



Speech By


Hon. Mark Ryan

MEMBER FOR MORAYFIELD

Record of Proceedings, 13 February 2024

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

Second Reading

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Community Safety) (12.03 pm): I move—

That the bill be now read a second time.

To lose a loved one, the terrible consequences, the ripples of grief and loss and the hurt felt by those who loved and cared for that person, are simply devastating. That is what Vyleen White's family and community are experiencing right now. Our thoughts are with them. Our thoughts are also with the investigating police. Their dedication to delivering justice for the grieving family is unwavering. I take this opportunity to commend police and support agencies for their relentless approach in working so swiftly to apprehend and charge the alleged perpetrator. Queensland is fortunate to have a police service that is so thoroughly dedicated to serving its community. It is important that the people of Queensland and the government continue to support the Police Service by giving them the resources, the tools and the laws that they need to do their good work—laws like the ones that are proposed in this bill.

On 1 February 2024, the State Development and Regional Industries Committee tabled its report on its examination of the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023. The committee has made three recommendations on the bill. The first recommendation made by the committee was that the bill be passed. I thank the committee for its timely consideration and support of the bill.

The second recommendation was that the Queensland Police Service develop guidance and resource materials in consultation with the retail sector to support businesses in implementing the new operational obligations that are introduced by the bill. The Queensland government supports this recommendation. Subject to the amendment that I will move during consideration in detail to permit, on assent of the bill, the immediate opportunity for retailers to commence the restrictions on retail sales, the provisions of the bill will otherwise commence by proclamation to allow time to undertake the necessary implementation activities, including the development of guidance and resource material, to support businesses to meet their new obligations in the bill. However, the time period will be as short as possible.

As part of this implementation activity, the Queensland Police Service will engage with the retail sector and other key stakeholders in developing effective guidance and resource material. Guidance and resource material will be developed in consultation with these stakeholders to ensure this material is appropriately targeted and supports businesses and their employees to understand and implement the new obligations introduced by the bill. This collaborative approach with the retail sector, focused on

compliance with the obligations in the bill, will help achieve the objectives of the bill to enhance community safety by reducing the availability of knives and other dangerous items to young people and their use in violent crime.

The committee also recommended that the Queensland government consider undertaking an education campaign to inform the public and stakeholders about the changes introduced by the bill. The Queensland government also supports this recommendation. The Queensland government is committed to reducing knife crime and keeping the community safe. Public messaging about the bill will also complement existing campaigns such as the 'I live my life... without a knife' campaign to educate the community—particularly young people—regarding the dangerous and devastating consequences of knife crime and empower them to make safe choices. The Queensland Police Service will continue to promote positive messaging regarding the safe and lawful use, possession and accession of knives and other items, including community engagement and crime prevention efforts. I table the government response in respect of these recommendations.

Tabled paper: State Development and Regional Industries Committee: Report No. 54, 57th Parliament—Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023, government response [172](#).

In addition to thanking the committee for its support of the bill, I also thank the officials from the Queensland Police Service who made themselves available and assisted the committee during their consideration of the bill. Additionally, I acknowledge the organisations that provided a submission to the committee; namely, the Queensland Small Business Commissioner; PeakCare Queensland; the Shopping Centre Council of Australia; the Jack Beasley Foundation; the Queensland Law Society; the Aboriginal and Torres Strait Islander Legal Service; the Queensland Indigenous Family Violence Legal Service; and the Woolworths Group. The committee was also greatly assisted by representatives from the Jack Beasley Foundation, the Queensland Law Society, the Queensland Small Business Commissioner and the Shopping Centre Council of Australia who attended and provided input during a public hearing on the bill held by the committee.

I would particularly like to take this opportunity to acknowledge Brett and Belinda Beasley, who are in the gallery today. Brett and Belinda Beasley are, of course, strong and robust supporters of community safety initiatives and I am very pleased that they are here to recognise their advocacy in respect of the development of this bill.

The purpose of this bill is to enhance community safety and to minimise the risks associated with knives and other dangerous items. The bill achieves this objective by:

- prohibiting the sale of knives and other weapons (known as controlled items) to minors;
- making it an offence for a person to falsely represent themselves as being over the age of 18 years for the purpose of being sold a controlled item;
- requiring retailers to display signage advertising the legal prohibition against the sale of controlled items to minors;
- prohibiting controlled items from being sold or advertised in a way that suggests the item is suitable for combat, intended to be used for violence, or likely to simulate or encourage violent or criminal behaviour involving the item;
- imposing obligations upon suppliers of particular controlled items to safely secure the items at retail locations; and
- making consequential amendments to support these reforms such as allowing a police officer to request to see proof of age if they see or reasonably suspect a person under the age of 18 has been sold a controlled item and authorising the police officer to seize the item under certain circumstances.

For the purposes of the amendments, a controlled item is defined as a knife other than an exempt knife, swords, machetes, axes including a tomahawk, sickles and scythes, spear guns, spears and replica firearms that are considered a restricted item under section 9 of the Weapons Categories Regulation 1997 for the purposes of section 67 of the Weapons Act 1990. This latter category captures gel blasters if the design of the item replicates a firearm to the extent that it may be mistaken for a genuine firearm. The provisions in the bill which are relevant to controlled items are:

- the prohibition of their sale to minors;
- the offence for a person to falsely represent themselves as being over the age of 18 years for the purpose of being sold a controlled item;

- the requirement for retailers to display signage advertising the legal prohibition against the sale of controlled items to minors; and
- the prohibition on controlled items being sold or advertised in a way that suggests the item is suitable for combat, intended to be used for violence, or likely to stimulate or encourage violent or criminal behaviour involving the item.

Although knives are captured by the definition of controlled item, some knives are exempt and are therefore not captured by these provisions and offences. Specifically, knives that are wooden or plastic and designed to be used for eating; a knife with a rounded or dull edge; or a knife designed for use as a cheese knife are not captured by these provisions. The definition of controlled item has been drafted to ensure flexibility in the operation of this new framework. A regulation may be made to prescribe a thing as a controlled item or prescribe a thing to not be a controlled item. This approach will ensure the ongoing viability of the amendments.

The bill also includes a requirement for commercial sellers—that is, a person who, in trade or commerce, sells controlled items to the public—to securely store certain controlled items. This provision does not extend to all controlled items but is limited to: (1) a dagger that is a double-edged blade; (2) a knife with a blade at each end; (3) a sword, machete or axe; (4) a sickle or scythe; (5) a spear gun; (6) a spear; and (7) a bladed item prescribed by regulation. This provision is also intended to offer flexibility to commercial sellers by providing that, for the purposes of the provision, a captured controlled item can be securely stored in a locked room, cage, cabinet or container, or, alternatively, securely tethered.

It is acknowledged that many controlled items have a legitimate use and purpose in society. However, there is no place in society for controlled items that are marketed or designed to glamorise their use as deadly weapons or encourage their use for violence. This bill therefore prohibits controlled weapons from being sold or marketed in a way that suggests the item is suitable for combat, is intended to be used for violence or is likely to stimulate or encourage violent or criminal behaviour.

As I made clear when introducing this bill, these new laws will complement and build upon existing initiatives designed to tackle knife crime. These existing initiatives include those championed by the Jack Beasley Foundation including Brett and Belinda Beasley, Jack's Law. The Jack's Law wandering framework was originally introduced into the Police Powers and Responsibilities Act 2000 and was limited to, initially, the Surfers Paradise and Broadbeach safe night precincts. This framework was expanded by the Police Powers and Responsibilities (Jack's Law) Amendment Bill 2022 to include all safe night precincts and all public transport stations, including public transport vehicles in Queensland. Data derived from the Jack's Law framework demonstrates its effectiveness, with at least 450 weapons seized since May 2021 as a result of over 4,140 authorised wandering operations. That means there are 450 fewer weapons out on the street and 450 fewer opportunities for these dangerous items to be used in the commission of a violent or deadly attack.

Too many times we have seen the devastation which can result from possessing a knife, including lifelong trauma for the victims and their families. Too many lives have already been lost because of knife crime. The Queensland government is determined and steadfast in its commitment to reduce knife crime within our community and in particular the prevalence of and notoriety of knife possession amongst young people. This bill goes hand in hand with the expansion of Jack's Law and takes another significant step in securing a safer Queensland and keeping dangerous weapons out of the hands of young offenders.

I would like to foreshadow an amendment to the bill, which I will move during consideration in detail, which I understand has already been circulated in the House. I will move an amendment to provide retailers with flexibility in implementing policies to restrict the sale of controlled items to minors prior to the commencement of the offence provisions within the bill by proclamation. This means that on assent retailers can start imposing the sales restrictions immediately. This is achieved by making it clear that any retailer that refuses to sell a controlled item to a minor will not be taken to discriminate against the person because of their age under the Anti-Discrimination Act 1999. This ensures that any retailer who wishes to introduce measures to restrict the sale of knives and other dangerous items to minors can do so immediately upon assent of the bill and with confidence.

Once again, I would like to acknowledge the continued advocacy of the Queensland Police Service in pursuit of community safety initiatives as well as thank the Jack Beasley Foundation for pursuing legislative reform, for supporting this reform and for their tireless efforts in combatting knife crime and, in particular, for their advocacy regarding restricting the sale of knives to young people. This bill achieves this and supports our goal—our quest—to make Queensland an even safer place. I commend the bill to the House and I encourage all members to support it.