




Speech By  
**Sandy Bolton**

**MEMBER FOR NOOSA**

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Record of Proceedings, 13 February 2024

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

 **Ms BOLTON** (Noosa—Ind) (5.04 pm): As we have heard, this bill represents a response from the government to the ongoing issue of knife crime in our communities. As relayed in the State Development and Regional Industries Committee report, the Deputy Commissioner of the Queensland Police Service said that knife related crime had increased 18 per cent since 2019 and 22 per cent for persons under 18 in five years, with 2,177 reported offences in 2022-23. As chair of the Youth Justice Reform Select Committee, I am very aware of the importance of addressing violence in an effort to achieve greater safety.

This bill makes it an offence to sell a controlled item to a person under the age of 18 and applies irrespective of whether the item was sold privately, at a local market or by a commercial seller at a retail outlet. It also prohibits a person from falsely representing themselves as 18 years or older to purchase one of those items. As we have heard, these controlled items are knives, swords, machetes, axes, sickles, scythes, spear guns, spears or replica firearms. The last item captures lifelike toys known as gel blasters, which Queensland police say have been used to commit serious offences, including armed robberies.

As was raised in the committee's inquiry, a new law will apply to many commercial businesses and comprehensive guidance will be needed. The Queensland Small Business Commissioner gave the example of local newsagents which sell all types of giftware and said that some small businesses struggle to stay across emerging regulatory requirements and may inadvertently not comply due to a lack of awareness or misunderstanding. The Shopping Centre Council of Australia recommended that the government develop educational material to provide clarity with a community awareness campaign. The QPS has undertaken to work alongside the retail sector to communicate these reforms to customers and the public and support the respectful treatment of retail workers, which is essential.

Other organisations raised issues with the new laws, including the Aboriginal and Torres Strait Islander Legal Service and Queensland Indigenous Family Violence Legal Service, with the Queensland Law Society noting that the law will lead to more young people and police interactions which could further entrench young people in the criminal system. The Queensland Police Service noted these positions and stated that the bill represented government policy. This bill is also designed to complement other legislative strategies to prevent knife crime such as the Police Powers and Responsibilities Amendment Bill and legislation, known as Jack's Law, that was passed last year. The act extends police powers to allow officers to use handheld metal detectors to detect knives—called wandering—in safe night precincts, on public transport and in public transport hubs throughout Queensland. At that time, I highlighted that the restriction to only certain designated areas was insufficient and that wandering powers should be extended to all Queensland, as knife crime knows no boundaries.

At the end of 2022 we had the horrific stabbing death of a mother in North Lakes and this year a beautiful grandmother in an Ipswich shopping centre. Our hearts go out to all. As I relayed in my statement of reservation to the committee report on Jack's Law, knife crime is not constrained to just public transport or safe night precincts. As I have raised in this chamber, my own community has experienced violence, with visiting youths rampaging in Hastings Street, jumping on cars and terrorising all. Last year there was a stabbing that thankfully was not fatal. I want to re-emphasise my original point from two years ago: wanding powers must be extended to all of Queensland so that police have these powers when they need to use them.

It takes many steps to end violence, and this bill is just one of those. Addressing the contributing factors is key, as knives can be replaced by other lethal weapons such as we saw in Noosa with broken bottles, pieces of four-by-two or rocks. We need to remedy the underlying causes of the rage, including mental illness and childhood abuse. Until we do, there will continue to be danger in our communities.

Regarding one of the proposed amendments being discussed in this chamber, I must admit that I am confused. Nowhere yet has it been put forward as to how removing detention as a last resort—which is standard in other jurisdictions nationally and internationally—will reduce offending or create safer communities. Magistrates are currently unshackled—I do not know why it is said that they are shackled—with no restrictions to detain dangerous offenders, with the sentencing principles underpinned by two fundamental principles: that public safety is paramount and that community confidence is critical.

What we have heard is that to create safer communities we must intervene much earlier with mandatory compliances that are for longer periods for rehabilitation to be effective, with transitional programs and an appropriate residential component to reduce the current unacceptable percentage of those reoffending after they leave detention, which is well above 90 per cent. We must stay with evidence-based decisions, as ones that are ad hoc and part of what appears to be politicking can be detrimental to all, including the work currently being undertaken by the select committee, IMAC and the Victims' Commissioner.

We are all very serious about seeing an end to this violence, and to say otherwise is offensive and inappropriate. I thank the minister and departmental staff, the committee and its members and all who contributed to the inquiry into this bill. May these efforts provide at least one element of reprieve whilst we continue working to remove the reasons Queenslanders want to harm one another.