




Speech By
Hon. Mark Ryan

MEMBER FOR MORAYFIELD

Record of Proceedings, 14 February 2024

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

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Community Safety) (12.30 pm), in reply: This government is committed to supporting community safety. We are supporting community safety through supporting the Queensland Police Service and other partner agencies with early intervention and prevention strategies as well as boosting resources to the Queensland Police Service. We have record police budgets and we are making the biggest investment in policing personnel in more than 30 years. We have provided the Queensland Police Service with specific funding to conduct extreme high visibility police patrols right across the state. With dedicated funding from the Queensland government, police have also established Taskforce Guardian—a dedicated flying squad of experienced officers working alongside local police and partner agencies like Youth Justice. It is deployed wherever hardcore offending is occurring in the state. Police advise that these measures are having an impact, but certainly more work needs to be done.

As I mentioned this morning, whilst one instance of criminal offending is never acceptable, it is one too many. Police have advised that recent data with respect to youth offending as a result of the efforts of police in the northern part of our state has shown that car thefts committed by youth offenders have reduced by 50 per cent in Townsville and that violent crimes and robberies committed by youth offenders are down by 70 per cent. Just yesterday police released figures in the wake of another targeted operation by Taskforce Guardian indicating that crime committed by youth offenders in the Darling Downs district has also declined. As I said, even one instance of criminal offending is one too many, and that is why all of our collective efforts must continue.

Police are doing outstanding work. Partner agencies are doing outstanding work. Communities are doing outstanding work and advocates like the Jack Beasley Foundation are doing outstanding work. In particular, I note that wandering operations authorised by the nation-leading Jack's Law have removed hundreds and hundreds of knives from the streets. The bill before the House today provides further support to the Queensland Police Service's efforts by restricting the availability of knives to young people.

As we have seen, knife crime is a grave concern. I would like to take this opportunity now to thank all the members who have made a contribution to the debate on the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023. The government is acting to address this concern in the community, and it is having a most tragic impact on many communities. Knife crime is devastating. Our government understands the need to address knife crime comprehensively and effectively. We are committed to taking decisive action to combat this menace and ensure the safety of all Queenslanders. This commitment extends across multiple fronts including law enforcement, education and community engagement.

The bill includes a number of initiatives designed to promote community safety, reduce youth offending and minimise the risks associated with knives and other dangerous items. The provisions in the bill are concerned with restrictions on the sale, storage and promotion of controlled items—a term which is defined to mean knives other than those exempt knives, swords, machetes, axes including a tomahawk, sickles, scythes, spear guns, spears and replica firearms that are considered a restricted item under section 9 of the Weapons Categories Regulation, including gel blasters that are replica firearms. This latter category is designed to capture, amongst other things, those items known as gel blasters that shoot gel pellets if the design of that item replicates a firearm to the extent that it may be mistaken for a genuine firearm.

This bill contains five major initiatives to contribute to community safety and minimise the inherent risks associated with knives and other items: prohibiting the sale of controlled items to minors; making it an offence for a person to falsely represent themselves as being over the age of 18 for the purposes of being sold one of these controlled items; 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 stimulate or encourage violent or criminal behaviour involving the item; and imposing obligations upon suppliers of particular controlled items to safely secure those items at retail locations.

It is intended that the initiatives in the bill to prohibit the sale of controlled items to minors and impose a requirement on retailers to securely store those certain controlled items mentioned in the bill will assist this government's strategy in addressing knife crime. It is acknowledged that the initiatives to prohibit the sale of controlled items and ensure the secure storage of those certain types of controlled items mentioned in the bill will have some impact on industry. It is also acknowledged that this bill will not by itself eradicate knife crime in its entirety. However, it is common sense that making it harder or more difficult for young people to access knives is a big step in the right direction to reducing knife crime.

Any knife in the wrong hands can lead to a potentially life-changing injury or even worse. Every member would be all too familiar with the tragic circumstances that can arise when a knife is used in the wrong hands and a life is tragically cut short. Taking a knife out of the hands of one person who is going to use it for nefarious or malicious means is a success.

As mentioned earlier, the bill is not entirely focused on knives and will also capture other items including gel blasters that are replica firearms. A gel blaster is a lifelike item designed to shoot a gel pellet that has been soaked in water and is similar to a paintball gun. Gel blasters may also be known as hydro blasters or gel guns and are intended to be used for recreational activities similar to paintball, skirmish or laser tag. Many gel blasters are clearly recreational items. They are designed with bright fluorescent colours or are shaped in such a way that they resemble a toy.

I would like to make it clear that these types of gel blasters are not captured by the amendments in this bill. However, this bill captures those gel blasters that are designed in a way that they constitute a replica of a firearm under the Weapons Act 1990. These items can be indistinguishable from a genuine firearm and, concerningly, have been used by young offenders to commit serious criminal offences such as armed robbery. It is clear that in the wrong hands gel blasters that are replica firearms can be dangerous items and used for violence in the commission of criminal offences. This bill tackles this issue by prohibiting the sale of those gel blasters that are replica firearms to anyone under the age of 18, thereby mitigating the risk of a replica firearm being used in the commission of an offence or to cause psychological or physical harm.

It is important to note that, under the Weapons Act and the Weapons Categories Regulation 1997, gel blasters that are replica firearms are already considered a restricted item. Under section 67 of the Weapons Act it is an offence for a person to possess or acquire a restricted item without a reasonable excuse. This bill therefore builds upon these legislative safeguards and provides yet another layer of protection to ensure those gel blasters are used solely for the purposes for which they were intended.

In addition to prohibiting the sale of controlled items to minors, this bill is also designed to combat the notoriety of knife possession that spurs the trend of unlawful possession of bladed items amongst young people. This is achieved by banning the sale of all controlled items that possess features which suggest the item is suitable for combat, intended to be used for violent behaviour or likely to encourage violent or criminal behaviour involving the item. This new offence specifically targets zombie style knives and machetes, which have risen in popularity internationally and are increasingly becoming the weapon of choice amongst some gangs and some young offenders. Inspired by zombie or horror movies, these items can vary in size, shape and style but are connected by a common theme—the very design or marketing of the item is intended to glamorise their use as deadly weapons.

These weapons have already been associated with a string of violent and deadly attacks in the United Kingdom and have been banned in other jurisdictions within Australia including New South Wales and South Australia. This bill makes it clear that the Queensland government and the Queensland community will not tolerate the sale of deadly weapons designed or marketed in a way that encourages violent or criminal behaviour. These weapons have no place in our society and serve no purpose other than to bolster criminal egos and induce fear in their victims. It is not acceptable to sell a knife depicted with blood spattering the edge of the blade. It is not acceptable to sell a machete inscribed with the words 'killer' or 'slayer' on the blade. It is not acceptable to use marketing to glamorise the use of these items as deadly weaponry, and this government will do whatever is necessary to dispel the dangerous view amongst some young people regarding knife possession.

As detailed in the government's response to the former State Development and Regional Industries Committee's report on the bill, the government will embark on a campaign to ensure that the industry and the broader community are aware of their obligations. The government will consult with relevant stakeholders during the development of this campaign to ensure it is as effective as possible.

As referenced in my second reading speech, I will move some minor amendments during the consideration in detail of this bill. A number of stakeholders during the committee's inquiry suggested that a reasonable period prior to implementation should occur to allow retail outlets to adapt. I will move an amendment to provide that flexibility to retailers 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. The amendment will make it clear that any retailer that refuses to sell a controlled item to a minor will not be taken to discriminate on the basis of age against that person under the Anti-Discrimination Act. This ensures that any retailer that wishes to introduce measures to restrict the sale of knives and other dangerous items to minors can do so immediately upon assent of this bill and with confidence, and I encourage those retailers to act as quickly as they can.

I will now address some of the issues raised by members during the debate. As the member for Ninderry said—

As this bill explores, weapons of choice come in many shapes and sizes. In addition to the use of knives in violent crimes, gel blasters have recently been used in armed robberies by young offenders.

The member for Ninderry continued—

These are not toys; they are replica firearms and can cause serious psychological harm in the event they are mistaken for genuine firearms. They can result in injury or death.

I agree with the member for Ninderry. This is a serious issue and I do welcome the change in position of those opposite when it comes to the gel blaster safety framework. Many members in this House may recall that in 2020 when we sought to strengthen the gel blaster safety framework those opposite opposed that and in fact ridiculed us for putting in place the safety framework—on the advice of the Queensland Police Service, mind you. It was interesting to reflect on some of those comments. In fact, it was the same member, the member for Ninderry, who in 2020 said about our safety framework—

... Labor chooses to pick on innocent children who own toys ...

The member for Currumbin said—

Labor is focused on cracking down on toy guns ...

The member for Kawana, in his usual way, said—

Are kids allowed to play that anymore? Is that a politically incorrect term that we are not allowed to use anymore? Are kids not allowed to play cops and robbers in the street for fear of a Labor minister thinking the world will end because kids are playing cops and robbers?

I welcome the LNP's support now of our safety framework and its change in position from 2020. It is important for us to have a safety framework when it comes to gel blasters that are replica firearms.

The member for Ninderry also raised an issue around the impact of this legislation on retailers, and a number of other members raised that as well. I want to acknowledge how supportive the retail sector has been in the development of this bill. In fact, there were numerous consultations with the sector prior to the introduction of this bill. However, it is also equally important to remember the words of Brett Beasley, who once again is in the gallery today with his wife, Belinda, who said—

We need to stop these retailers selling these knives to underage kids. It's so morally wrong. It's disgusting.

Brett, you know that I agree with a lot of what you say and you said it right there, and we agree with you again.

I note that the opposition has tabled some proposed amendments. In respect of those, I want to reiterate the words of the Premier. The Premier has made it very clear that youth crime is a very serious issue, and future substantive legislative amendments should be considered through a proper parliamentary process which will enable Queenslanders to have a say and ensure that all evidence in support of any amendments can be fully examined and scrutinised and that members have the opportunity to consider a committee report and any recommendations that that committee may have in respect of the scrutiny of any proposed amendments, and of course we would want to welcome the opportunity for members to contribute to a debate in that considered way.

I want to take this opportunity to thank all of those who have worked in the development of this bill. I particularly want to thank Jess Mudryk; Senior Sergeant Nicole Powell; and Michael Shears from the Strategic Policy and Legislation Branch within the Queensland Police Service. I also want to thank the Commissioner, Deputy Commissioner Shane Chelepy and Assistant Commissioner and Youth Crime Taskforce commander Andrew Massingham. I also want to give particular thanks to all of the Queensland Police Service right across the state who put community safety front and centre every time they are on shift and every time they are out there supporting community safety and helping to keep Queenslanders safe.

I want to thank my office for the work it has done in preparation of this bill and also Darren Cann from the Premier's office for his assistance in the development of this bill. Most importantly, I want to once again put on record all of those community champions who tirelessly campaigned for reform—reform in the interests of community safety—such as the Jack Beasley Foundation and acknowledge Brett and Belinda Beasley's tireless campaign to help strengthen Queensland laws. I sincerely thank them once again for their support of this bill and the assistance they provided to the committee in its consideration of this bill.

In closing, I want to reaffirm the Queensland government's unwavering dedication to addressing knife crime and ensuring the safety and security of all Queenslanders. This is important legislation. It has strong support right across the community—industry, community, individuals, households. It is legislation that in important ways came from the people. It is legislation for the people and it is legislation that supports community safety for all Queenslanders. I commend the bill to the House and I encourage all members to support it.