




Speech By
Hon. Mark Ryan

MEMBER FOR MORAYFIELD

Record of Proceedings, 1 May 2024

QUEENSLAND COMMUNITY SAFETY BILL

Introduction

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Community Safety) (10.08 am): I present a bill for an act to amend the Childrens Court Act 1992, the Corrective Services Act 2006, the Criminal Code, the Disaster Management and Other Legislation Amendment Act 2024, the Domestic and Family Violence Protection Act 2012—

Mr Bleijie interjected.

Mr SPEAKER: Pause the clock. Member for Kawana, you will cease your interjections.

Mr RYAN:—the Explosives Act 1999, the Judicial Review Act 1991, the Police Powers and Responsibilities Act 2000, the Summary Offences Act 2005, the Transport Operations (Road Use Management) Act 1995, the Weapons Act 1990, the Youth Justice Act 1992 and the legislation mentioned in schedule 1 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Community Safety and Legal Affairs Committee to consider the bill.

Tabled paper: Queensland Community Safety Bill 2024 [722](#).

Tabled paper: Queensland Community Safety Bill 2024, explanatory notes [723](#).

Tabled paper: Queensland Community Safety Bill 2024, statement of compatibility with human rights [724](#).

Mr Crisafulli interjected.

Mr SPEAKER: Pause the clock. Leader of the Opposition, I have made it clear the minister is presenting a bill. There is nothing controversial in what I can hear him saying in presenting the bill. I ask that you cease your interjections.

Mr RYAN: I also table the government's response to the recommendations of the Youth Justice Reform Select Committee. The response accepts, in principle, all 60 recommendations.

Tabled paper: Document, undated, titled 'Queensland Government Response to the Interim Report: Inquiry into ongoing reform to the youth justice system and support for victims of crime, Report No. 1, 57th Parliament—Youth Justice Reform Select Committee, April 2024' [725](#).

The Queensland Community Safety Bill 2024 supports the Miles Labor government's commitment to supporting victims, delivering for our front line, detaining offenders, intervening early and preventing crime before it happens. It is a key part of our Community Safety Plan for Queensland. It is a plan based on facts. It is a plan based on evidence. It is a plan based on the feedback from Queenslanders, backed in by the advice and insights of experts. It is plan built on solid foundations. It is a plan that enhances and expands on what works. It is a plan that we know will make a difference. It is a comprehensive plan built on considered and effective actions, programs and legislative change—more police, more resources, more intervention, more preventions, more victim supports and stronger

laws in this bill. This plan unlocks \$1.28 billion of additional investment from this government. It builds on the successful measures that we have seen reduce offending—as the Queensland Police Service has indicated has happened for some crimes—in the first quarter of this year, with new investment and expanded initiatives.

Despite the tough measures introduced in the Strengthening Community Safety Act 2023, some offenders persist in publishing material on social media, showing themselves and others committing offences. The glorification and glamorisation of their offending is offensive and further traumatises victims and the community. These types of posts not only make the community feel unsafe but also encourage other offenders to commit offences.

That is why our government is taking the strong and decisive stance to require the provider of an online service to remove material that depicts criminal offending by someone in Queensland. Particular Queensland Police Service employees, approved by the Commissioner of Police, will be empowered to give a notice to an online social network requiring it to remove the material within 24 hours. To ensure that providers comply with these requirements, there will be strong penalties. The Queensland Police Service will be able to apply to the Supreme Court for a civil penalty up to \$1.5 million for failure to comply with a removal notice.

The bill also creates a new offence in the Summary Offences Act 2005 for sharing material online to advertise the act or omission that constitutes a prescribed offence. The offence captures select property offences, stealing offences, violent offences, offences involving a vehicle and weapons offences. The bill also inserts a new circumstance of aggravation for certain offences in the Criminal Code mirroring the circumstance of aggravation for the unlawful use of a motor vehicle offence that was introduced last year. The advertising of these offending behaviours online to incite fear within the community and promote their continuation or more serious offending will not be tolerated.

The government recognises the importance of community members and journalists sharing images and videos in relation to offences within the community, and the bill makes it very clear that this conduct is not to be captured by the offence. These offences are intended to address the use of social media by offenders and their associates to glorify and glamorise the offender's criminal behaviour, which, in turn, is further traumatising for victims and impacts on community safety.

The bill addresses the dangerous driving behaviour by some offenders that places the lives of members of the community and frontline emergency workers in danger and impacts critical frontline service delivery. The Queensland Police Service continues to see police vehicles rammed by offenders who are evading police or who want to damage the vehicles. Serious driving behaviour that puts other road users, the community and emergency workers at risk is unacceptable.

The bill cracks down on offenders who harm, or seek to harm, emergency workers and emergency vehicles, offenders who commit dangerous driving offences and offenders who publish material in relation to offences on social media platforms. Damaging emergency vehicles has significant financial and service delivery impacts, particularly on the Queensland Police Service. To address this behaviour and send a clear message that the Queensland government does not tolerate the ramming of emergency vehicles, the bill amends the Criminal Code to create a new standalone offence for causing damage to an emergency vehicle while operating a motor vehicle.

The offence applies where the person knew, or ought reasonably to have known, the damaged vehicle was an emergency vehicle and the person intended to damage the vehicle or endanger the safety of an emergency worker. During their duties, police officers frequently work on the roadside or other places where people drive motor vehicles. It is their duty to attend volatile and dangerous situations and remain until they are resolved. While there, they can be exposed to an increased risk of violence. This is particularly so where the driver operates a vehicle in a way that deliberately puts the police officer's safety at risk, such as deliberately swerving in a vehicle towards a police officer and deliberately driving at and chasing police vehicles while attempting to ram the vehicle.

To ensure the occupational vulnerability of police officers is recognised in the Criminal Code, the bill introduces a new offence for injuring or endangering the safety of a police officer while operating a motor vehicle. These new offences intend to reflect the seriousness of this type of offending and ensure that violent behaviour targeted at emergency workers and its impact on the community is appropriately addressed. We want to send a strong message to those criminals that, if you are going to target our police and emergency services personnel, then you should expect severe consequences, including jail.

The bill provides for further protection of emergency vehicles by inserting a new special case for wilful damage where the damage is caused to an emergency vehicle. This damage, although lesser in culpability and severity than ramming, still has a significant impact on the community as it renders a vehicle inoperable whilst awaiting repairs, impacting frontline duties. The bill also amends Criminal Code section 408A—the unlawful use of a motor vehicle—and section 427—the unlawful entry of a

vehicle—to insert a new circumstance of aggravation where the vehicle in question is an emergency vehicle, ensuring that offenders who actively target emergency vehicles to commit an indictable offence are held accountable for their behaviour.

To send the clearest message that dangerous driving in Queensland is unacceptable, the bill increases the maximum penalties for dangerous operation causing death or grievous bodily harm to 14 years and, where a circumstance of aggravation applies, 20 years. It also inserts a new circumstance of aggravation where the person was evading police at the time of committing the offence, with a maximum penalty of 20 years. This law is inspired by the advocacy of Claudine Snow, and this law will be known by Claudine and her family as Susan's Law in honour of her mother and family who died in tragic circumstances. The increase in penalties aligns with other similar violent offences and community expectations where the degree of harm inflicted through this behaviour causes the greatest harm to another person and the community.

The possession of knives in public places poses a significant and escalating risk to community safety, with the potential for incidents to quickly escalate to the weapon being used to commit serious and violent crimes. The Miles government remains committed to reducing unlawful possession of knives in public places to minimise the risks of harm associated with knife related crime.

To further facilitate greater operation of the current Jack's Law, the bill amends the Police Powers and Responsibilities Act 2000 to increase the scope of prescribed public places in which police officers can conduct handheld scanning to detect unlawfully possessed knives and combat increasing knife related crime. These amendments have, once again, been inspired by the tireless efforts of Brett and Belinda Beasley from the Jack Beasley Foundation, whose campaign has contributed to enhance community safety.

The bill extends the existing Jack's Law framework to additional venues, namely: shopping centres and retail premises; sporting and entertainment venues; licensed premises; and Queensland Rail train lines, including the Gold Coast Light Rail. These places are generally characterised by elevated pedestrian density and greater risk of an offence occurring. These amendments will increase public safety in key areas and seek to reduce the risk of knife related offences occurring in these areas by knives from the wrong hands. The trial will also be extended to 30 October 2026 to allow the expanded framework to be independently and robustly evaluated.

The expansion of Jack's Law to capture additional premises and locations, with appropriate safeguards, is a necessary response to knife related incidents we continue to see in our community. The existing penalty for the offence of possessing a knife in a public place or a school in section 51 of the Weapons Act 1990 is 40 penalty units or one year in prison. As was previously announced only a few months ago and to complement the expansion of Jack's Law, the bill amends the Weapons Act 1990 to increase the maximum penalty for this offence to 50 penalty units or 18 months in prison for a first offence and 100 penalty units or two years in prison for a second offence.

In the wake of the Bondi Junction attack, on top of other devastating events in our own community, government action is now, more than ever, crucial. The Miles government is committed to bolstering our comprehensive strategy to disrupt and deter violent offences that involve knives and support community safety. The government has funded a community education campaign that will roll out this year in respect of that.

The Australian Criminal Intelligence Commission estimates there are at least 200,000 firearms in the Australian illicit firearm market. As part of this industry, there is also an increasing trend where organised crime gang groups, including outlaw motorcycle gangs, engage in the trafficking of illicit firearms. This bill seeks to address the increased risk of firearm related offences by introducing a firearm prohibition order scheme in Queensland. A firearm prohibition order prohibits an individual who is subject to the order from possessing, using or acquiring a firearm or firearm related item and empowers police officers to conduct searches of the individual, their vehicle or residence to ensure compliance with the order.

Under this scheme, a firearm prohibition order can be issued against high-risk individuals if the decision-maker is satisfied it is in the public interest to make the order. For example, a firearm prohibition order may be issued against a person with a significant history of violence, propensity to misuse firearms and/or is involved in a criminal or terrorist organisation. We know these are significant powers, and that is why we have ensured a number of safeguards have been included. The model proposed will provide effective protection for the Queensland community against the illicit movement, trafficking and use of illicit firearms in Australia.

The bill also includes a number of amendments relevant to the Weapons Act 1990 and the Explosives Act 1999 to provide greater focus on public safety. Namely, the bill will expand the mandatory exclusion period for individuals who have committed prescribed offences, such as murder

and armed robbery, to make them unsuitable to possess a firearm for 10 years and ensure that any licence or authority required to lawfully purchase ammunition is sighted and verified at the point of sale when ammunition is being purchased using an available online verification checking system.

As part of the Miles government's Community Safety Plan for Queensland, we will deliver an additional 900 police personnel over three years. This means our record investment in policing is delivering more than 3,000 extra police personnel across Queensland. To further uplift the capacity of our frontline police to support community safety, it is essential that we support service delivery efficiencies to reduce the operational workload and administrative burden on the front line. This bill will increase options available for roadside policing to enable broader access to digitisation methods for document service in certain cases and utilise existing service-system functions to serve documents on prisoners in custody.

Hooning remains a significant issue for police, with hooning events organised regularly where there can be up to 200 vehicles in attendance. Even with police officers attending these events, they are simply outnumbered compared to the number of offenders either spectating or committing hooning behaviour. The bill amends the existing hooning offence under section 19C of the Summary Offences Act 2005 to clarify that it is an offence to view a group activity where a hooning offence is being committed. This ensures that the scope of the offence clearly includes both passengers participating in and persons spectating, without a reasonable excuse, hooning behaviour. To ensure that the offence does not capture involuntary viewers who are passers-by, 'spectate' is defined as remaining at a location where hooning activity is occurring to watch the activity. Examples have also been included in the provision to clarify the types of circumstances that may amount to a reasonable excuse for someone to spectate a hooning event, such as a journalist or person gathering information for a police or news report.

This bill expands the eligibility criteria for the current electronic monitoring trial to increase the sample size to properly determine whether electronic monitoring reduces reoffending among serious repeat offenders and whether it is an effective alternative to detention. The expansions add a number of new prescribed indictable offences involving violence or threats of violence and include children who have been charged with a prescribed indictable offence within the preceding 12 months. The inclusion of children who have been charged in the preceding 12 months, even if they have not been found guilty, is to ensure 'rapid onset' serious repeat offenders are not excluded from electronic monitoring.

The opposition like to reinvent history when it comes to community safety in Queensland. It is very clear that breach of bail was never an offence for young people under the LNP. They wasted millions of dollars on a failed boot camp experiment to breed fitter, faster criminals, leading to more recidivism—that was not secure.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Krause): Order! Pause the clock. Members, we will have order in the House.

Mr RYAN: They cut support for victims, including almost \$323,000 from Victim Assist Queensland and \$259 million from community sector organisations, many of which supported victims of crime. They abolished the Murri Court and the Queensland Sentencing Advisory Council. They cut over \$170 million from the Department of Justice and Attorney-General and \$10 million from the department of youth justice. The LNP failed to back police with the resources they needed to fight crime. They cut police personnel, including 110 senior officers. They took police away from frontline roles to work in complicated and inefficient bureaucracies they created. They have a history of introducing laws that do not work. The LNP's sex offender laws were declared invalid by the Court of Appeal. What's more, as a result of the LNP's laws, the monitoring of 1,700 sex offenders ceased.

Mr BLEIJIE: Mr Deputy Speaker, I rise to a point of order. There are longstanding orders and conventions. The introduction of a bill by the minister is to explain the bill to the House. Standing order 130(1) prevents debate on a bill and prevents other members of the parliament debating the bill. The minister is attacking his opponents without the opposition having the right of reply. I ask that you bring the minister back to explaining the bill and not debating the bill.

Mr DEPUTY SPEAKER: I have heard your point of order. I will seek some advice.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! I will get some advice in silence, please. Thank you, member for Kawana, for your point of order. Minister, in order for you to continue with your explanatory speech, I would ask that you explain the bill. There is some latitude to give context to the bill that you are introducing. However, I would ask that you please adhere to standing order 130(1) and explain the contents of the bill to the House.

Mr RYAN: Thank you, Deputy Speaker. Our laws are workable, our laws are strong, unlike those opposite. The bill replaces the wording in principle 18 of schedule 1 of the Youth Justice Act which is the charter of youth justice principles with—

A child should be detained in custody, where necessary, including to ensure community safety, where other non-custodial measures of prevention and intervention would not be sufficient, and for no longer than necessary to meet the purpose of detention.

We are proposing to make it plain that the intention has always been that a child may be detained where necessary, including for legitimate and existing sentencing reasons such as community safety purposes.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! Members, I cannot hear what the minister is saying.

Mr RYAN: This principle has been misrepresented to suggest that the courts are unable to impose detention—

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! Members, if I am to rule on points of order, I need to hear what the minister is saying. Members on my left, you are preventing me from doing that at this point.

Mr RYAN: This principle has been misrepresented to suggest that the courts are unable to impose detention if other penalties are available to the court. This is not correct. The extent of the misrepresentation is affecting public confidence in the youth justice system. We are seeking to address these misrepresentations and make the operation and intent of the principle clearer. We believe that this wording, along with the extrinsic materials provided with the bill, will provide the judiciary with the information required so that the intent of the legislation is clear. We have, of course, obtained specialist legal advice to inform our approach, which reinforces what we have always said—that is, the courts have all the tools in their toolbox to make decisions in the interests of community safety. We are confident that our proposed rewording meets our policy intent—that is, to make it plain that a child may be detained where necessary for community safety. Queenslanders expect to be safe and feel safe, and we will continue to deliver measures to support our police and agencies to achieve this.

The Youth Justice Reform Select Committee heard evidence that transparency in the youth justice system, including its accessibility to victims, has a significant impact on the community's confidence in the system and success in the reforms. Currently, criminal proceedings against children are open to the public when they are heard by a Childrens Court judge on indictment or by a Supreme Court judge. Where criminal proceedings are not heard on indictment, such as when heard in the Magistrates Court, access to proceedings can be limited by the court.

The Miles government has heard victims and the media calling for greater access to Childrens Court criminal proceedings. The bill will amend section 20 of the Childrens Court Act 1992 to ensure a victim or a relative of a deceased victim can be present during Childrens Court proceedings. Special provisions will apply where a Childrens Court magistrate is considering dismissing or adjourning a hearing of a similar offence due to the child defendant's unsoundness of mind or unfitness for trial.

The amendments will also allow a victim's representative and accredited media entities to be present during these criminal proceedings unless the court considers it necessary to exclude them to prevent prejudice to the proper administration of justice or to protect the safety of any person. Otherwise, Childrens Court criminal proceedings not heard on indictment will remain closed to the general public. Offences regarding the prohibition of the publication of certain information, such as a child defendant's identifying information, will continue to operate.

The comprehensive package of legislative reform contained in this bill would not be possible without the dedication of the brilliant and talented public servants who work for the Queensland Police Service, the Department of Youth Justice, the Department of Justice and Attorney-General and the Department of the Premier and Cabinet. On behalf of all of us, I want to particularly thank them for their contribution to this bill which will make Queensland a safer place.

In addition, I would like to thank the mighty drafters at the Office of the Queensland Parliamentary Counsel for their expert work. Many Queenslanders—

Opposition members interjected.

Mr DEPUTY SPEAKER (Mr Krause): Order! Members on my left.

Mr RYAN: They still hate public servants, Deputy Speaker.

Mr DEPUTY SPEAKER: Order, minister!

Mr RYAN: They cannot—

Mr Bleijie interjected.

Mr DEPUTY SPEAKER: Member for Kawana, your interjections are not being taken. Minister, can you continue your introductory speech, please.

Mr RYAN: Thank you, Deputy Speaker. They cannot even listen in silence when I am thanking a public service. Outrageous! Once again, I would like to thank the mighty drafters at the Office of the Queensland Parliamentary Counsel for their expertise and dedication to the people of Queensland.

Mr Mickelberg interjected.

Mr RYAN: Again, they cannot even listen to thanks for public servants. Many Queenslanders would not know—

Mr Mickelberg interjected.

Mr DEPUTY SPEAKER: Member for Buderim, your interjections are disorderly—cease.

Mr RYAN: Many Queenslanders would not know, but these fine public servants are some of our state's unsung heroes when it comes to legislation. They take the government's policies and turn them into laws. On behalf of the Miles government, we thank them for their support in this and all legislation.

This bill is a key part of our Community Safety Plan for Queensland. It is a plan for the community, from the community. Each element of this plan connects to the others, reinforcing, enhancing and strengthening their impact. Crime is complex, but we do know what works. More police, more boots on the ground, more prevention and more intervention, breaking the cycle of crime, supporting victims and detaining those who cause harm. We are not doing just one thing, we are doing all of these things, doing them all in a comprehensive and coordinated way to suppress, disrupt, reduce and prevent crime. The Miles government will always do all within its powers to make Queenslanders safe and for them to feel safe. I commend the bill to the House and I encourage all members to support it.

First Reading

Hon. MT RYAN (Morayfield—ALP) (Minister for Police and Community Safety) (10.36 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Community Safety and Legal Affairs Committee

Mr DEPUTY SPEAKER (Mr Krause): Order! In accordance with standing order 131, the bill is now referred to the Community Safety and Legal Affairs Committee.