




Speech By
Michael Hart

MEMBER FOR BURLEIGH

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

 **Mr HART** (Burleigh—LNP) (6.17 pm): I too rise to talk on the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023. The objectives of the bill are: to prohibit the sale of knives and other weapons, known as controlled items, to minors; to make 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; to require retailers to display signage advertising the legal prohibition against the sale of controlled items to minors; to prohibit 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; to impose obligations on suppliers of particular controlled items to safely secure the items at a retail location; and to make consequential amendments to support these reforms such as allowing a police officer to request to see proof of age if they reasonably suspect that a person under the age of 18 has been sold a controlled item and authorising police to seize the item under certain circumstances.

I was on the committee that considered this bill. I would really like to thank the Jack Beasley Foundation. Belinda Beasley appeared before the committee. I understand that Brett was not well that day and could not attend. Belinda explained why it is so important to pass this legislation to stop juveniles from obtaining weapons. Today we have heard from members on both sides of the House about the problems that come from this. I was a bit concerned about the issues this might cause some of our retailers with regard to having to secure these items and the cost involved in doing so—the cost involved in training staff et cetera. I think those concerns are outweighed by the opportunity to make sure that our youth, especially young thugs who are roaming our streets at the moment, cannot get a knife in one fashion. I totally agree with other members who have said that there are opportunities for young thugs to get knives from all over the place, but if we take away one of those opportunities then maybe we have done a good thing.

The committee made three recommendations: one is that the bill be passed; two is that the Queensland Police Service develop guidance and resource materials, in consultation with the retail sector, to support businesses implement new operational obligations introduced by the bill; and three is that the Queensland government consider undertaking an education campaign to inform the public and stakeholders about the changes introduced by the bill. I think that is something that needs to be moved along.

The Premier earlier today said they were bringing this particular legislation to the parliament quickly. That is not really the case. This bill was tabled last year. It has gone through the committee process. The only thing that has been accelerated today is that this bill was made the first order of the day on the *Notice Paper*. That is the only thing that has been accelerated today. I understand that the minister intends to move amendments that will mean that should some business decide they want to

implement this straightaway, they can do so as they will not be discriminating against a minor if they refuse to sell them a knife. How many businesses do we expect will take this up? I do not think too many businesses will rush into it.

Mr Power: What about social pressure?

Mr HART: I take the interjection from the member for Logan. There may be some social pressure to do it. I tend to think that it might only be larger businesses that can move quickly to put these practices into place. I cannot see smaller businesses doing this quickly. The committee heard that this legislation will not be fully enacted for something like six months or maybe even longer. That is when we can expect these provisions to really kick in and for these knives to stop ending up in the hands of juveniles.

I have a bit of firsthand experience in that my daughter saw a young person buy a machete from a retailer on the Gold Coast from what seemed to be a friend of theirs and then unpack this machete and throw it on the back seat of a car. You have to wonder why they needed a machete. They did not look like they were going to instantly go and do a bit of gardening or something like that. One has to think that there may have been some criminal intent there. I think it is a good thing that we stop these young thugs from accessing these sorts of items.

As I said, I take onboard the extra cost of storage that some of our retailers are going to be faced with. They did suggest that the committee consider recommending that the government pay for that storage or pay for that impost on businesses. We were not of a mind to do that.

What concerns me is that these controlled items can be changed by regulation. The government tend to do this a lot where they give a head of power in legislation to make serious changes by regulation. Those regulations come in instantly and then can be disallowed in a period of time. That does not allow for good scrutiny by the parliament. It would be better for them to be placed in the legislation to start with.

As far as banning gel blasters is concerned—I will probably take a hit from my deputy leader—I agree that they should be banned, especially the ones that look like guns. They are placing our police officers in a very dangerous situation where, if somebody waves something at you that looks like it might be a gun, you have to react instantly to it. Then some terrible tragedy might happen that should not have happened. I think banning young people from accessing gel blasters is probably a good thing.

I wanted to tackle a couple of things that some members have said here tonight. I am particularly concerned with the comments from the member for Noosa tonight, who is the chair of the Youth Justice Select Committee and does not appear to understand the sentencing conditions in the Youth Justice Act. She said that there were a couple of primary concerns there. Yes, there absolutely are, but if she bothered to read section 150 of the Youth Justice Act titled 'Sentencing principles' she would understand why we want to omit detention as a last resort.

People I talk to in my electorate—and I am out there regularly talking to them—want there to be some consequences for the actions of these young thugs. When they break into somebody's house or they break into a minister's house in Townsville and take his car, there needs to be some consequences for that. For anybody who has had their house broken into or their car stolen recently, I am sure they would agree with me that they would like to see the people who did that face some consequences. A consequence can be a sentence of some sort.

Taking away detention as a last resort does not mean that someone will automatically be sentenced. Some members on the other side have tried to convince us that this is some sort of mandatory situation. That does not mean that at all. It just means that we are uncuffing the judiciary and allowing them to make a reasonable decision based on what has happened in each individual circumstance.

I also wanted to take the member for Cooper to task. She said that she agreed that we should be opening up the youth courts and that she would at some stage in the future support such legislation, but apparently she will not support it tonight. One has to wonder why it is that members on the other side of the House agree with something yet they will not vote to support it just because we suggested it. I remind members on the other side that they have copied a fair few of our suggestions—breach of bail being one. Word for word they copied our amendment that we put forward. For a couple of years they said it would not work and then they went and did it themselves. They love reinventing history. It is only the LNP that has the right priorities for Queensland.

(Time expired)