly want to give a shout-out to all the police out there—the police from Gatton, Laidley, Lowood and up at Helidon—for their great work in keeping our community safe.

It is very important for members of the House to know that this bill came about because in 2018 offences with a knife numbered 1,784—and that is terrible—but in the financial year 2022-23 offences with a knife rose to 2,177. That is just terrible. I commend the Jack Beasley Foundation and others who have been doing some really great work in this space. I was pleased to be part of the committee when Belinda Beasley and our colleague Sam O'Connor attended the inquiry and talked to us about the reasons for this and for the other work they are doing in that space in terms of preventing knife crimes from happening and certainly making it harder for young people to get a knife.

I recognise that that is something this bill sets out to do but, to be honest, from my past experience within the Police Service, I think knives and guns do not kill people; people using knives and guns kill people. This bill enables a conversation to occur about the dangers associated with a knife—it is good to see that happen—but I am very pleased that our committee in recommendations 2 and 3 suggested an education process and educational efforts for small businesses as well as significant guidance and resources by the police in the implementation of this bill. We made those recommendations in light of the very large fines for small businesses that may have made an error and not complied with the new legislation. The fines are in the thousands. For some small businesses, that could make a difference in being able to keep the doors open or not. I appreciate that the recommendations have been accepted by the government and look forward to seeing that investment put in place.

During our inquiry the issue of wanding was raised. Wanding has been very effective across the state. In fact, the police asked for the wanding trial to be extended and it was extended to railway stations and shopping centres. Again, from personal experience, my recommendation is that police are given the power to wand anywhere. The reason is that it is a very non-invasive use of power. We all choose to be subjected to it every time we go to an airport or into different secure environments. The use of a wand in a public place by police would be very non-invasive. Unless someone is carrying a knife, a gun or some other significant metal object which could be used to do harm, they have absolutely nothing to fear. It would be a very quick and very simple non-invasive process.

I commend our shadow minister for police on the foreshadowed amendments that he has outlined today. I look forward to those amendments being moved by our other shadow ministers in due course. I ask the government to support those amendments. If it does not, I do not think it is fair dinkum about

fixing the issue of crime. Those foreshadowed amendments seek to unshackle the judiciary and see detention as a last resort removed from the Youth Justice Act. That does not mean that detention will happen on every occasion; it means that the judiciary will be able to make sentences appropriate to the crime that has been committed by the youth offender without having to go through a linear process of issuing more cautions, more diversions and other avenues. This is something a magistrate must do because of precedent, the Youth Justice Act and decisions of the Queensland Childrens Court, which is the higher court and the authority on that matter.

I challenge the government to accept our proposed amendments regarding removing detention as a last resort and regarding opening the courts—not to everyone but to family, victims and the media as appropriate to the circumstances of the case—so that we can make sure justice is done and is seen to be done. I challenge the government to accept the amendments that will be moved either today or tomorrow. If the government is fair dinkum about fixing crime, it can take this opportunity to get on the front foot and put those policies in place.

Through the committee inquiry a number of concerns were raised about the overseas purchase and electronic purchase of items and goods. I was satisfied with the police answer in terms of seeing some security on the front end of some of those websites selling goods of that nature to our youngsters in Queensland in that they would have to jump through the under-18 hoop. Apparently, that will satisfy the legislation.

The main concern I have, as has been outlined, is the impost it is going to have on some of our small businesses. I recognise that the minister said this is going to take some time to implement, although it will be a short period of time. There are some businesses out there that have meagre operations and any investment of \$100 or \$200 in additional security is a real challenge for them, and this is just another impost. As I said, I think there are better opportunities for the government to take in terms of making a real effort in regard to knife crime, particularly the extension of wandering powers for police.

I also recognise the challenges that are going to be faced by the police in the operationalisation of this legislation, particularly in regard to the definition of a knife. We heard through the inquiry about the challenge of even a scalpel sold in a newsagency fitting the definition of a knife. Are we going to see those things exempt in regulation or are they going to be included? In my community I have to recognise that for many farmers and graziers it is part of their dress to have a pocket knife on their belt because it is a tool of trade that is used every day. I trust that the police will use common sense in applying these new offences. I also recognise that young workers such as butchers who might use knives that fit the definition will see relief from this bill and not suffer undue prosecution.

Again, I commend this bill and we support the intent of this bill. There are other opportunities that I think the government could very easily take up. I know that the police and the Police Union are asking for additional powers. Importantly today, when we move amendments, as foreshadowed already, to see detention as a last resort removed from the Youth Justice Act and to see the courts opened, here is an opportunity for this Labor government to get on the front foot, to be fair dinkum about crime and attend to the problems of crime. Removing detention as a last resort does not mean detention on every occasion. It just means that the magistrate and judiciary are unshackled and able to put in place proper penalties that fit the crime. That is something that the magistrates would appreciate, having compulsion for offenders to undertake certain things that will help them improve their lives and not be recidivist offenders.