




Speech By
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MEMBER FOR GREGORY

Record of Proceedings, 13 February 2024

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

 **Mr MILLAR** (Gregory—LNP) (6.43 pm): In rising to speak to this bill on behalf of the people of Gregory, I would firstly like to express my sincere condolences and sympathy for the family of Mrs White. Like all Queenslanders, Gregory people were horrified at how she was fatally attacked while on a trip to the shops. For her six-year-old granddaughter who witnessed the attack and the horrible aftermath, this will leave a long-lasting trauma. This is heartbreaking. Sadly, this is just the latest trauma in a string of offences, including other fatalities, which Queenslanders have experienced under the Labor government.

I am sure every member of this House has been asked by their constituents how many more innocent Queenslanders have to die before something is done. For this reason, the LNP does not oppose this bill. I will vote to support it, but this is just the latest string of amendments and tweaks that this House is continually making as the government seeks to appear to be responding to Queensland's youth crime crisis.

I want to say very bluntly that this bill will achieve very little or nothing, and it will do so by imposing costs and red tape on innocent Queenslanders. All Queenslanders are very aware that a common modus operandi for juvenile offenders is to enter people's homes in order to steal car keys to take the car. This is our new normal. If they are going to break and enter for keys for cars, what is stopping them from taking the kitchen knife from the drawer or a tomahawk from the garden shed? There has been very limited evidence offered as to the sources of knives used by the knife crime offenders, which surely should have been the starting point for the architects of this bill. Instead, it has been treated as a 'beside the point'.

I would not go so far as to say that this bill is shallow window-dressing, but it seems poorly based in terms of hard evidence supporting its provisions. More seriously, it seems poorly aimed in terms of who will actually be punished by those provisions. The intent of the bill is to reduce knife crime and associated youth offending, but it does so not by addressing the offenders but by imposing major fines on retailers and their employees. In doing so, it is implying that retailers are somehow the cause of knife crime in Queensland. This is a classic red herring.

If we do not have the evidence for where juveniles are sourcing their knives, do we have any evidence that juveniles comprise a market demographic for retailers of these items? Retailers track these things in the normal course of business. It is called marketing and it is their bread and butter. I have seen no evidence that juveniles are a target market for these products.

As I have said, on the face of it, this legislation—while praiseworthy in its intentions—does not appear to be evidence-based. The bill will designate certain items as restricted for sale to persons under the age of 18 years. Such items will include knives, including kitchen knives, hunting knives and utility knives. In addition, it captures swords, machetes, axes, tomahawks, sickles, spear guns, spears and replica guns, including gel blasters. The problem is that there will be so much confusion among retailers

as to what is restricted and what is not. For instance, are box cutters to be included? What about cooking scissors, which are sharp for cooks, including home cooks. The issue here is that what exactly constitutes a knife under this new division has not been defined, allowing the ordinary meaning of the word 'knife' to apply for the purposes of enforcement. The enforcement itself is applied to the seller, not to the criminal misusing the item. That is important.

At the very least, before enforcement of these laws commences, the government must ensure that it provides clear guidelines to all retailers—from homeware shops to fishing and camping retailers, hardware stores and chain stores. A very wide category of retailers will now have to display signage announcing the proof of age requirements. The fines for failing to ask for such proof of age are not small. The penalties for 19G, which is sale to a minor, and 19I, which is sale by employees, range from 140 penalty units or \$21,672 for a first offence to over \$65,000 for a third offence. The sale of a controlled item by an employee will range up from \$3,096 for a first offence. This is a very significant penalty to impose on a shop assistant.

Presumably, Queensland police officers will be expected to police these laws by charging retailers and their employees. It does not surprise me that the Queensland Police Service appear to be distancing themselves from these laws by stating that the penalties for noncompliance are a matter of policy for the state government. Similarly, they see any education campaign as a matter of state government policy.

As a further financial impost on retailers, the bill also imposes secure storage requirements for sellers of particular controlled items. Retailers will have to ensure that any such item is stored in a locked container, cabinet, cage or room. Alternatively, it can be displayed so that it can be held and inspected as long as it is secured to the display stand so that assistance is required to remove it. This brings us back to the lack of definition of a knife. The new storage requirements will only apply to particular controlled items. These include daggers with a double-edged blade, knives with a blade at each end, swords, machetes, axes, tomahawks, sickles, spears, spear guns and—here is the really confusing bit—'a bladed item prescribed by regulation'. I presume this is so the government can keep quietly adding to the list without returning to parliament. This will continue the confusion for retailers.

Indeed, the parliamentary committee considers there will be continuing requests by stakeholders for clarification of precisely what is covered. This says to me that Labor, once again, wanted to be seen to be doing something but did not have much left in the cupboard. The broad phrase of 'a bladed item prescribed by regulation' underlines the true size of the challenge of educating retailers, large and small, their employees and even our local police officers.

The Labor government must commit itself to an effective education and transition period to support this very confusing bill. The Queensland Law Society suggested there is no conclusive evidence that this legislation will be effective in its stated intention of enhancing community safety by reducing crime and associated youth offending. They correctly state that there is already an offence to carry a knife or other implement that is being used or is intended to be used to injure someone. We have seen the horrifying statistics that have resulted from police wandering for such implements. These tell us that there is a knife culture among young offenders, but this bill does not address that. Instead, it punishes legitimate retailers with no evidence to show that this will decrease the carrying of knives by young offenders. Apart from the kitchen drawers of their victims, youth offenders will be ready to obtain knives and other implements from online sellers with no enforceable proof of age.

Queenslanders are tired of being inconvenienced by empty bureaucratic responses to the real youth crime crisis unfolding right in front of our eyes. They will see this bill as more evidence that the Labor government has no idea of how to solve the problem which is solely of their own making. More and more Queenslanders will look to the LNP to rewrite the Youth Justice Act. They will look to the LNP to end the endless series of tragedies occurring across Queensland due to the increasing cohort of hardened repeat offenders.

I want to finish today by thanking all of the members of the Queensland Police Service in Gregory who work hard and work smart to keep our community safe. You do a dangerous and challenging job well, and we thank you. This parliament should assist you in carrying out those duties by offering strong, clear laws, not laws that are vague, complicated and lack evidence, and in this case there is very little evidence that young offenders are purchasing these knives.