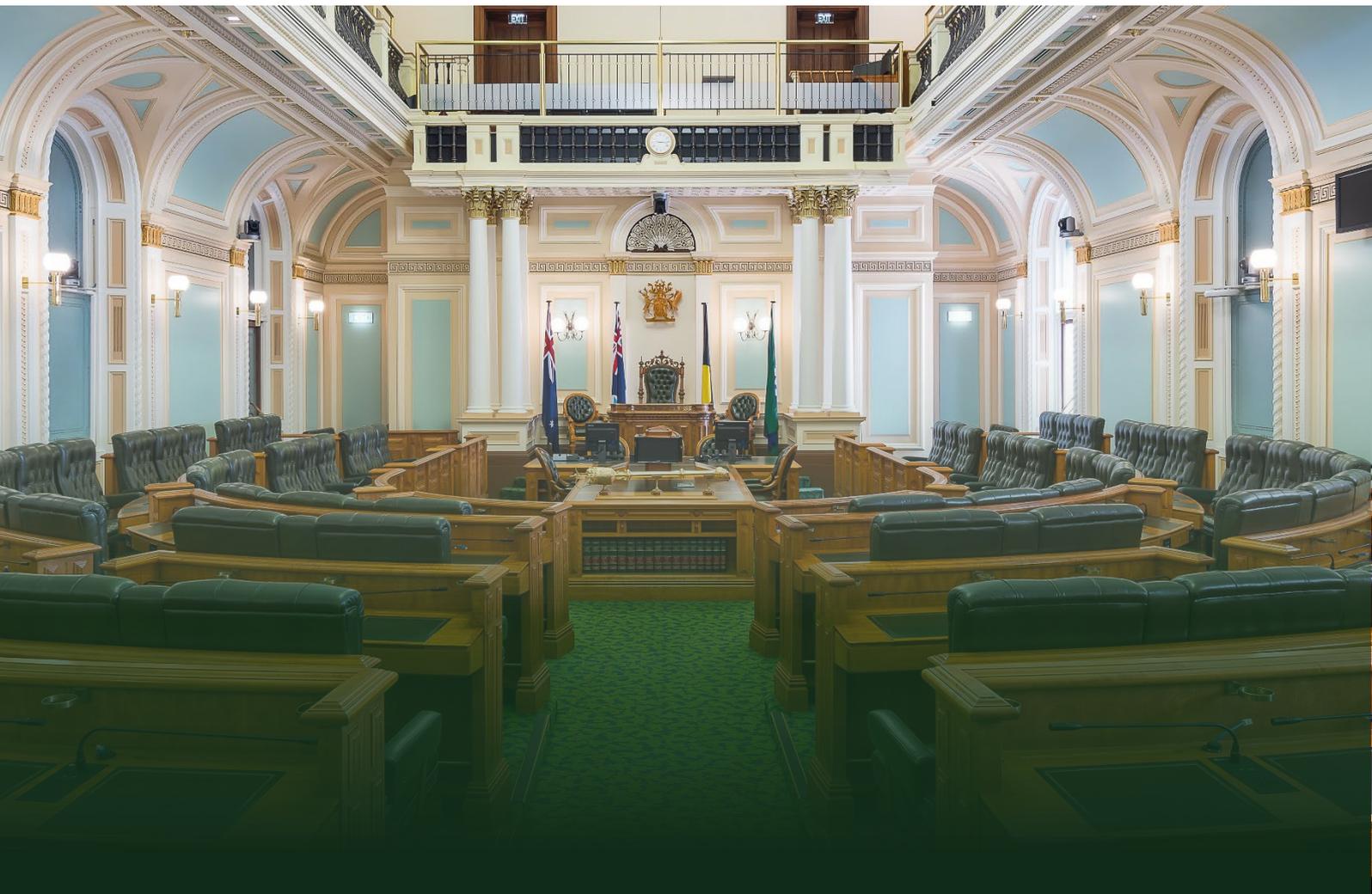




QUEENSLAND PARLIAMENT **COMMITTEES**

Fighting Antisemitism and Keeping Guns Out of the Hands of Terrorists and Criminals Amendment Bill 2026

Justice, Integrity and Community Safety Committee



Report No. 27

58th Parliament, February 2026

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Justice, Integrity and Community Safety Committee

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Chair's Foreword

This report presents a summary of the Justice, Integrity and Community Safety Committee's examination of the Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026.

The committee's task was to consider the policy to be achieved by the legislation and the application of fundamental legislative principles – that is, to consider whether the Bill has sufficient regard to the rights and liberties of individuals, and to the institution of Parliament. The committee also examined the Bill for compatibility with human rights in accordance with the *Human Rights Act 2019*.

I wish to note the importance of this inquiry and acknowledge the gravity of the issues before the committee. I am proud to be part of a Crisafulli government that has acted decisively in response to the terrible incident at Bondi, taking steps aimed at stamping out antisemitism wherever it occurs in our communities.

At the request of regional Queenslanders, the committee travelled outside the southeast to Townsville to ensure their voices were properly heard. It was vital that we listened directly to those in the regions where proposed firearms reforms have particular relevance for everyday life. It was also deeply concerning to hear that antisemitism is not confined to metropolitan areas but is regularly experienced in regional communities as well.

I extend my sincere gratitude to all witnesses who appeared before the committee, especially those who shared emotional and personal accounts of their recent experiences with antisemitism—demonstrating courage in standing up and speaking out.

On behalf of the committee, I thank the many individuals and organisations who made written submissions on the Bill.

I also thank our Parliamentary Service staff and the Queensland Police Service.

I commend this report to the House.



Mr Marty Hunt MP

Chair

Recommendations

Recommendation 1 **11**
The committee recommends that the Bill be passed.

Glossary

AD Act	<i>Anti-Discrimination Act 1991</i>
ADF	Australian Defence Force
AIA	<i>Acts Interpretation Act 1954</i>
AMAN	Australian Multicultural Action Network Incorporated
Bill	Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Bill 2026
CCC	Crime and Corruption Commission
Committee	Justice, Integrity and Community Safety Committee
Criminal Code	<i>Criminal Code 1899</i>
DoJ	Department of Justice
ECCQ	Ethnic Communities Council of Queensland
FDAQ	Firearms Dealers Association - Queensland
FLP	Fundamental Legislative Principle
FOU	Firearm Owners United
FPO	Firearms Prohibition Order
HRA	<i>Human Rights Act 2019</i>
ICQ	Islamic Council of Queensland Inc
JWG	Joint Working Group of National Investigative Powers
LSA	<i>Legislative Standards Act 1992</i>
PHAA	Public Health Association Australia
PIM	Public Interest Monitor
PPRA	<i>Police Powers and Responsibilities Act 2000</i>
PSA	<i>Penalties and Sentences Act 1992</i>
PSAA	<i>Police Service Administration Act 1990</i>
QPS	Queensland Police Service
QPU	The Queensland Police Union of Employees
SSAA	Sporting Shooters Association of Australia
Weapons Act	<i>Weapons Act 1990</i>
Youth Justice Act	<i>Youth Justice Act 1992</i>

Overview of the Bill

The Fighting Antisemitism and Keeping Guns Out of the Hands of Terrorists and Criminals Amendment Bill 2026 (Bill) was introduced to the Legislative Assembly by the Honourable Dan Purdie MP, Minister for Police and Emergency Services, and was referred to the Justice, Integrity and Community Safety Committee (committee) on 10 February 2026 for consideration.

1. Aims and context of the Bill

The aim of the Bill is to deliver on the Government's commitment to stronger laws which stamp out antisemitism and prevent the misuse of firearms by terrorists and criminals.¹ The objectives of the Bill are listed in Appendix A.

The introduction of the Bill follows the events of 14 December 2025, when two gunmen opened fire at a Hanukkah celebration at Bondi Beach, killing 15 individuals.² To date, it is Australia's most deadly act of terrorism and the second-deadliest mass shooting.³

In his introductory speech, the Minister for Police and Emergency Services, said:

*This attack ... emphasised the need for stronger laws to combat anti-Semitism, hate crimes and serious and organised crime, to protect community safety and to prevent firearms from falling into the hands of those who pose the greatest risk to Queenslanders. This government is resolute in ensuring every person in Australia has the right to practise their faith, celebrate their culture and live their lives free from fear, hatred and violence.*⁴

In a ministerial statement to the Legislative Assembly, the Honourable Deb Frecklington MP, Attorney-General and Minister for Justice and Minister for Integrity, highlighted that the proposed reforms are 'practical and proportionate and are focused on prevention, accountability and safety'.⁵

1.1. Key issues under the Bill

Sections 5, 6 and 7 of this report discuss the following key issues raised during the committee's examination of the Bill:

- Amendments to the Criminal Code to stamp out antisemitism:
 - strengthening bans on hate symbols
 - prohibiting particular expressions; and
 - protecting faith communities

¹ Explanatory notes, p 1.

² Explanatory notes, p 1.

³ Explanatory notes, p 1; Queensland Police Service (QPS) and Department of Justice (DOJ), written briefing, 13 February 2026, p 1. See also Lydia Khalil, 'What we know about the Bondi Attack' (The Lowy Institute, Blog, accessed 11 February 2026) <<https://www.lowyinstitute.org/the-interpreter/what-we-know-about-bondi-attack>>.

⁴ Queensland Parliament, Record of Proceedings, 10 February 2026, p 30.

⁵ Queensland Parliament, Record of Proceedings, 10 February 2026, p 13.

- Other amendments to the Criminal Code:
 - to include firearms, knives and other bladed items in section 540 of the Criminal Code
 - to increase the maximum penalty for stealing a firearm or ammunition
 - to include a new offence prohibiting acts done in preparation of terrorist acts to cause death or grievous bodily harm
- Amendments to the *Weapons Act 1990* (Weapons Act):
 - to increase maximum penalties of various provisions
 - to introduce new offences:
 - prohibiting the reckless discharge of weapons towards a premises, dwelling or a vehicle
 - prohibiting the possession and distribution of blueprint material for the manufacture of 3D printed firearms
 - to mandate citizenship requirements for firearms ownership
 - to broaden the scope of considerations for firearms licensing decisions
 - to align Firearm Prohibition Orders with interstate jurisdictions
 - to amend the Weapons Regulation 2016 to strengthen storage requirements for certain categories of weapons
- Amendments to the *Youth Justice Act 1992* (Youth Justice Act) to prescribe additional offences as being part of 'Adult Crime, Adult Time'
- Increases to maximum penalties for certain weapons offences; and
- Amendments to the *Police Powers and Responsibilities Act 2000* (PPRA) regarding controlled operations

2. Inquiry process

The committee received and considered the following evidence:

- 410 written submissions from stakeholders
- a written briefing provided by the Queensland Police Service (QPS) and Department of Justice (DoJ) on 13 February 2026
- a public hearing in Townsville on 18 February 2026; and
- a public hearing and public briefing in Brisbane on 19 February 2026.

The committee's public hearing in Townsville was an important opportunity to hear regional voices on the Bill. The hearing was very well attended by the local community and the committee heard from a range of interested stakeholders and individuals who shared their

views on the proposed measures to strengthen community safety and tighten gun control in Queensland.

Of the 410 submissions, two were published as 'form' submissions. Form A (or a variation of Form A) was made by 156 submitters and Form B (or a variation of Form B) was made by 5 submitters.

3. Legislative compliance

The committee's deliberations included assessing whether the Bill complies with the requirements for legislation as contained in the *Parliament of Queensland Act 2001*, the *Legislative Standards Act 1992 (LSA)*,⁶ and the *Human Rights Act 2019 (HRA)*.⁷



3.1. Fundamental Legislative Principles

The LSA requires that explanatory notes are circulated when the Bill is tabled which set out the information required to understand the policy objectives of the Bill and must examine the Bill's consistency with fundamental legislative principles.⁸

Committee comment



The committee is satisfied that the explanatory notes contain the information required by Part 4 of the LSA, including a sufficient level of background information and commentary to facilitate understanding of the objectives and purpose of the Bill.

The committee's assessment of the Bill's compliance with the LSA identified the following issues which are analysed in the report:

- the rights and liberties of individuals
- the institution of Parliament – delegations of legislative power
- relevance and proportionality of penalties; and
- retrospectivity.

⁶ *Legislative Standards Act 1992 (LSA)*.

⁷ *Human Rights Act 2019 (HRA)*.



3.2. Human rights compliance

A statement of compatibility was tabled with the introduction of the Bill as required by section 38 of the HRA. The statement of compatibility identified potential incompatibility with human rights, including:

- the right to recognition and equality before the law
- the right to life
- the freedom of movement
- peaceful assembly and freedom of association
- property rights
- privacy and reputation
- the right to liberty and security of the person
- the right to humane treatment when deprived of liberty; and
- the right to a fair hearing.

Committee comment



The statement of compatibility contained a sufficient level of information to facilitate understanding of the Bill in relation to its compatibility with human rights.

The committee found that the Bill is compatible with human rights. It considered that any potential incompatibility with the human rights as set out in the HRA was justified in the circumstances and necessary to achieve the purpose of the Bill.

4. Should the Bill be passed?

The committee is required to determine whether or not to recommend that the Bill be passed.



Recommendation 1

The committee recommends that the Bill be passed.

Examination of the Bill

This section discusses key themes raised during the committee's examination of the Bill. It is limited to those matters which formed the substantive body of evidence received by the committee and does not consider every issue raised by stakeholders.

Due to the reporting timeframe, the report does not discuss the QPS written response to submissions. This document is available on the committee's website. Further, the report does not discuss all consequential, minor, or technical amendments in the Bill.

5. Amendments to the Criminal Code - stamping out antisemitism

In response to the Bondi Beach terrorist attack, Federal and State governments have introduced a range of measures to fight antisemitism and other hate speech. These proposed amendments are intended to limit the risks posed by individuals with extremist ideologies and complement the existing Commonwealth and Queensland legal frameworks protecting against hate speech.

As discussed below, overall, there was widespread support for the general concept of the 'fighting antisemitism' aspects of the Bill, however, certain submitters did raise concerns about the effectiveness of the proposed changes.

5.1. Expanding and strengthening the prohibited symbol offence

Section 52C of the Criminal Code empowers the Attorney-General to prohibit symbols on an individual basis under regulation, and acts to complement the Commonwealth legislation.⁹ A 'prohibited symbol' is either, a symbol or image prescribed by regulation, or any image that so closely resembles a prescribed symbol that it is likely to be confused with, or mistaken for, that symbol.¹⁰ The Bill expands the Attorney-General's power to prescribe symbols to include graphic representations, written descriptions, or a combination, to enable flexibility.¹¹

To protect Queenslanders from the harm of the public display of symbols which represent extremist ideologies and violence, the Bill empowers the Attorney-General to classify 'state sponsors of terrorism', or 'terrorist organisations', as a prescribed organisation by regulation in Queensland, where those organisations are also listed under the Commonwealth Criminal Code.¹² At the time the Bill was introduced, the only symbol prescribed by the Criminal Code (Prohibited Symbols) Regulation 2024 is the Nazi

⁹ *Criminal Code 1899*, s 52C (Criminal Code).

¹⁰ Criminal Code, s 52C(1); Explanatory notes, pp 3, 22.

¹¹ Fighting Antisemitism and Keeping Guns Out of the Hands of Criminals and Terrorists Bill 2026 (Bill), cl 4 (amends s 52C of the Criminal Code); Explanatory notes, pp 2, 22. See also Criminal Code (Prohibited Symbols) Regulation 2024 (Qld); Community Safety and Legal Affairs Committee, *Subordinate legislation tabled between 17 April 2024 and 30 April 2024*, Report No. 12, 57th Parliament, July 2024, pp 2-3.

¹² Bill, cl 5 (inserts new s 52CA to the Criminal Code); Explanatory notes, p 2. See *Criminal Code Act 1995* (Cth) s 110.3(1) defines 'state sponsor of terrorism' and s 102.1(1)(b) defines 'terrorist organisation'.

Hakenkreuz, commonly known as a swastika.¹³ The Commonwealth offences also apply in Queensland.¹⁴

To prescribe a prohibited symbol, the Attorney-General must be satisfied that the symbol is known to the public, or by members of a relevant group to be associated with ideologies of extreme prejudice.¹⁵ Before making a recommendation to prescribe a prohibited symbol that is not associated with a prescribed group, the Attorney-General must consult with the Chairperson of the Crime and Corruption Commission (CCC), the Human Rights Commissioner under the *Anti-Discrimination Act 1991* (AD Act), and the Police Commissioner under *the Police Service Administration Act 1990* (PSAA).¹⁶

Section 52D of the Criminal Code prohibits the public display, distribution, or publication of a prohibited symbol—without a reasonable excuse—if doing so would reasonably cause a member of the public to feel menaced, harassed or offended.¹⁷ This test of harm raises the threshold of conduct, meaning that it must be threatening, or involve repeated attacks.¹⁸ The Bill expands section 52C of the Criminal Code to classify symbols used by prescribed organisations as ‘prohibited symbols’.¹⁹

The Attorney-General, Hon. Deb Frecklington MP told the Legislative Assembly:

*The legislation also takes a firm step to address the use of terrorist symbols. Penalties for displaying terrorist symbols will be increased and existing laws are being expanded to capture symbols that are linked to terrorist organisations and state sponsors of terrorism, including Hamas, Islamic State and Hezbollah.*²⁰

The Bill introduces an additional element to the offence: the accused must have known, or reasonably should have known, that the symbol was used by the prescribed organisation or its members for identification.²¹ In practice, this constructive knowledge element is satisfied if a court finds that a reasonable person would have known the symbol was associated with a prescribed organisation,²² and is a higher threshold than other prohibited symbols because prescribing an organisation effectively bans symbols adopted by prescribed organisations over time.²³

¹³ Criminal Code (Prohibited Symbols) Regulation 2024 (Qld) s 3.

¹⁴ *Criminal Code Act 1995* (Cth) s 80.2E sets out the Nazi Hakenkreuz and the double-sig rune as prohibited symbols and s 80.2H criminalises the display of prohibited symbols and the use of the Nazi salute.

¹⁵ Explanatory notes, pp 3, 22.

¹⁶ Bill, cl 4 (inserts new s 52C(4) to the Criminal Code); Explanatory notes, pp 3, 20.

¹⁷ Criminal Code, s 52D.

¹⁸ See *Monis v The Queen* (2013) 249 CLR 92, 4-7 [12]-[14] (French CJ), 202-203 [310] (Separate Opinion of Crennan J, Kiefel J and Bell J).

¹⁹ Bill, cl 4 (inserts new s 52C(1)(aa) to the Criminal Code).

²⁰ Queensland Parliament, Record of Proceedings, 10 February 2026, p 13. Note: These symbols and organisations are prescribed by regulation, not the Bill.

²¹ Bill, cl 6 (amends s 52D of the Criminal Code); Explanatory notes, pp 2, 23.

²² Explanatory notes, pp 2, 23.

²³ Explanatory notes, pp 2, 23-24.

In his introductory speech, the Minister for Police and Emergency Services said:

In practice, the court must be satisfied that a reasonable person in the same circumstances as the accused would have recognised the symbol's association with the prescribed terrorist organisation. In other words, individuals will be held accountable if it is clear they should have known better. For those rare occasions where display of these symbols is warranted, the existing non-exhaustive list of reasonable excuses that applies in respect of the display of prohibited symbols will also apply in the case of prohibited symbols of prescribed terrorist organisations.²⁴

A legitimate purpose includes religious, educational, historical, legal, law enforcement or public interest;²⁵ or to oppose the ideology represented by the symbol.²⁶ The explanatory notes state that the legitimacy of the claimed purpose must be able to be demonstrated and must be reasonable in the circumstances.²⁷



5.1.1. Stakeholder submissions

Many stakeholders shared their experiences of antisemitism with the committee in written submissions and public hearings. The committee also heard evidence from stakeholders that there has been a significant escalation in the promotion of hatred, violence and terrorist ideologies across Australia in recent years.²⁸ For example, at the public hearing in Townsville, Rabbi Ari Rubin told the committee about the increasing amount of antisemitism in schools, the workplace and in universities.²⁹ At the public hearing in Brisbane, Mr Howard Posner, Queensland Jewish Board of Deputies Inc, said that since the Hamas attacks on October 7, 2023,³⁰ if he wears a yarmulke,³¹ he is more likely to be stopped and challenged by members of the public on the basis of his religion.³²

Rabbi Rubin further explained how antisemitism is relevant to everyone in the community:

We as a society should understand that anti-Semitism is the canary in the coalmine. This is the beginning, but it does not end with the Jews. Anti-Semitism is an Australian problem. It is a problem that, if left unchallenged, is going to affect everybody. It is going to affect regular Australians. Nobody is going to be safe if we continue to allow racism, anti-Semitism and such to fester.³³

²⁴ Queensland Parliament, Record of Proceedings, 10 February 2026, p 31.

²⁵ Criminal Code, s 52D(2)(a)(i), (iii).

²⁶ Criminal Code, s 52D(2)(a)(iii); Explanatory notes, p 3.

²⁷ Bill, cl 6 (inserts new s 52D(1A) to the Criminal Code); Explanatory notes, pp 3, 24.

²⁸ See, for example, Public Hearing Transcript, Townsville, 18 February 2026, p 2; Public Hearing Transcript, Brisbane, 19 February 2026, p 15.

²⁹ For example, Public Hearing Transcript, Townsville, 18 February 2026, p 2.

³⁰ On October 7, 2023, Hamas carried out a series of coordinated armed incursions from the Gaza strip into southern Israel during the Jewish holiday of Simchat Torah. The attacks resulted in the death of 1,219 people, including 810 civilians. The October 7 attacks are viewed as the catalyst for escalation and the ongoing conflict in the occupied territory.

³¹ A yarmulke (Yiddish) or kippah (Hebrew) is a brimless skullcap worn by Jewish men to signify respect and recognition of God. It is often worn during religious ceremonies or important life events and is a visual representation of Jewish religious observance.

³² Public Hearing Transcript, Brisbane, 19 February 2026, p 2.

³³ Public Hearing Transcript, Townsville, 18 February 2026, p 5.

i. Antisemitism provisions generally

Support for the amendments relating to addressing antisemitism was mixed.³⁴ For example, in expressing its support for amendments addressing antisemitism, hate crimes and protection of faith communities, the Public Health Association Australia (PHAA) stated that they were:

*... entirely warranted and represent critical protections for vulnerable communities experiencing unprecedented levels of threat, intimidation and fear. We commend the Government for its swift legislative response to protect Queenslanders' right to practise their faith, celebrate their culture, and live their lives free from fear, hatred and violence.*³⁵

The Australian Multicultural Action Network Incorporated (AMAN) also submitted that it 'broadly supports these reforms as necessary and proportionate responses to contemporary risks'. However, AMAN recommended that the Bill 'be framed not just as a response to antisemitism, but as part of a broader commitment to zero tolerance for hate against any community'. AMAN further cautioned that 'enforcement mechanisms must be accompanied by safeguards to ensure they do not unintentionally stigmatise or alienate law-abiding multicultural communities'.³⁶

Jews for Justice contend that antisemitism 'must be addressed in a comprehensive, whole-of-society response to all forms of racism and religious hatred'.³⁷

However, a number of stakeholders who provided a form submission to the inquiry expressed concern that the Bill is unlikely to improve safety for the Jewish community and may instead deepen division and erode public trust. These stakeholders also consider that the Bill 'disproportionately targets communities advocating for Palestinian human rights'.³⁸

The Islamic Council of Queensland Inc (ICQ) submitted that the Bill 'poses a significant threat to the civil liberties, religious freedom, and political expression of the community we represent and all empathetic Queenslanders and fellow Australians'.³⁹

The Ethnic Communities Council of Queensland (ECCQ) stated that, in their view, the framing of the amendments single out one community for protection, rather than emphasise the importance of protecting all groups, which is leading to misunderstanding and increasing fear, especially amongst new members of the Queensland community.⁴⁰

At the public hearing in Brisbane on 19 February 2026, the Jewish Board of Deputies said:

³⁴ For example, see Public Health Association Australia, Queensland Branch (PHAA), submission 13, p 1; Queensland Homicide Victims' Support Group, submission 18, p 2; Archdiocese of Brisbane, Submission 41, p 12; Basic Rights Queensland, LGBTIQ Legal Service, , Refugee and Immigration Legal Service, Youth Advocacy Centre and Queensland Advocacy for Inclusion – Joint Submission, Submission 358, p 1; Human Rights Law Centre, Submission 407, p 1.

³⁵ PHAA, submission 13, p 1.

³⁶ AMAN, submission 1, pp 1,3.

³⁷ Submission 32, p 2.

³⁸ For example, Submission 281 (Submission Form A).

³⁹ Submission 10, p 1.

⁴⁰ Public Hearing Transcript, Brisbane, 19 February 2026, p 29.

*the Jewish community has experienced unprecedented levels of hate, intimidation and fear. The reforms in this bill send a clear message that anti-Semitism and hate have no place in Queensland. The proposed laws draw a clear line between legitimate political discourse and the promotion of terrorism.*⁴¹

ii. Strengthening bans on hate symbols

The proposal to strengthen the ban on hate symbols drew less direct commentary from stakeholders although there were a number of submitters who were supportive of this measure, for example, the PHAA.⁴²

Stakeholders who opposed this measure mainly raised concerns on legal technical grounds relating to the potential for duplication with existing laws and a possible issue arising under the implied constitutional freedom of political communication. For example, the National Tertiary Education Union (University of Queensland Branch) raised concerns that the amendments duplicate existing Commonwealth and State provisions ‘rather than addressing any demonstrated gap in the current legal framework’.⁴³

At the public hearing in Townsville, Mr Bill Mitchell of Townsville Community Law was concerned about ‘the ambiguity in the offence provision, particularly the phrase ‘so nearly resembles’ in the prescription of symbols and expressions, may well not be compatible with the constitutional freedom of implied political communication’.⁴⁴ Professor Emerita Anne Twomey also raised concerns about the validity of the provisions relating to use of symbols and expressions in the context of the implied freedom of political communication.

5.1.2. Departmental briefing

In the written briefing provided on 13 February 2026,⁴⁵ the QPS stated that, to prescribe a prohibited symbol, the Attorney-General must be satisfied that the symbol is known by the public or by members of a relevant group to be associated with ideologies of extreme prejudice against the relevant group.⁴⁶ The offence extends to symbols and imagery which closely resembles, or may be confused with a prohibited symbol.⁴⁷

The Bill does not introduce additional consultative requirements or criteria for the Attorney-General to prescribe an organisation.⁴⁸ At a Commonwealth level, the process of listing terrorist organisations and state sponsors of terrorism is well established.⁴⁹ Therefore, the

⁴¹ Public Hearing Transcript, Brisbane, 19 February 2026, p 1.

⁴² Public Health Association Australia, Queensland Branch, submission 13, p 1.

⁴³ National Tertiary Education Union (NTEU) – Queensland Division, submission 23, p 2.

⁴⁴ Public Hearing Transcript, Townsville, 18 February 2026, p 8.

⁴⁵ Note: As a result of the timeline for the inquiry, the Departmental response to submissions was not considered in the drafting of this report.

⁴⁶ QPS and DoJ, written briefing, 13 February 2026, p 3.

⁴⁷ QPS and DoJ, written briefing, 13 February 2026, p 3.

⁴⁸ QPS and DoJ, written briefing, 13 February 2026, p 4.

⁴⁹ Australian National Security, ‘Protocol for listing terrorist organisation’ (Webpage, accessed 13 February 2026) <<https://www.nationalsecurity.gov.au/what-australia-is-doing/terrorist-organisations/protocol-for-listing>>.

Attorney-General need only be satisfied that the entity is already listed to prescribe it under Queensland regulation.

This expansion of the offence is justified on the basis that Queenslanders ought to be protected from the harm that the public display of symbols representing extreme violence or hateful ideology can cause.⁵⁰ Further, the existing process for the individual prescription of symbols remains in place and is a key safeguard for protecting Queenslanders from harmful symbols of hate not otherwise linked to a prescribed organisation.⁵¹ Where a symbol is prescribed by regulation, the prosecution is not required to establish constructive knowledge on the part of the accused person.⁵²

Prescribed organisations may use many symbols and the offence introduces a constructive knowledge element, meaning the accused person must have known, or reasonably should have known, that the symbol was used by a prescribed organisation or its members.⁵³ The written briefing notes that the offence contains the ‘reasonable excuse’ defence, however notes that it can only apply if the person’s conduct is, in the circumstances, reasonable for that purpose. Ultimately, it is for an accused person to provide evidence supporting the validity of their reasonable excuse, and where that evidential burden is met, the prosecution must disprove the excuse beyond a reasonable doubt.⁵⁴

5.1.3. Retrospectivity

To have sufficient regard to the rights and liberties of individuals, legislation should not adversely affect rights and liberties, or impose obligations, retrospectively.⁵⁵ The Bill would allow a transitional regulation to have retrospective operation to a day not earlier than the day of commencement of the empowering provision.⁵⁶ The regulation-making power, as well as any regulations made under the power, would expire 1 year from the date of commencement of the relevant clause.⁵⁷

Committee comment



The committee is satisfied that the transitional regulation-making power is consistent with fundamental legislative principles. In determining whether the Bill has sufficient regard to the institution of Parliament and rights and liberties of individuals, the committee noted that the transitional regulation-making powers are commonly included in legislation to assist in ensuring a smooth transition to new legislative frameworks and are

⁵⁰ QPS and DoJ, written briefing, 13 February 2026, p 4.

⁵¹ QPS and DoJ, written briefing, 13 February 2026, p 5.

⁵² QPS and DoJ, written briefing, 13 February 2026, p 5.

⁵³ QPS and DoJ, written briefing, 13 February 2026, p 4.

⁵⁴ QPS and DoJ, written briefing, 13 February 2026, p 3.

⁵⁵ LSA, s 4(3)(g).

⁵⁶ Bill, cl 110 (inserts s 207(2) to the *Weapons Act 1990*) (Weapons Act).

⁵⁷ Bill, cl 110 (inserts s 207(4) to the Weapons Act).

appropriate in the circumstances. The regulations are limited in their retrospectivity, and the provisions are subject to a 1-year sunset provision.



5.1.4. Freedom of expression

In Queensland, the right to freedom of expression encapsulates the principles that:

- every person has a right to hold an opinion without interference; and
- every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within Queensland and whether orally, in writing, in print, by way of art, or in another medium chosen by the person.⁵⁸

The purpose of the amendments to the prohibited symbols framework is to protect ‘the right for all individuals to participate in public life without being subjected to symbols representing extreme violence or hateful ideologies’.⁵⁹ In other words, the purpose is to promote other human rights—the right to take part in public life,⁶⁰ and also the right to freedom of thought, conscience, religion and belief.⁶¹ This is a purpose consistent with a free and democratic society based on human dignity, equality and freedom.

There is a rational connection between the purpose and the limitation, in that the symbols of prescribed organisations are linked to the definitions in Commonwealth legislation of a terrorist organisation,⁶² or state sponsor of terrorism.⁶³

The statement of compatibility states that there ‘is a direct link, then, between what can be a prescribed organisation and involvement in, or advocacy of, extreme violence.’⁶⁴ Further, for an individual to be subject to the offence provision, they have to publicly distribute, publish or publicly display a prohibited symbol in a way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended. This also links to the purpose of the limitation – protecting the rights of these individuals in the community to take part in public life and hold their beliefs without feeling menaced, harassed or offended.

The next consideration is whether there are any less restrictive, reasonably available ways to achieve the purpose. There is already a prohibited symbols framework at the Commonwealth level that includes symbols of terrorist organisations and state sponsored terrorism. For example, under the Criminal Code (Cth) there are regulations that prescribe organisations such as Islamic State in Libya, Al-Qa’ida and Hezbollah as terrorist

⁵⁸ HRA, s 21.

⁵⁹ Statement of compatibility, p 4.

⁶⁰ HRA, s 23.

⁶¹ HRA, s 20.

⁶² Criminal Code (Cth), ss 102.1(1). Note: A terrorist organisation is an organisation that is specified in Commonwealth regulations for the purposes of the section.

⁶³ Criminal Code (Cth), s 110.3(1).

⁶⁴ Statement of compatibility, p 4.

organisations⁶⁵ and public display of symbols of these organisations can result in imprisonment up to 5 years.⁶⁶ While Commonwealth provisions already exist, the statement of compatibility contends that although there would be some overlap, it would be more effective to introduce the new offence into Queensland’s Criminal Code:

*The Queensland offence is designed to fit within existing Queensland laws and legal concepts, which will encourage prosecution and enforcement of the offence as well as public understanding of what the offence prohibits.*⁶⁷

An increased ability to prosecute these offences would contribute more effectively to the purpose—ensuring that individuals feel safe to participate in public life and hold their religious views without fear of extreme violence and hatred. There are also safeguards within the Bill that lessen the rights impacts, including that:

- a person can only be convicted of the offence if they publicly distribute, publish or publicly display a prohibited symbol in a way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended
- a person can only be convicted of the offence if they knew, or ought reasonably to have known, when they distributed, published or displayed the symbol, that the symbol was used by a prescribed organisation; and
- a person would not commit the offence if they had a reasonable excuse.⁶⁸

Committee comment



The committee is satisfied the limitation on the right to freedom of expression of some individuals is appropriately balanced against the purpose of the limitation, being to protect the rights of other individuals to participate in public life without being subjected to symbols representing prohibited organisations.

5.2. Prohibiting particular expressions

The Bill introduces a new offence for publicly reciting, distributing, publishing or displaying prohibited expressions that propagate ideologies clearly linked to hatred or violence against certain groups, in circumstances where a member of the public could reasonably feel menaced, harassed or offended.⁶⁹ A prohibited expression is defined by regulation, including materially similar wording, but where the meaning of the expression is otherwise understood.⁷⁰ The explanatory notes state that the offence intends to encompass both written and spoken expressions, such as chants and placards at a protest.⁷¹

⁶⁵ See Criminal Code (Terrorist Organisation—Islamic State in Libya) Regulations 2022; Criminal Code (Terrorist Organisation—Al-Qa’ida) Regulations 2022; Criminal Code (Terrorist Organisation—Hizballah) Regulations 2021.

⁶⁶ See Criminal Code (Cth), s 80.2HA.

⁶⁷ Statement of compatibility, p 4.

⁶⁸ Bill, cl 6 (amends s 52D of the Criminal Code).

⁶⁹ Bill, cl 7 (inserts new s 52DA to the Criminal Code); Explanatory notes, pp 3, 24.

⁷⁰ Bill, cl 4 (inserts new s 52C(1A) to the Criminal Code); Explanatory notes, pp 3, 22.

⁷¹ Explanatory notes, p 24.

The Attorney-General must be satisfied that the expression is used to incite discrimination, hostility, or violence, towards a relevant group.⁷² The requirement to consult with the Chairperson of the CCC, the Human Rights Commissioner, and the Police Commissioner in advance of prescribing an expression not otherwise associated with a prescribed organisation also applies.⁷³

A 'relevant group' means a group who identify with each other on the basis of an attribute or characteristic that is, or is based on: race, religion, sexuality, sex characteristics or gender identity of the persons.⁷⁴ This criterion, which is consistent with the definition in the prohibited symbols framework,⁷⁵ acknowledges the historical and duplicitous meanings of phrases, even where such phrases are not used in isolation to incite hate or violence.⁷⁶

A person is deemed to have committed an offence where they publicly recite, distribute, publish or display the prohibited expression, irrespective of whether any member of the public sees or hears it.⁷⁷ A person is deemed to have 'publicly' recited or displayed a prohibited expression if the conduct occurs in a place the public may use or enter (whether or not on payment), or if the expression is audible or visible from such a place.⁷⁸

The explanatory notes justify the increased penalties on the basis that the proposed maximum penalty reflects the seriousness of the conduct and is consistent with the prohibited symbols framework.⁷⁹ The proposed section 52DA provides that a person charged with the offence may rely on a 'reasonable excuse' defence but bears the burden of proof.⁸⁰

The Bill also amends the PPRA to allow police to search a person,⁸¹ or vehicle,⁸² without a warrant, where the officer forms a reasonable suspicion, the person has committed or is committing the offence.⁸³ If the search produces evidence, the officer is obligated to seize it.⁸⁴ These powers are consistent with the existing police powers in the prohibited symbols framework.⁸⁵

⁷² Bill, cl 4 (inserts new s 52C(3) and 52C(3A) to the Criminal Code); Explanatory notes, pp 3, 22-23.

⁷³ Bill, cl 4 (amends s 52C(1) to the Criminal Code).

⁷⁴ Criminal Code, s 52C. See also Explanatory notes, p 3.

⁷⁵ Explanatory notes, pp 3, 23. See above footnote 15.

⁷⁶ Explanatory notes, pp 3, 23.

⁷⁷ Bill, cl 7 (inserts new s 52DA to the Criminal Code); Explanatory notes, pp 3, 24.

⁷⁸ Bill, cl 7 (inserts new s 52DA(4) to the Criminal Code); Explanatory notes, pp 3, 24.

⁷⁹ Explanatory notes, pp 3, 24. Note: This penalty is consistent with the increase in cl 6.

⁸⁰ Bill, cl 7 (inserts new s 52DA(3) to the Criminal Code); Explanatory notes, pp 3, 24.

⁸¹ Bill, cl 19 (amends s 30(1)(ha) of the *Police Powers and Responsibilities Act 2000* (PPRA)); PPRA, s 29, 30; Explanatory notes, pp 3, 27.

⁸² Bill, cl 20 (amends s 32(2)(a)(ii) of the PPRA); PPRA, s 31, 32; Explanatory notes, pp 3, 28.

⁸³ Bill, cl 19 (amends s 30(1)(ha) of the PPRA), cl 20 (amends s 32(2)(a)(ii) of the PPRA); Explanatory notes, pp 3, 27-28.

⁸⁴ Cf PPRA, s 29(2); 31(5).

⁸⁵ See for example, PPRA, s 30, 32.



5.2.1. Stakeholder submissions

There were divergent views, in support and against, the proposed prohibition on particular expressions. Professors Gelber and McNamara noted that the legislated purpose of the proposed new sections, that is, to combat and deter racism and promote community safety, would be regarded as a legitimate government purpose to propose that certain expressions should be prohibited.⁸⁶

The Office of the Special Envoy to Combat Antisemitism said in their written submission that the proposed new offences were positive steps forward, but that, in their view, all conduct which promotes hatred or violence against a relevant group should be captured under the existing ‘serious vilification’ offences.⁸⁷

Some submitters and witnesses explained that the conflation between antisemitism and anti-Zionism was a growing issue in combatting hatred directed at the Jewish community. At the public hearing in Townsville, Rabbi Rubin noted an increase in antisemitic rhetoric disguised as anti-Zionism,⁸⁸ which he explained is a nuanced distinction that can be lost in the ground swell of discourse in recent years:

*Anti-Zionism is definitely something that is legitimate in general, in theory. There is a huge Israeli community as part of my constituency, part of my parishioners. All the Israeli expats are here for a reason. There is something they did not like about Israel which is why they all moved to Australia, which they love and are so appreciative of, and they celebrate the day they became Australian citizens. But that is not what is happening. What is happening is that anti-Zionism is the guise, is the excuse. It has morphed into pseudo social justice phrases as a guise to legitimise anti-Semitism.*⁸⁹

In relation to the prohibition of particular expressions, the Jewish Board of Deputies discussed how people may chant particular phrases without knowing or appreciating how it may be interpreted by others and accepted that it may potentially incite people into violence over time.⁹⁰

Conversely, other submitters considered the framework presented risks of further division in the community and raised issues with its legal application. The Queensland Law Society submitted that the Bill does not adequately define who a ‘complainant’ is to determine whether the offence has occurred.⁹¹ Their evidence compared the proposed sections with the Commonwealth offence of ‘using a carriage service to menace, harass or cause offence’ which requires that a person has complained about the conduct, giving rise to criminal charges against the accused.⁹²

⁸⁶ Submission 14, p 5 citing *Lange v Australian Broadcasting Corporation* (1997) 189 CLR 520. See also *McCloy v NSW* (2015) 257 CLR 178.

⁸⁷ Submission 295, p 4. See also Public Hearing Transcript, Brisbane, 19 February 2026, p 15.

⁸⁸ Anti-Zionism advocates for Palestinian self-determination in the region.

⁸⁹ Public Hearing Transcript, Townsville, 18 February 2026, p 5.

⁹⁰ Public Hearing Transcript, Brisbane, 19 February 2026, p 4.

⁹¹ Public Hearing Transcript, Brisbane, 19 February 2026, p 21.

⁹² Public Hearing Transcript, Brisbane, 19 February 2026, p 21. Cf Criminal Code (Cth), s 474.17.

The Queensland Bar Association suggested that the definition of what is, or is not, in the public interest needs to be narrowed, to provide Queenslanders with certainty about what is, or is not, exempted from the offence.⁹³

Professor Twomey submitted that the provisions in the Bill which permit the banning of expressions go beyond antisemitism and that '[t]his widens the possible fields of contention, with governments potentially being pressured to ban the use of a range of words and phrases, having a greater impact upon freedom of speech than may currently be intended'. Professor Twomey recommended that the proposed law should also be considered in the context of existing State and Commonwealth laws.⁹⁴

Ms Julie Englefield, President of Ausdance National and Strategic Advisor for the North Australian Festival of Arts expressed concerns about the 'reasonable excuse' defence in an educational context.⁹⁵

The Human Rights Law Centre noted that international guidance on combatting national, racial or religious hatred emphasises that criminality should arise only in response to serious forms of incitement to hostility, discrimination or violence.⁹⁶

5.2.2. Departmental briefing

The written briefing states that the proposed offence is intended to operate concurrently with criminal and civil protections for serious vilification by putting beyond doubt that the use of prohibited expressions is unacceptable.⁹⁷ The offence is intended to encompass written and spoken expressions, and uses the same harm threshold as the already existing prohibited symbol offence.⁹⁸ The offence offers an effective, enforceable and appropriately balanced criminal justice response to protect the community from the distress, fear and insecurity caused by the use of expressions associated with hateful or extremist ideologies.⁹⁹

At the public briefing, the Department of Justice noted that the offence does not apply after the mere use of a prohibited expression, and that the context of use was relevant to considering whether the person had committed the offence.¹⁰⁰ The Department of Justice further advised that the Bill does not define 'widely known' and stated that the Bill operates to empower the Attorney-General to consult with relevant stakeholders in advance of prescribing a prohibited expression.¹⁰¹

⁹³ Public Hearing Transcript, Brisbane, 19 February 2026, pp 21-22.

⁹⁴ Submission 15, pp 1-2.

⁹⁵ Public Hearing Transcript, Townsville, 18 February 2026, p 12.

⁹⁶ Submission 407, p 4.

⁹⁷ QPS and DoJ, written briefing, 13 February 2026, p 6. See Criminal Code, s 52A; *Anti-Discrimination Act 1991*, s 124A (AD Act).

⁹⁸ QPS and DoJ, written briefing, 13 February 2026, p 6.

⁹⁹ QPS and DoJ, written briefing, 13 February 2026, p 6.

¹⁰⁰ Public Briefing Transcript, Brisbane, 19 February 2026, p 6.

¹⁰¹ Public Briefing Transcript, Brisbane, 19 February 2026, p 6.



5.2.3. Individual rights and liberties

In connection with the proposed new offence of reciting, distributing, publishing or displaying prohibited expressions, the Bill proposes to expand the circumstances under the PPRA in which the police may stop, detain and search a person or vehicle, and seize evidence. The power to stop, detain and search a person, and seize items, has the potential to impact that person's rights and liberties.

In justifying the extension of police powers, the explanatory notes state that the 'existing limitations and safeguards under the PPRA will apply and appropriately limit the operation of the provisions.'¹⁰² The explanatory notes contend that the amendment is justified 'for the efficient enforcement of the offence'.¹⁰³

Committee comment



The committee is satisfied that the new powers to stop, detain and search individuals, vehicles and premises, and seize evidence, have sufficient regard to the rights and liberties of individuals.

5.2.4. Institution of Parliament - Delegation of legislative power

Whether a Bill has sufficient regard to the institution of Parliament depends on whether, for example, the Bill allows the delegation of legislative power only in appropriate cases.¹⁰⁴

The Bill delegates power to the Attorney-General to recommend to the Governor in Council the making of a regulation prescribing an expression as a prohibited expression. Consistent with the approach for prohibited symbols, the Attorney-General may only recommend the making of a regulation to prescribe an expression if it meets the criteria specified in the Criminal Code and the regulation is subject to consultation.

The explanatory notes state that it is in the public interest for prohibited expressions to be prescribed by regulation. This is on the basis that it will allow the Minister to 'quickly respond to emerging expressions associated with extremist ideology'.¹⁰⁵ Further, there are limitations and safeguards in the Criminal Code and the Attorney-General is required to consult with the specified persons.

Committee comment



The committee is satisfied that the delegation of legislative power has sufficient regard to the institution of Parliament. It is important to note that parliamentary committees are also responsible for reviewing subordinate legislation within their portfolio areas. Any prohibited expressions, prescribed

¹⁰² Explanatory notes, p 18.

¹⁰³ Explanatory notes, p 18.

¹⁰⁴ LSA, s 4(4)(a).

¹⁰⁵ Explanatory notes, p 20.

by regulation, would be subject to parliamentary committee oversight, and reported to Parliament.



5.2.5. General human rights

The expanded search powers (allowing police to search persons and vehicles without warrant) in relation to offences regarding prohibited symbols and expressions is likely to limit the right to privacy,¹⁰⁶ and property,¹⁰⁷ of those being searched.

The increased maximum penalties for offences relating to prohibited symbols, expressions and places of worship may also limit the right to liberty of individuals.¹⁰⁸

5.2.6. Freedom of expression

The purpose of limiting the right to freedom of expression through the prohibited expression amendments is 'to guard against extreme prejudice against relevant groups.'¹⁰⁹ A 'relevant group' is already defined in the Criminal Code under the prohibited symbols framework.¹¹⁰ Protection of individuals in these groups in this way also works towards promoting their other human rights, such as the right to recognition and equality before the law,¹¹¹ right to privacy,¹¹² freedom of thought, conscience, religion and belief,¹¹³ and cultural rights.¹¹⁴ This is a purpose consistent with a free and democratic society based on human dignity, equality and freedom.

There is a rational connection between the limitation and its purpose. For an expression to be a prohibited expression under the Bill, the Attorney-General must be satisfied that the expression is regularly used to incite discrimination, hostility or violence towards a relevant group.¹¹⁵ Prohibiting the recital, distribution, publication or display of these expressions is likely to contribute to achieving the purpose.

The statement of compatibility emphasises that the Bill's provisions are intended to capture only expressions which represent 'extreme prejudice'.¹¹⁶ While the statement of compatibility concedes that there are less rights restrictive options for example relying on existing hate speech and vilification offences in the *Anti-Discrimination Act 1991* and the Criminal Code, it contends these provisions are not as effective as the Bill's proposed amendments:

¹⁰⁶ HRA, s 25(a). Note: A person has the right not to have the person's privacy, family, home or correspondence unlawfully or arbitrarily interfered with.

¹⁰⁷ HRA, s 24. Note: All persons have the right to own property alone or in association with others. A person must not be arbitrarily deprived of the person's property.

¹⁰⁸ HRA, s 29(1).

¹⁰⁹ Statement of compatibility, p 2.

¹¹⁰ Criminal Code, s 52C(5).

¹¹¹ HRA, s 15.

¹¹² HRA, s 25.

¹¹³ HRA, s 20.

¹¹⁴ HRA, s 27.

¹¹⁵ Bill, cl 4(9) (inserts new s 52C(3A) to the Criminal Code).

¹¹⁶ Statement of compatibility, p 3.

*The prescription of particular phrases leaves no doubt that the use of those expressions is unacceptable, and through this clarity would have a greater deterrent effect on the use of those expressions in public and facilitate the successful prosecution of those who do.*¹¹⁷

Safeguards in the Bill to reduce the limitations on freedom of expression include:¹¹⁸

- the Attorney-General is constrained to the prohibition of expressions that are regularly used to incite discrimination, hostility or violence towards a relevant group
- the Attorney-General must consult with the chairperson of the Crime and Corruption Commission, the Human Rights Commissioner and the Police Commissioner before making a regulation prescribing a prohibited expression
- once an expression is prohibited, a person would only commit an offence if they publicly recite, publicly distribute, publish or publicly display a prohibited expression in a way that might be reasonably expected to cause a member of the public to feel menaced, harassed or offended; and
- a person would not commit the offence if they had a reasonable excuse.¹¹⁹

Committee comment



The committee notes that the safeguards in the Bill place limitations on the ministerial power and require the Attorney-General to consult with relevant parties in advance of making such a recommendation.

The committee is satisfied the limitation on the right to freedom of expression is appropriately balanced against the purpose of the limitation, being to protect relevant groups from prejudice by prohibiting certain expressions that are regularly used to incite discrimination, hostility, and violence.

5.3. Protecting faith communities

The Bill strengthens protections for all Queenslanders' to freely practise their religion by extending protections to worshippers, ministers, and places of worship, such as churches, synagogues and mosques. It is already an offence to prevent, obstruct, assault or arrest a minister of religion while they are officiating, or travelling to or from, a place of worship or a burial.¹²⁰ The offence provides protection to ministers of all religions, and criminalises conduct which hinders, or prevents, the minister from undertaking religious functions of

¹¹⁷ Statement of compatibility, p 3.

¹¹⁸ Statement of compatibility, p 3.

¹¹⁹ See Bill, cl 7(2) (inserts new s 52DA(2) to the Criminal Code).

¹²⁰ Criminal Code, s 206.

their office.¹²¹ The Bill increases the maximum penalty from 2 years to 5 years imprisonment.¹²²

Further, it is an offence to wilfully disturb a lawful religious assembly; or to assault an officiant or attendee.¹²³ Notably, the Bill removes the reference to 'assault'.¹²⁴ The explanatory notes provide that such conduct is more adequately addressed under chapter 30 of the Criminal Code, which carries higher maximum penalties.¹²⁵

The Bill increases the maximum penalty from \$10, or 2 months imprisonment, to 20 penalty units (\$3,338) or 6 months imprisonment.¹²⁶ Further, where the offence was wholly or partly motivated by hatred or serious contempt for a group,¹²⁷ the penalty is 6 months imprisonment. The Bill increases the aggravated penalty to 1 year imprisonment.¹²⁸

The Bill makes it an offence to intimidate, or obstruct, a person entering or leaving a place of religious worship.¹²⁹ The offence intends to capture a range of behaviours, including harassment, physically blocking access or threatening violence.¹³⁰ The maximum penalty for the offence is 3 years imprisonment.¹³¹

The Bill also introduces a new aggravated offence for wilful damage of a place of religious worship, with a maximum penalty of 7 years imprisonment.¹³² The new offence applies to any form of damage, to ensure that such acts are denounced, underscoring the seriousness of such offences.¹³³

Transitional provisions permit legal proceedings to be started (or to continue) and the person may be convicted and punished for an offence under the former sections 206 and 207 before commencement, notwithstanding the operation of section 20 of the AIA.¹³⁴

5.3.1. Stakeholder submissions

Submitters provided a range of views and generally supported amendments to protect faith communities and the aim of the Bill to stamp out antisemitism.

In Townsville, Rabbi Rubin told the committee:

I think all of the protections in this bill would be very welcomed by the Jewish community, although we wished it would never have to get to this stage. We wished that we would be able to just be treated like any other person and we

¹²¹ Explanatory notes, pp 4, 25. Note: Such functions include weddings, funerals, religious rites, or pastoral care, but do not include administrative or financial tasks.¹²¹

¹²² Bill, cl 8 (amends s 206(1) of the Criminal Code); Explanatory notes, pp 4, 25.

¹²³ Criminal Code, s 207; Explanatory notes, pp 4, 25.

¹²⁴ Bill, cl 9 (amends s 207 of the Criminal Code).

¹²⁵ Explanatory notes, p 4. See also, Criminal Code, ch 30.

¹²⁶ Bill, cl 9 (amends s 207 of the Criminal Code); Explanatory notes, pp 4, 25.

¹²⁷ Criminal Code, s 52B; Explanatory notes, pp 4, 25.

¹²⁸ Bill, cl 9 (amends s 207(2) of the Criminal Code); Explanatory notes, p 4, 25.

¹²⁹ Bill, cl 8 (inserts new s 206A to the Criminal Code); Explanatory notes, pp 4, 25.

¹³⁰ Bill, cl 8 (inserts new s 206A(3) of the Criminal Code); Explanatory notes, p 4.

¹³¹ Bill, cl 8 (inserts new s 206A(1) of the Criminal Code); Explanatory notes, pp 4, 25.

¹³² Bill, cl 11 (inserts new cl 13 to s 469 of the Criminal Code); Explanatory notes, pp 4, 26.

¹³³ Explanatory notes, p 4.

¹³⁴ Bill, cl 15 (inserts new s 771 to the Criminal Code); Explanatory notes, pp 3, 26.

*never want to see anybody punished because of us, but we do want to be able to live with dignity and to have the same protections as anybody else.*¹³⁵

The Special Envoy to Combat Antisemitism similarly supported the extension of equal protection to all Australians to practice their faith, free from intimidation and harassment. It also recommended that the protections could be extended to other faith-based venues, including schools, hospitals and child-care centres.¹³⁶

5.3.2. Departmental briefing

The written briefing states that the amendments protect Queenslanders' ability to freely practise their religion by extending protections to all worshippers, ministers and places of worship.¹³⁷ Importantly, the terms 'minister of religion', 'religion', and 'place of religious worship' are not defined to allow latitude for courts to interpret these terms, recognising that their meaning may evolve over time.¹³⁸

The new offence of obstructing access to places of worship applies to conduct that prevents or attempts to prevent someone from entering, or leaving, a place of worship. It is intended to capture behaviours such as physical blockades to access or the issuing of threats that fall short of the threshold for assault.¹³⁹ The written briefing also notes that the new aggravated offence for wilful damage to a place of worship reflects the seriousness of such offences.¹⁴⁰



5.3.3. Relevance and proportionality of penalties

To have sufficient regard to the rights and liberties of individuals, the consequences of legislation should be relevant and proportionate. In line with this, penalties should be proportionate to the offence, and penalties within legislation should be consistent with each other.¹⁴¹

Committee comment



The committee considered the increased penalties for interfering or endangering faith communities and is satisfied that they are reasonable and justified to protect the right to religion which is of fundamental importance in a free and democratic society.



5.3.4. Right to peaceful assembly and freedom of association

In Queensland, every person has the right of peaceful assembly and every person has the right to freedom of association with others.¹⁴² This right protects the right of individuals

¹³⁵ Public Hearing Transcript, Townsville, 18 February 2026, p 4.

¹³⁶ Public Hearing Transcript, Brisbane, 19 February 2026, pp 15, 17.

¹³⁷ QPS and DoJ, written briefing, 13 February 2026, p 6.

¹³⁸ QPS and DoJ, written briefing, 13 February 2026, p 6.

¹³⁹ QPS and DoJ, written briefing, 13 February 2026, p 7.

¹⁴⁰ QPS and DoJ, written briefing, 13 February 2026, p 7.

¹⁴¹ LSA, s 4(2)(a). See for example, Justice, Integrity and Community Safety Committee, *Making Queensland Safer Bill 2024*, Report No. 1, 58th Parliament, December 2024, p 36.

¹⁴² HRA, s 22.

to gather to exchange, give or receive information, to express views, or to conduct a protest or demonstration.¹⁴³

The purpose of the new offence of intimidating or obstructing persons entering or leaving places of religious worship is to 'ensure people in Queensland are free to practice their religion in a place of worship without being impeded, harassed or otherwise disturbed'.¹⁴⁴ This new offence, together with increased penalties for other religious worship offences, also promotes the right to freedom of thought, conscience, religion and belief¹⁴⁵ and cultural rights.¹⁴⁶

The limitations on the right to peaceful assembly and association and freedom of expression are rationally connected to the purpose. The proposed offence captures conduct that occurs in, or in the vicinity of, a place of religious worship - it would be an offence to intimidate or obstruct people from entering or leaving that place of worship. This offence is likely to increase an individual's ability to practise their religion freely.

In terms of safeguards, the statement of compatibility emphasises the targeted nature of the offence, being aimed at conduct in, or at the vicinity of, a place of religious worship and in circumstances where people are lawfully assembled for religious worship.¹⁴⁷ Further, a person would not commit the offence if they had a reasonable excuse.¹⁴⁸

Committee comment



The committee acknowledges that the right to peaceful assembly and freedom of association protects the right of individuals to gather to exchange, give or receive information, to express views, or to conduct a protest or demonstration. However, fulfilment of that right must be balanced against the rights of others to demonstrate their religion in worship.

The committee is satisfied the appropriate balance has been struck in these circumstances, noting that the new offence is narrow in scope and designed to address behaviour that is intimidating or obstructing in specific circumstances.

6. Amendments to the Criminal Code – Increased weapons controls

The Bill strengthens the Criminal Code by increasing maximum penalties for aggravated stealing offences, creates a new offence for acts done in preparation for terrorist acts causing death or grievous bodily harm, and expands offences related to the making of, or

¹⁴³ Queensland Government, *Guide: Nature and scope of the human rights protected in the Human Rights Act 2019*, version 3: June 2025, p 65.

¹⁴⁴ Statement of compatibility, p 5.

¹⁴⁵ HRA, s 20.

¹⁴⁶ HRA, s 27.

¹⁴⁷ Statement of compatibility, p 6.

¹⁴⁸ Bill, cl 8 (inserts new s 206A(1) to the Criminal Code).

possession of dangerous things for use in a crime.¹⁴⁹ In his introductory speech, the Minister said:

*These reforms send a clear message: the misuse of firearms and weapons will not be tolerated in Queensland and those who commit these offences will face serious consequences.*¹⁵⁰

6.1. Possession of dangerous things with the intent to commit a crime

The Bill broadens the offence of making, or possessing, a dangerous or noxious thing for use in a crime by expressly confirming that it includes ‘dangerous or offensive weapons or instruments’,¹⁵¹ such as firearms, knives and other bladed items.¹⁵²

6.2. Stealing firearms or ammunition

The Bill increases the maximum penalty of the aggravated circumstances under the offence of stealing.¹⁵³ The Bill also amends the Youth Justice Act to include stealing of firearms or ammunition as a crime for which adult penalties will apply to juvenile offenders.¹⁵⁴

The explanatory notes provide that the increased maximum penalty recognises risk to public safety as a result of stolen firearms.¹⁵⁵ The Bill removes the requirement to prove that the offender intended to use the firearm to commit a further crime, further strengthening the provision.¹⁵⁶

6.3. Prohibition of acts done in preparation to cause death or grievous bodily harm

The Bill inserts a new offence modelled on the Commonwealth Criminal Code,¹⁵⁷ which prohibits acts done in preparation for, or planning to, commit serious violence.¹⁵⁸ The explanatory notes clarify the offence applies even when the offender has not formed a specified intention about what they plan to do.¹⁵⁹ The new offence is limited to acts done in preparation for, or planning, conduct likely to cause another person’s death or grievous bodily harm.¹⁶⁰

¹⁴⁹ See Bill, cls 10, 12 and 13.

¹⁵⁰ Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

¹⁵¹ Explanatory notes, p 5.

¹⁵² Bill, cl 12 (amends s 540 of the Criminal Code); Explanatory notes, pp 5, 26.

¹⁵³ Bill, cl 10 (amends cl 15 of s 398 of the Criminal Code), cl 17 (amends sch 1C of the *Penalties and Sentences Act 1992* (PSA)).

¹⁵⁴ Bill, cl 117 (amends s 175A(1)(x) of the *Youth Justice Act 1992* (Youth Justice Act)).

¹⁵⁵ Explanatory notes, pp 4-5; Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

¹⁵⁶ Bill, cl 10 (omits cl 14 of s 398 of the Criminal Code); Explanatory notes, pp 4-5, 25-26.

¹⁵⁷ *Criminal Code Act 1995* (Cth) s 101.6; Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

¹⁵⁸ Bill, cl 13 (inserts new s 540A to the Criminal Code); Explanatory notes, p 5.

¹⁵⁹ Explanatory notes, p 5.

¹⁶⁰ Bill, cl 13 (inserts new s 540A(2) to the Criminal Code); Explanatory notes, pp 5, 26.

6.3.1. Stakeholder submissions

Submitters supported the proposal to increase the maximum penalty for stealing a firearm or ammunition to 14 years' imprisonment.¹⁶¹ Firearm Owners United (FOU) noted that:

*The theft of firearms and ammunition is a serious criminal offence that directly contributes to the diversion of weapons into the illicit market and poses a significant risk to community safety.*¹⁶²

*The Alannah and Madeline Foundation highlighted another significant but less recognised risk is theft. It cited recent data from the Australia Institute, which indicates more than 9,000 firearms were stolen from 2020 to 2024—or one every four hours.*¹⁶³

Shooters Union Australia expressed their support for the proposal to increase the penalty for stealing a firearm at the public hearing in Brisbane, 'we think it is a very good idea...we think it is critical and we think it should be taken seriously. Legitimate firearms owners have to treat that every strongly or we lose our licence...'.¹⁶⁴

Some submitters pointed to the need to reduce the availability of firearms in the community. For example, the PHAA (Qld Branch), stated that:

*A comprehensive public health response requires balancing enforcement with proven preventative approaches that reduce firearm availability and address the specific contexts of domestic violence and suicide where firearms contribute significantly to preventable mortality.*¹⁶⁵

The Queensland Sexual Assault Network raised similar concerns.¹⁶⁶

6.3.2. Departmental briefing

i. Stealing firearms

The written briefing notes that hundreds of firearms are stolen in Queensland each year—775 in 2023, 609 in 2024 and 581 in 2025.¹⁶⁷ Recovery rates remain low, with only 25 per cent recovered in 2023, 20 per cent in 2024 and 18 per cent in 2025, respectively.¹⁶⁸ As a result, the number of illicit and unregulated firearms circulating in Queensland, and Australia, increases annually.

At the public briefing, the QPS explained that this is compounded by the 'lifetime' of guns and lethal weapons, noting that they can remain functional for many years and pose an

¹⁶¹ Firearm Owners United (FOU), submission 9, p 2; Sporting Shooters Association of Australia – Queensland Inc (SSAA (Qld.) Inc), submission 11, p 1.

¹⁶² FOU, submission 9, p 2.

¹⁶³ Submission 280, p 9.

¹⁶⁴ Public Hearing Transcript, Brisbane, 19 February 2026, p 31.

¹⁶⁵ Submission 13, p 5.

¹⁶⁶ Submission 317, p 3.

¹⁶⁷ QPS and DoJ, written briefing, 13 February 2026, p 8.

¹⁶⁸ QPS and DoJ, written briefing, 13 February 2026, p 8.

ongoing risk to the community.¹⁶⁹ Police often seize firearms that have illicitly circulated for decades.¹⁷⁰

ii. Criminalising preparatory acts for mass-casualty attacks

The written briefing acknowledges that the landscape of national security and the threat of domestic terrorism is markedly different from 2002 when terrorism offences were introduced at a Commonwealth level.¹⁷¹ Under the current legislative framework, grievance-fuelled lone actors can plan and prepare to carry out serious violent offences, including mass-casualty attacks, without technically committing a crime.¹⁷² Comparatively, it is an offence in Queensland for two people to conspire to kill a person, even if the killing does not eventuate.¹⁷³

Section 101.6 of the Commonwealth Criminal Code makes it an offence to engage in preparatory acts for a terrorist attack, even if the attack is never carried out and the person has not settled on a specific plan.¹⁷⁴ However, where a person plans serious violence which falls short of an attempt, and that does not meet the definition of terrorism, there may not be an applicable offence.¹⁷⁵

The written briefing also notes that common law decisions around Australia have recognised the threat of preparatory offences in relation to terrorism, and the Bill addresses the legislative gap and potential lack of clarity.¹⁷⁶



6.3.3. Relevance and proportionality of penalties

Fundamental legislative principles include requiring that legislation has sufficient regard to rights and liberties of individuals, and to the institution of Parliament.¹⁷⁷

The explanatory notes state that the new offence prohibiting preparation for, or planning, an offence that would seriously harm another person is modelled on an existing offence in the Commonwealth Criminal Code.¹⁷⁸ There are, however, a couple of significant differences between the Commonwealth and Queensland provisions:

- the Commonwealth offence is restricted to terrorist acts, whereas there is no similar constraint in the Queensland provision; and
- Queensland's proposed new offence 'will not require proof of the motivation behind the offending'.¹⁷⁹

¹⁶⁹ Public Briefing Transcript, Brisbane, 19 February 2026, p 8. See also QPS and DoJ, written briefing, 13 February 2026, p 8.

¹⁷⁰ QPS and DoJ, written briefing, 13 February 2026, p 8.

¹⁷¹ Mike Burgess, Director-General of Security, ASIO Annual Threat Assessment 2025.

¹⁷² QPS and DoJ, written briefing, 13 February 2026, p 9.

¹⁷³ QPS and DoJ, written briefing, 13 February 2026, p 9.

¹⁷⁴ QPS and DoJ, written briefing, 13 February 2026, p 9.

¹⁷⁵ QPS and DoJ, written briefing, 13 February 2026, p 9.

¹⁷⁶ QPS and DoJ, written briefing, 13 February 2026, p 9.

¹⁷⁷ LSA, s 4(2).

¹⁷⁸ Explanatory notes, p 5. See Criminal Code (Cth), s 101.6. See also, Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

¹⁷⁹ Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

According to the Minister for Police and Emergency Services, this new offence, along with the expanded offence regarding preparation to commit crimes with dangerous things,¹⁸⁰ ‘ensure police have the powers they need to take proactive action to protect the community, particularly in relation to potential acts of violence with mass casualties, such as the Olympic Games’.¹⁸¹

Committee comment



The committee is satisfied that the new and expanded offences and increased penalties are relevant and proportionate and, as such, have sufficient regard to rights and liberties of individuals.



6.3.4. Right to liberty and security of the person

Every person has the right to liberty and security.¹⁸² A person must not be subjected to arbitrary arrest or detention or be deprived of the person’s liberty except on grounds, and in accordance with procedures, established by law.¹⁸³ The purpose of the limitations on human rights is to ‘address criminal behaviour that due to its nature, or due to its association with other offences represents a high risk to community safety’.¹⁸⁴

The statement of compatibility offers a range of deterrence justifications for the specific offences. For example, it provides that the purpose of the limitation is to ‘deter the production of firearms that may later be used to commit offences’.¹⁸⁵

The Minister’s introductory speech explains that the stimulus for the amendments include a range of recent events that have occurred in the Australian community, such as the Bondi Beach terrorist attack and the attempted bombing in Perth.¹⁸⁶ While the statement of compatibility acknowledges it is not possible to quantify the deterrent effect caused by increasing the maximum penalty for offences or by introducing new offences, it considers the amendments to be:

*... essential to ensure the community is adequately protected and to impose an appropriate sanction to offenders, including youth offenders who engage in behaviour with weapons that places others at risk.*¹⁸⁷

¹⁸⁰ See Bill, cl 12 (amends s 540 of the Criminal Code).

¹⁸¹ Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

¹⁸² See HRA, s 29(1).

¹⁸³ See HRA, s 29(2), (3).

¹⁸⁴ Statement of compatibility, p 7.

¹⁸⁵ Statement of compatibility, p 7.

¹⁸⁶ Queensland Parliament, Record of Proceedings, 10 February 2026, pp 30, 33.

¹⁸⁷ Statement of compatibility, p 7.

Committee comment

The committee notes that the statement of compatibility concludes that the limitation on the right to liberty and security is outweighed by prevailing community expectations that robust offences and penalties be in place to address behaviour that endangers the public.

The committee is satisfied that the importance of preserving the right to liberty and security is adequately balanced against the purposes of the new offences and increased penalties.

7. Amendments to the Weapons Act

The Bill amends Queensland's weapons laws to increase maximum penalties, create new offences for reckless weapon discharge, and for possession (and distribution) of blueprints for 3-D printed firearms. It also introduces citizenship requirements for firearm ownership, broadens criteria for licensing decisions, aligns Firearm Prohibition Orders with interstate jurisdictions and tightens the requirements for storage under the Weapons Categories Regulation 1997.

At the public hearing in Townsville, Mr Bob Hawkins of the North Queensland Rifle Association told the Committee, in relation to the Bill generally:

*The general consensus amongst our members is that the government has got it pretty right this time. There is nothing too onerous in there from our point of view. It seems to this time be looking out for the bad guys rather than the good guys.*¹⁸⁸

7.1. Reckless discharge of a weapon toward a premises, dwelling or vehicle

The Bill introduces a new offence to target the increase of events involving the misuse of weapons where there is a substantial risk of injury or death to a person.¹⁸⁹ The Bill also amends the Youth Justice Act to include the new offence as a crime for which adult penalties will apply to juvenile offenders.¹⁹⁰ In his introductory speech, the Minister for Police and Emergency Services explained the genesis for developing the new offence:

*This bill introduces a new offence to tackle a particular form of gun crime—namely, drive-by shootings. This offending behaviour presents a significant risk to the safety of the community and is often associated with organised crime groups. In 2025 there were 131 charges for dangerous conduct with a weapon and 37 charges for discharging a weapon in a public place. Both carry a minor penalty.*¹⁹¹

The offence has been introduced to acknowledge the seriousness of the conduct and to recognise that the offence often takes place in the context of other criminal activity or hate

¹⁸⁸ Public Hearing Transcript, Townsville, 18 February 2026, p 15.

¹⁸⁹ Bill, cl 68 (inserts new s 56A to the Weapons Act); Explanatory notes, pp 6, 27, 36.

¹⁹⁰ Bill, cl 117 (inserts new s 175A(1B) to the Youth Justice Act); Explanatory notes, pp 6, 47.

¹⁹¹ Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

crimes, with a callous disregard for the welfare of others.¹⁹² The offence applies regardless of whether a person's safety was in fact endangered by the discharge of the weapon.¹⁹³

The offence is prescribed under the *Penalties and Sentences Act 1992* (PSA)¹⁹⁴ and has aggravated circumstances where:

- the person commits the offence and are a participant in a criminal organisation
- the person commits the offence against a building that is, or is on, a place of religious worship; or
- a vehicle that is in or on a place of religious worship.¹⁹⁵

A criminal organisation includes a group of three or more persons who engage in serious criminal activity and who, by their association, represent an unacceptable risk to the safety, welfare or order of the community.¹⁹⁶

Aggravated circumstances also exist where the offence was wholly or partially motivated by hatred or serious contempt for a person or group of persons based on an attribute or presumed attribute listed in the vilification offences in the Criminal Code.¹⁹⁷

7.1.1. Stakeholder submissions



Submitters, including the Sporting Shooters Association of Australia – Queensland Inc (SSAA) and FOU, supported the introduction of an offence for reckless discharge towards buildings or vehicles.¹⁹⁸ In its submission, FOU stated:

*FOU supports measures that focus on dangerous conduct rather than imposing... restrictions on lawful firearm ownership, and a dedicated offence ensures that behaviour such as firing toward occupied premises or vehicles can be addressed without reliance on broader provisions... reflecting the gravity of the risk.*¹⁹⁹

7.1.2. Departmental briefing

The written briefing explains that a range of offences may apply when someone recklessly fires a gun toward an occupied place.²⁰⁰ At the serious end are offences such as murder, attempted murder and acts intended to cause grievous bodily harm, which carry heavy penalties like life imprisonment and generally require proof of intent. Their relevance to drive-by shootings can be limited, as offenders may claim they intended only to intimidate, not injure.²⁰¹

¹⁹² Explanatory notes, pp 6, 11.

¹⁹³ Bill, cl 68 (inserts new s 56A(2) to the Weapons Act).

¹⁹⁴ Bill, cl 16 (amends sch 1C of the PSA). See for example, PSA, s 161N.

¹⁹⁵ Bill, cl 16 (amends sch 1C of the PSA), cl 68 (inserts new s 56A(5)(a), (b) to the Weapons Act). Explanatory notes, pp 6, 27, 36.

¹⁹⁶ PSA, s 161O.

¹⁹⁷ Bill, cl 68 (inserts new s 56A(c) to the Weapons Act); Explanatory notes, p 6, 36. See also Criminal Code, s 52B.

¹⁹⁸ Submission 11, p 1; Submission 9, p 4.

¹⁹⁹ Submission 9, p 4.

²⁰⁰ QPS and DoJ, written briefing, 13 February 2026, p 16.

²⁰¹ QPS and DoJ, written briefing, 13 February 2026, p 16.

7.2. Unlawful possession of blueprint material for 3D printed firearms

The Bill introduces a new offence which responds to the ease of manufacture and low cost of production for 3D printed weapons.²⁰² It is already an offence to possess blueprint materials to manufacture 3D printed weapons in New South Wales,²⁰³ Tasmania,²⁰⁴ and South Australia.²⁰⁵ The Bill also amends the Youth Justice Act to include the new offence as a crime for which adult penalties will apply to juvenile offenders.²⁰⁶

The explanatory notes provide that the number of 3D printed weapons seized by QPS has risen, accounting for 8 per cent of all categorised firearms in 2025.²⁰⁷ 3D manufacturing hinges on the ability to access digital blueprints or design files,²⁰⁸ which can be easily acquired online.²⁰⁹ These blueprints allow individuals to manufacture fully operational firearms with ease, and in the absence of any form of registration, identification or accountability.²¹⁰ In the absence of professional manufacturing standards and safety grading, 3D printed firearms pose a risk to the community, as well as the offender using the weapon.²¹¹

7.2.1. Stakeholder submissions



Submitters supported the measures in the Bill regarding the unlawful possession and distribution of blueprint material for 3D printed firearms.²¹² The Alannah and Madeline Foundation noted that this proposed offence will bring Queensland in line with other Australian jurisdictions.²¹³

The Firearms Dealers Association Queensland (FDAQ) submitted that it:

*... supports measures within the Bill that are directed at criminal misuse, unlawful manufacture and high-risk individuals. Licensed firearms dealers operate within a highly regulated environment and are committed to maintaining compliance with Queensland law.*²¹⁴

²⁰² Bill, cl 74 (inserts new 67A, 67B to the Weapons Act). See also Liz Gwynn, 'Alarming increase in 3D-printed 'ghost guns' has authorities on alert' (Article, Australian Broadcasting Corporation, accessed 17 February 2026) <<https://www.abc.net.au/news/2025-01-23/australia-police-3d-printed-ghost-guns-rising-concern/104836954>>; Aliysia Thomas-Sam, '3D printed guns on rise in Australia, with seizures of lethal firearms up across the nation' (Article, Australian Broadcasting Corporation, accessed 17 February 2026) <<https://www.abc.net.au/news/2024-11-04/3d-printed-guns-rising-australia-semi-automatic/104538082>>.

²⁰³ *Firearms Act 1996* (NSW) s 51F.

²⁰⁴ *Firearms Act 1996* (Tas) s 119A.

²⁰⁵ *Firearms Act 2015* (SA) s 37A.

²⁰⁶ Bill, cl 117 (inserts new s 175A(1B) to the Youth Justice Act); Explanatory notes, pp 6, 47.

²⁰⁷ Explanatory notes, p 11; Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

²⁰⁸ RMIT University, 'A beginner's guide to 3D printing' (Article, accessed 17 February 2026) <<https://www.rmit.edu.au/news/all-news/2019/nov/3d-printing-potential>>.

²⁰⁹ See for example, Makerworld – Gun Design Files (Webpage, accessed 17 February 2026) <<https://makerworld.com/en/models/381865-desert-eagle?from=search#profileId-282132>>.

²¹⁰ Explanatory notes, p 11; Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

²¹¹ Explanatory notes, p 11.

²¹² SSAA (Qld) Inc., submission 11, p 1; Firearms Dealers Association Queensland (FDAQ), submission 315, p 2.

²¹³ Submission 280, p 10.

²¹⁴ Submission 315, p 2.

The Queensland Police Union of Employees (QPU) also supported the new offence. It recommended that ‘it be broadened to capture any privately made firearm regardless of the potential method of manufacture’. The QPU recommended defining ‘manufacture’ in section 69 of the Weapons Act to include preparatory acts for privately made firearms, enabling law enforcement to act on incomplete or non-functioning weapons, and on preparatory steps, such as assembling parts or possessing tools and materials.²¹⁵

7.2.2. Departmental briefing

Queensland does not currently have a law that prohibits the possession of blueprint material for the manufacture of 3D printed firearms. The Bill will bring Queensland in line with other Australian jurisdictions.²¹⁶

The written briefing explains that advances in technology have made 3D-printed firearms cheap and easy to produce, creating clear community-safety risks.²¹⁷ In 2025, the QPS Ballistics Unit classified 42 such firearms, about 8 per cent of all firearms examined that year.²¹⁸

3D-printed firearms pose distinct risks because they are difficult to regulate as they are typically unmarked and untraceable, and their often poor construction or unsuitable materials increase the risk of injury when fired.²¹⁹ Furthermore these firearms may be made without the common safety features that are normally incorporated when produced by legitimate manufacturers, such as a trigger safety or drop safety.²²⁰

7.2.3. The rights of the child

Section 175A of the Youth Justice Act is subject to a human rights override declaration.²²¹

The Bill introduces two new offences—related to reckless discharge of a weapon and blueprint material for 3D printed firearms. Clause 117 of the Bill amends section 175A of the Youth Justice Act to add these new offences to the ‘adult crime, adult time’ regime.

The Bill also proposes to amend section 175A of the Youth Justice Act to omit its application to the offence of stealing a firearm for use in another indictable offence,²²² and replace it with the offence of stealing a firearm or ammunition. The Bill would increase the penalty for the latter offence from 10 years to 14 years.²²³

The effect is that children will be liable to the same maximum penalties as adults if convicted of one of these offences.²²⁴

²¹⁵ Submission 16, p 3.

²¹⁶ QPS and DoJ, written briefing, 13 February 2026, p 17.

²¹⁷ QPS and DoJ, written briefing, 13 February 2026, p 17.

²¹⁸ QPS and DoJ, written briefing, 13 February 2026, p 17.

²¹⁹ QPS and DoJ, written briefing, 13 February 2026, p 17.

²²⁰ QPS and DoJ, written briefing, 13 February 2026, p 17.

²²¹ Statement of compatibility, p 8.

²²² Bill, cl 10 (amends s 398 of the Criminal Code).

²²³ Bill, cl 10 (amends s 398 of the Criminal Code).

²²⁴ Statement of compatibility, p 6; Bill, cl 117 (amends s 175A of the Youth Justice Act).

The purpose of the limitations on these rights is deterrence and community safety.²²⁵ The statement of compatibility considers the provisions enhance community safety by ensuring appropriate penalties can be imposed that meet community expectations.²²⁶

The statement of compatibility considers there to be no less restrictive options to achieve the purpose.²²⁷

Committee comment



The committee notes that the rights of children to protection in their best interests and their right to liberty are significant rights, underpinned by international law.

The committee acknowledge that the Bill would limit the rights of children as set out in the HRA. The committee further acknowledges that the statement of compatibility tabled with the introduction of the Bill provides a sufficient level of information to facilitate understanding of the Bill in relation to its compatibility with human rights.

On balance, the committee is satisfied that there is a sufficient basis for the limitation on human rights in respect of the Bill.

7.3. Mandating citizenship for firearm ownership

The Bill proposes to limit eligibility for a firearms license to Australian citizens.²²⁸ The explanatory notes provide that this limitation is aligned with recent agreements of National Cabinet and will streamline the process of background checks.²²⁹

The Bill provides an exemption where an individual has a genuine reason for holding such a license, including sports or target shooting, or for their occupation, including employment in primary industry, rural purpose or for animal welfare.²³⁰ The proposed exemption also provides latitude for the Minister to prescribe exemptions by legislation.²³¹

7.3.1. Stakeholder submissions

QPU acknowledged Queensland's alignment with some of the recent agreements at National Cabinet on this issue. QPU noted non-citizens will be permitted to hold a licence for the genuine reasons of sports or target shooting, or for occupation requirements and that the citizenship test applies prospectively.

²²⁵ Statement of compatibility, p 7.

²²⁶ Statement of compatibility, p 7.

²²⁷ Statement of compatibility, p 7.

²²⁸ Bill, cl 56 (inserts new s 10(2)(h) to the Weapons Act); Explanatory notes, pp 6, 32. Note: The Bill relies on the definition of Australian citizen found in section 4 of the *Australian Citizenship Act 2007* (Cth) which includes automatic citizenship (by birth or adoption) and acquisition of citizenship (by descent or conferral).

²²⁹ Explanatory notes, pp 6, 32; Queensland Parliament, Record of Proceedings, 10 February 2026, p 31.

²³⁰ Bill, cl 56 (inserts new s 10(2C) to the Weapons Act); Explanatory notes, pp 6, 32.

²³¹ Bill, cl 56 (inserts new s 10(2C) to the Weapons Act). See also Weapons Act, s 11.

In this context, SSAA (Qld.) Inc stated that ‘clarity in regulation and administrative guidance will be critical’ and also recommended that:

- exemptions for primary producers and recognised sporting shooters must be clearly defined
- transitional arrangements must ensure fairness for existing licence holders; and
- practical implementation of this requirement should avoid unintended consequences for legitimate temporary residents participating in regulated shooting activities.²³²

South East Zone QCTA Inc submitted that the strengthening of Australian citizenship requirements ‘...must not penalise legitimate sporting shooters who are genuine licence holders’. They outlined the makeup for their membership demographics. This includes long-term permanent residents and visa holders who have safely participated in the sport of clay target shooting and have passed ‘exhaustive police checks’ and ‘completed all required training’. In this regard, the South East Zone QCTA Inc stated that:

*Retrospective or overly restrictive citizenship criteria could unfairly exclude these contributors, erode the inclusivity that underpins our association, and discourage international talent from participating in Queensland's thriving shooting community.*²³³

At the public hearing in Brisbane, Shooters Union Australia highlighted the general support of their members for the citizenship provisions proposed within the Bill and the ‘extremely good feedback’ they had received. They did, however, identify that extension of this provision to permanent residents may be beneficial particularly in respect of New Zealand permanent residents.²³⁴



7.3.2. Recognition and equality before the law

Every person has the right to enjoy the person’s human rights without discrimination,²³⁵ and the right to equal and effective protection against discrimination.²³⁶ Every person is equal before the law and is entitled to the equal protection of the law without discrimination.²³⁷

The purpose of the limitation on human rights is to ‘enhance and simplify the process of conducting background checks’. This will benefit public safety by ‘ensuring that only fit and proper persons are eligible to possess a weapons licence in Queensland’.²³⁸ According to the statement of compatibility, limiting eligibility for possession of a weapons licence to

²³² Submission 11, pp 2-3.

²³³ Submission 3, pp 2-3.

²³⁴ Public Hearing Transcript, Brisbane, 19 February 2026, p 32.

²³⁵ See HRA, s 15(2).

²³⁶ See HRA, s 15(4).

²³⁷ See HRA, s 15(3).

²³⁸ Statement of compatibility, p 8.

Australian citizens will 'ensure that thorough background checks are conducted in a timely and comprehensive manner'.²³⁹

Committee comment



The committee considered the importance of preserving the right to recognition and equality before the law against the public safety purpose of the Bill. It notes the proposed limitation on citizenship will bring Queensland into alignment with a recent agreement of National Cabinet.

The committee is satisfied that the limitations are justified in the circumstances, and consistent with prevailing legislative developments with respect to gun control and weapons licensing frameworks as a whole in the wake of the Bondi Beach attack.

7.4. Scope for decisions on firearms licensing

The Bill amends suitability matters which an authorised officer under the Weapons Act may consider when determining whether the applicant is a fit and proper person to hold a weapons license in Queensland.²⁴⁰

The Bill amends sections 10B(1) and 10C(1) of the Weapons Act to require an authorised officer to consider additional aspects of an applicant's history. The officer must consider any relevant history that is available to them, including:

- all criminal history – even if it would normally be excluded, such as:
 - spent convictions (expired rehabilitation periods or no recorded convictions)
 - quashed or set-aside convictions
 - discontinued charges; and
 - the circumstances of any charge or conviction.
- past behaviour involving weapons – such as carriage, discharge, possession, storage or use; and including possession or manufacture of blueprints for 3D printed firearms; and
- any history of violence, including threatened violence.²⁴¹

The Bill amends sections 13 and 14 of the Weapons Act to clarify that an officer in charge of police, or other authorised officer, may make inquiries with respect to relevant aspects of an applicant's criminal history.²⁴²

²³⁹ Statement of compatibility, p 8.

²⁴⁰ Bill, cl 57 (amends s 10B, 10C of the Weapons Act); Explanatory notes, pp 6, 33-35.

²⁴¹ Bill, cl 57 (amends s 10B, 10C of the Weapons Act); Explanatory notes, pp 7, 34-35.

²⁴² Bill, cl 59 (amends s 13 of the Weapons Act), cl 60 (amends s 14 of the Weapons Act); Explanatory notes, p 7, 34-35. See also, Queensland Parliament, Record of Proceedings, 10 February 2026, p 8.

The Bill also makes amendments to provide for retrospective application of decisions already made by authorised officers.²⁴³

7.4.1. Stakeholder submissions

FOU indicated strong support for the proposal and stated:

*...this amendment strikes an appropriate balance between community safety and the fair treatment of lawful licence holders. A risk-based system that focuses on behaviour and suitability, rather than arbitrary exclusions, is more likely to maintain public confidence while ensuring that firearms remain in the hands of responsible, law-abiding individuals.*²⁴⁴

Some submitters did not support the proposed amendments of Queensland's weapons laws and felt restrictions on licensed firearm owners who had 'done no wrong' was unreasonable.²⁴⁵ Specifically, Charlie Vella, submitted that 'law-abiding Australians who hold a licence should not be penalised for the actions of criminals' but also that he strongly supported 'increasing penalties for individuals who break the law, particularly those who whose firearms for legitimate purposes'.²⁴⁶

7.4.2. Right to recognition and equality before the law

The Bill limits the right to recognition and equality before the law by requiring decision makers to consider broader histories. The statement of compatibility provides that the amendments 'may be seen as differentiating licence applicants and associates from members of the public whose broader criminal records are generally protected from consideration'.²⁴⁷

The purpose of the limitations on human rights is to protect public safety by 'ensuring that authorising the possession and use of weapons occurs only where the authorised officer has access to, and must weigh, all relevant risk-related information'.²⁴⁸

The purpose of the limitations on human rights to protect public safety is consistent with the values of a free and democratic society. The explanatory notes state:

*The amendment is strongly justified in the public interest. Firearms regulation necessarily engages with risk. The ability to consider past charges, spent convictions, or discontinued investigations for relevant matters enables an authorised officer to make informed and preventative decisions.*²⁴⁹

According to the statement of compatibility, considering non-recorded convictions or charges that did not result in a conviction 'may still reveal behaviour that is highly probative of risk when viewed with other information'.²⁵⁰

²⁴³ Bill, cl 110 (inserts pt 8, div 10 of the Weapons Act); Explanatory notes, pp 7, 44-45.

²⁴⁴ Submission 9, p 7.

²⁴⁵ See, for example, Todd McKirdy, submission 52, p 1, Charlie Vella, submission 67, p 1.

²⁴⁶ Submission 67, p 1.

²⁴⁷ Statement of compatibility, p 14.

²⁴⁸ Statement of compatibility, p 15.

²⁴⁹ Explanatory notes, p 19.

²⁵⁰ Statement of compatibility, p 15.

The statement of compatibility concludes that the limitation on the right to equal treatment is ‘tightly confined to a defined regulatory context of determining the eligibility to possess weapons and is guided by the statutory criteria’, the limitation on the right to privacy is limited in scope to licensing matters, and the limitation to the right to a fair hearing is subject to procedural fairness, written reasons and review.²⁵¹

7.4.3. Right to privacy and reputation

A person has the right not to have the person’s privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and not to have the person’s reputation unlawfully attacked.²⁵² The Bill limits the right to privacy by ‘collecting, using and requiring disclosure of sensitive personal information (including spent or non-recorded convictions or discontinued charges)’.²⁵³ The statement of compatibility asserts that the limitation is limited in scope and necessary for, and consistent with, the safety and protection of the community.²⁵⁴

7.4.4. Right to a fair hearing

A person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.²⁵⁵ The right ‘affirms the right of all individuals to procedural fairness when coming before a court or tribunal’.²⁵⁶

Whilst weapons licencing decisions would continue to have a right of merits review in Queensland Civil and Administrative Tribunal (QCAT),²⁵⁷ the statement of compatibility notes that the Bill may limit the right to a fair hearing should procedural fairness issues arise ‘as retrospective validation could be perceived as affecting existing or contemplated review’.²⁵⁸ This refers to transitional and validation provisions included in the Bill, which would mean that decisions about a licence will be lawful in circumstances where the authorised officer considered certain matters prior to the inclusion of those matters in the law.²⁵⁹

The statement of compatibility states that retrospective validation of decisions made prior to commencement of the Bill’s provisions is:

*... curative and restores the long-understood operation of the Act rather than removing rights to challenge current or future decisions. It does not determine outcomes in individual matters but ensures the correct lawful lens is applied.*²⁶⁰

²⁵¹ Statement of compatibility, p 15.

²⁵² See HRA, s 25.

²⁵³ Statement of compatibility, p 14.

²⁵⁴ Statement of compatibility, p 14.

²⁵⁵ See HRA 31(1).

²⁵⁶ Queensland Government, *Guide: Nature and scope of the human rights protected in the Human Rights Act 2019*, version 3, June 2025, p 137.

²⁵⁷ Statement of compatibility, p 16.

²⁵⁸ Statement of compatibility, p 15.

²⁵⁹ Bill, cl 110 (inserts new s 203 to the Weapons Act).

²⁶⁰ Statement of compatibility, p 16.

Committee comment

The committee considered the importance of preserving the human rights engaged by the broadening of the matters to be considered for firearms licencing, against the purpose of protecting public and individual safety. The committee is satisfied that the limitations are justified in the circumstances, and are consistent with prevailing legislative developments with respect to gun control and weapons licensing frameworks as a whole in the wake of the Bondi Beach attack.

7.5. Firearm Prohibition Orders

Queensland's co-regulatory Firearms Prohibition Order (FPOs) framework – where both the Police Commissioner and the courts can issue orders – is being overhauled to align with other Australian jurisdictions.²⁶¹ FPOs target individuals who pose a community risk through potential firearm misuse, based on factors such as a history of domestic violence or links to criminal, or terrorist organisations.²⁶²

The Bill removes court-issued FPOs and grants sole issuing authority to the police commissioner.²⁶³ The Bill also extends the commissioner's authority from 6-day orders to FPOs lasting up to 10 years for adults, and 5 years for children, respectively.²⁶⁴ The Bill also introduces a right of review for commissioner issued FPOs in QCAT;²⁶⁵ and makes provisions to permit the recognition and enforcement of interstate FPOs.²⁶⁶

The Bill also broadens search powers under specific circumstances, including:

- allowing police to detain and search any person accompanying a person subject to an FPO
- the power to search a vehicle linked to a person subject to an FPO; and
- the power to search a premises owned or occupied by an individual subject to an FPO.²⁶⁷

The explanatory notes state the amendments are designed to enhance officer safety and grant police powers in high-risk situations.²⁶⁸ The Bill introduces safeguards for these powers that mirror the existing protections for directions issued under the PPRA, including for example, if a person fails to comply with a direction, the officer must – where practicable – warn them that non-compliance is an offence unless they have a reasonable excuse,

²⁶¹ Bill, cls 77-86; Explanatory notes, pp 7, 38-39.

²⁶² Weapons Act s 141E, 141F.

²⁶³ Bill, cl 80 (omits s 141H of the Weapons Act); Explanatory notes, pp 7-8, 39.

²⁶⁴ Bill, cl 79 (amends s 141G(4) of the Weapons Act); Explanatory notes, pp 7-8, 38. See Weapons Act s 141G. Note: The commissioner may only issue an FPO to a child who is 14 years or older.

²⁶⁵ Bill, cl 81 (amends s141I of the Weapons Act). Explanatory notes, p 38.

²⁶⁶ Bill, cl 91 (amends s 141Y of the Weapons Act); Explanatory notes, pp 7, 14, 40.

²⁶⁷ Queensland Parliament, Record of Proceedings, 10 February 2026, p 34.

²⁶⁸ Explanatory notes, pp 7-8.

and that they must comply. The officer must then give them another opportunity to comply.²⁶⁹



7.5.1. Stakeholder submissions

The FOU was broadly supportive of the proposed enhancements to the FPO scheme ‘as a targeted tool for managing genuinely high-risk individuals’. SSAA Queensland recognised the need to prevent high-risk individuals from accessing firearms but also stated that:

*At the same time, procedural fairness, natural justice and transparency in decision making processes must be preserved. The Association encourages clear review pathways and consistent administrative practice.*²⁷⁰

At the public hearing in Brisbane, SSAA (Qld.) Inc noted that additional clarity around the decision-making process would assist.²⁷¹

7.5.2. Departmental briefing

The written briefing notes that the co-regulatory FPO scheme in Queensland, which commenced in August 2025, has presented operational challenges, which will purportedly be resolved by aligning the scheme with other Australian jurisdictions.²⁷²

7.5.3. Rights and liberties of the individual



The Bill proposes to add to the powers of police relating to FPOs by allowing the police to not only stop, detain and search a person who is subject to an FPO but also, in particular circumstances, a person in the company of a person subject to an FPO or in certain vehicles or premises.²⁷³ A police officer may seize a firearm or firearm related item found during a search.²⁷⁴

Neither a warrant nor consent is required for a police officer to exercise these powers if the exercise of the power is reasonably required to determine whether an individual subject to an FPO is committing an offence of acquiring, possessing or using firearms or related items.²⁷⁵

The Minister for Police and Emergency Services said that the additional powers to stop, detain and search individuals would enable police to ‘proactively manage threats involving firearms and respond to emerging risks in Queensland’.²⁷⁶

The explanatory notes assert that the new power to stop, detain and search persons who are not subject to an FPO, but are in company with a person subject to an FPO or in

²⁶⁹ Bill, cl 88 (inserts new s 141T to the Weapons Act). Cf PPRA, s 663. Explanatory notes, p 40.

²⁷⁰ Submission 11, pp 2-3.

²⁷¹ Public Hearing Transcript, Brisbane, 19 February 2026, p 13.

²⁷² QPS and DoJ, written briefing, 13 February 2026, p 19.

²⁷³ Bill, cl 98 (inserts new s 141ZGA to the Weapons Act).

²⁷⁴ Weapons Act, s 141ZH.

²⁷⁵ Weapons Act, s 141ZD.

²⁷⁶ Queensland Parliament, Record of Proceedings, 10 February 2026, p 34.

certain vehicles or premises, is appropriately balanced between keeping police safe and the rights and liberties of affected persons:

*... The search power is appropriately limited to situations where a police officer reasonably suspects that the person is committing or is about to commit an offence against the Weapons Act and possesses a firearm or firearm related item.*²⁷⁷

The explanatory notes add that the amendments ‘will ensure an individual subject to an FPO will not escape police detection through employing another to carry a firearm or a firearm related item on their behalf’.²⁷⁸ Also, that the amendment is consistent with Western Australian legislation.²⁷⁹

The explanatory notes state generally that the Bill ‘has robust safeguards regarding the search powers to ensure they are not misused’,²⁸⁰ and that searches conducted under the proposed amendment will be overseen by the Public Interest Monitor (PIM).²⁸¹

Committee comment



The committee is satisfied that the proposed amendments are consistent with fundamental legislative principles, and that safeguards and oversight are present to prevent improper use of the proposed power.



7.5.4. Right to recognition and equality before the law

Every person has the right to enjoy the person’s human rights without discrimination²⁸² and the right to equal and effective protection against discrimination.²⁸³ Every person is equal before the law and is entitled to the equal protection of the law without discrimination.²⁸⁴ The statement of compatibility states that the removal of the court process could ‘introduce a risk of decisions being perceived as arbitrary or discriminatory’,²⁸⁵ thus limiting the right to recognition and equality before the law.

The purposes of the limitation on human rights are to ‘ensure that Queensland’s FPO scheme aligns with interstate jurisdictions’²⁸⁶ and to ‘enhance community safety and reduce firearm related risks by strengthening the FPO scheme’.²⁸⁷ The Bill aims to enhance community safety and reduce risk by preventing ‘individuals who pose a high risk

²⁷⁷ Explanatory notes, pp 8, 15.

²⁷⁸ Explanatory notes, p 18.

²⁷⁹ Explanatory notes, p 18.

²⁸⁰ Explanatory notes, p 8.

²⁸¹ Explanatory notes, p 18. The Public Interest Monitor (PIM) is established under the PPRA to, amongst other things, monitor compliance by police and other law enforcement officers with laws in relation to covert search warrants and other warrants and authorisations. See PPRA, ch 21, pt 5. The PIM has access to the register about FPOs. See PPRA, s 141ZU.

²⁸² See HRA, s 15(2).

²⁸³ See HRA, s 15(4).

²⁸⁴ See HRA, s 15(3).

²⁸⁵ Statement of compatibility, p 11.

²⁸⁶ Explanatory notes, p 7.

²⁸⁷ Statement of compatibility, p 12.

to the community from accessing or using firearms'.²⁸⁸ The purpose is consistent with the values of a free and democratic society.

According to the statement of compatibility, the retention of the matters to be considered when making an FPO ensures the commissioner 'must continue to apply appropriate and consistent considerations when determining whether to make an FPO'.²⁸⁹ It is likely that the provisions would introduce administrative efficiencies and shorten the relevant timeframes by removing the court from the process.

The statement of compatibility observes that, in developing the Bill, consideration was given to equivalent legislation in other jurisdictions,²⁹⁰ and that the adoption of similar legislative measures across Australia 'demonstrates a broad consensus on the necessity of the FPO scheme to address high risk individuals and enhance community safety'.²⁹¹

Some legislative components may safeguard against the limitation on the right to recognition and equality before the law. For example, the Bill retains the requirement for the commissioner to maintain an FPO register, including relevant information about the orders.²⁹² The commissioner must also provide the PIM with access to the register.²⁹³ Importantly, FPOs are subject to review, with the statement of compatibility citing 'robust review processes'.²⁹⁴

The statement of compatibility acknowledges that while the Bill imposes limitations on human rights, these limitations are 'necessary, reasonable and proportionate to the legitimate purpose of reducing firearm related risks and enhancing community safety. The removal of the court-issued FPO scheme streamlines decision making, enabling the police officers to act swiftly in high-risk scenarios'.

The statement of compatibility states that no other less restrictive, reasonably available ways to achieve the purpose of the Bill have been identified.

Committee comment



The committee is satisfied that the proposed amendments are consistent with fundamental legislative principles, and that safeguards and oversight are present to prevent improper use of the proposed power.

²⁸⁸ Statement of compatibility, p 12.

²⁸⁹ Statement of compatibility, p 13.

²⁹⁰ Including New South Wales, Victoria, Western Australia, Tasmania and the Northern Territory.

²⁹¹ Statement of compatibility, p 13.

²⁹² Statement of compatibility, p 12.

²⁹³ PPRA, s 740(1)(e). Note: To support the PIM's functions under chapter 21 of the *Police Powers and Responsibilities Act 2000* (PPRA). The PIM monitors the making of FPOs under the *Weapons Act*, pt 5A.

²⁹⁴ Statement of compatibility, p 14; Explanatory notes, p 15. Note: A person issued with an FPO can apply to the Queensland Civil and Administrative Tribunal for review.

7.6. Weapons storage requirements

Secure weapons storage is a key safeguard against accidents, theft and unauthorised access. Licensees must keep weapons securely stored whenever they are not in their physical possession.²⁹⁵ Currently, storage requirements vary by weapon category – or categories A, B, C, E and M – storage containers can be steel or timber, and if they weigh under 150 kg, they must be fixed to the floor of a permanent building.²⁹⁶ The Bill narrows storage rules by requiring all weapon categories to be kept in solid steel containers only.²⁹⁷

7.6.1. Stakeholder submissions



Submitters generally supported the amendments in the Bill to the weapons storage requirements.²⁹⁸ For example, FOU, stated that it supported the removal of solid wood containers from the list of approved storage options for firearms. It explained:

The provisions permitting timber cabinets reflect an earlier period when such storage solutions were common. In practice, these cabinets have been largely superseded by purpose-built steel safes and are now uncommon within the licensed firearms community.

Requiring modern steel storage will materially improve resistance to forced entry and unauthorised access while aligning regulatory standards with contemporary security expectations. It will also ensure a consistent baseline of storage across the State, reducing ambiguity about what constitutes acceptable security.²⁹⁹

In its submission, FOU recommended that clear educational materials and guidance be provided to licence holders to support the transition. It concluded that ‘provided that reasonable implementation timeframes and clear guidance are made available, this reform represents a sensible modernisation of storage standards that supports public safety while remaining fair and proportionate to lawful firearms owners’.³⁰⁰

SSAA Queensland also supported the proposal to strengthen the storage requirements by requiring solid steel containers for categories A, B, C, E and M firearms³⁰¹ and recommended:

- adequate transition periods for compliance
- clear technical guidance defining acceptable storage standards; and
- consideration of cost impacts on regional and rural licence holders.³⁰²

²⁹⁵ Explanatory notes, p 9.

²⁹⁶ Weapons Regulation 2016, s 94(5)(b)(ii).

²⁹⁷ Bill, cl 114 (amends s 92 of the Weapons Regulation), cl 115 (amends s 95 of the Weapons Regulation). See also Explanatory notes, pp 9, 45-46.

²⁹⁸ See, for example, Queensland Police Union, submission 16, p 2; FOU, submission 9, p 8.

²⁹⁹ Submission 9, p 8.

³⁰⁰ Submission 9, p 8.

³⁰¹ Submission 11, p 2.

³⁰² Submission 11, p 2.

At the public hearing, Shooters Union Australia noted that while they do not have data on wooden versus steel storage amongst their members, they expected that the number of impacted licensees would be statistically low.³⁰³

7.6.2. Departmental briefing

The written briefing notes that timber storage containers are more susceptible to damage or forced entry. Notably, wood storage containers weaken over time due to environmental factors, like high humidity; and are more likely to be detrimentally impacted by adverse events such as fire, flooding, insects, rot and/or chemical degradation.³⁰⁴ The Bill responds to this risk by mandating steel storage containers for all categories of weapons.³⁰⁵

7.7. Increases to maximum penalties for certain weapons offences

The Bill proposes increases to certain penalties under Queensland's Criminal Code and the Weapons Act. For example, the maximum penalties for shortening firearms and altering identification marks on weapons would more than triple.

The penalties of these offences are dependent on the category of weapon.³⁰⁶

In describing the suite of reforms to disrupt and deter criminal conduct involving weapons and hate crimes, the Minister for Police and Emergency Services stated:

*I want to make clear from the outset that the reforms contained in this bill are not targeting law-abiding firearms owners. Rather, they are intended to minimise, to the greatest extent possible, the risk of firearms falling into the wrong hands while prioritising the safety of the Queensland community.*³⁰⁷

The increases to the maximum penalties for weapons offences are justified in the explanatory notes on the grounds that the actions at the heart of the offences present a high risk to community safety 'due to their inherent serious nature, or their direct association with other offences'.³⁰⁸

7.7.1. Stakeholder submissions



Stakeholders supported the proposed strengthening of Queensland's weapons law.³⁰⁹ For example, the FDAQ, supported measures within the Bill that are clearly directed at:

- criminal trafficking and unlawful supply
- illegal manufacture of firearms

³⁰³ Public Hearing Transcript, Brisbane, 19 February 2026, p 31.

³⁰⁴ QPS and DoJ, written briefing, 13 February 2026, p 22.

³⁰⁵ QPS and DoJ, written briefing, 13 February 2026, p 22.

³⁰⁶ See Weapons Categories Regulation 1997.

³⁰⁷ Queensland Parliament, Record of Proceedings, 10 February 2026, p 31.

³⁰⁸ Explanatory notes, p 11.

³⁰⁹ For example, see South East Zone QCTA Inc, submission 3, p 2; FOU, submission 9, p 3; FDAQ, submission 315, p 2; Wyatt Birt, submission 71, p 1; Louis Cooper, submission 72, p 1. See also Public Hearing Transcript, Brisbane, 19 February 2026, p 31.

- reckless or dangerous misuse; and
- preventing high-risk individuals from accessing firearms.³¹⁰

SSAA (Qld.) Inc. supported strengthening trafficking and unlawful supply offences.³¹¹

Similarly, Stuart McLeod supported strengthening of the firearms laws in Queensland stating that he believed ‘the new laws are a step in the right direction’ and that the new laws will not really affect most firearm owners who do so legally. He said:

*It’s great to see real leadership by the QLD premier and his government instead of knee jerk reactions which would only punish the legal firearm owners, like the other states have which will not fix the problem.*³¹²

FOU submitted that ‘robust maximum penalties play an important role in deterring deliberate criminal conduct involving firearms, particularly where criminal intent has been proven beyond a reasonable doubt, or where public safety was consequently endangered by the misuse of firearms’.³¹³

FOU also supported the stronger penalties for the unlawful trafficking in weapons ‘particularly where such activity is linked to organised crime or deliberate attempts to circumvent regulatory safeguards’.³¹⁴

Other submitters felt the proposed amendments could go further. The Alannah and Madeline Foundation noted that the Bill does not respond to the Commonwealth’s offer to improve access to the AusCheck system for background checks and intelligence gathering.³¹⁵

7.7.2. Departmental briefing

The written briefing explains that the penalties for the nominated offences have been increased due to their inherent risk to the community and likely links to criminal activity.³¹⁶ In developing the Bill, a comparative analysis of other Australian jurisdictions was undertaken to inform the increases.³¹⁷



7.7.3. Rights and liberties of individuals

Fundamental legislative principles include requiring that legislation has sufficient regard to rights and liberties of individuals, and to the institution of Parliament.³¹⁸

To have sufficient regard to the rights and liberties of individuals, the consequences of legislation should be relevant and proportionate. In line with this, penalties should be

³¹⁰ Submission 315, p 2.

³¹¹ Submission 11, p 1.

³¹² Submission 64, p 1.

³¹³ Submission 9, p 3.

³¹⁴ Submission 9, p 3.

³¹⁵ Submission 280, p 14.

³¹⁶ QPS and DoJ, written briefing, 13 February 2026, pp 11-15.

³¹⁷ QPS and DoJ, written briefing, 13 February 2026, p 22. See also Attachment 1 (starting at page 23).

³¹⁸ See for example, Justice, Integrity and Community Safety Committee, *Making Queensland Safer Bill 2024*, Report No. 1, 58th Parliament, December 2024, p 36. See also LSA, s 4(2)(a).

proportionate to the offence, and penalties within legislation should be consistent with each other.³¹⁹

With respect to the increased penalties for the weapons offences, the Minister for Police and Emergency Services asserted:

*... these reforms send a clear message: the misuse of firearms and weapons will not be tolerated in Queensland and those who commit these offences will face serious consequences.*³²⁰

The explanatory notes justify the new offences in the Weapons Act with their corresponding penalties on the basis that the behaviour they address represents ‘a particular risk to community safety’³²¹ and the offences are necessary ‘to ensure that community safety and security is maintained’.³²²

Committee comment



The committee is satisfied that the new and expanded offences and increased penalties are relevant and proportionate and, as such, have sufficient regard to rights and liberties of individuals.

The committee is satisfied that any limitation on the right to liberty and security is outweighed by the strong community expectation that adequate offences and penalties will be available to address criminal behaviour that endangers the community.

7.8. Amendments to the PPRA - controlled operations

Under the PPRA, a ‘controlled operation’ is one carried out to obtain evidence for prosecuting a relevant offence and may involve ‘controlled conduct’—actions that, but for the protection of the PPRA, would be considered criminal in nature.³²³ The Bill proposes to widen the circumstances in which a controlled operation may be conducted by including the additional purpose of ‘frustrating the commission of a relevant offence’.³²⁴ The Bill also proposes to lower the threshold for being able to conduct a controlled operation by reducing the relevant offences from a 7-year imprisonment offence to a 3-year imprisonment offence.³²⁵

7.8.1. Departmental briefing

The written briefing explains that the controlled operations power under the PPRA does not currently operate to permit the frustration, disruption or prevention of criminal conduct; and that the community would be better served if potential crimes can be prevented in

³¹⁹ See for example, Justice, Integrity and Community Safety Committee, *Making Queensland Safer Bill 2024*, Report No. 1, 58th Parliament, December 2024, p 36. See also LSA, s 4(2)(a).

³²⁰ Queensland Parliament, Record of Proceedings, 10 February 2026, p 33.

³²¹ Explanatory notes, p 11.

³²² Explanatory notes, p 12.

³²³ PPRA, s 229.

³²⁴ PPRA, s 229.

³²⁵ See Bill, cl 23 (amends s 229 of the PPRA).

their entirety.³²⁶ The development of controlled operations powers and surveillance device warrants were considered by the Joint Working Group on National Investigation Powers (JWG) in 2003.³²⁷ Under the model law that was contained in the JWG's report, the threshold for controlled operations and surveillance device warrants is any offence punishable by 3 years imprisonment or more, or an offence prescribed by regulation.³²⁸ This threshold was considered a compromise, considering that some jurisdictions have no minimum threshold at all.³²⁹ Queensland took a divergent approach and adopted a threshold of 7-years imprisonment or offences listed in schedule 2 of the PPRA.³³⁰

The written briefing identifies that the current thresholds prohibit the power from being used as an investigative tool for certain hate-related offences,³³¹ and that the Bill responds by lowering the threshold of imprisonment to better align with interstate legislation.³³²



7.8.2. Rights and liberties of individuals

The proposed amendments are relevant to fundamental legislative principles because to have sufficient regard to rights and liberties of individuals, legislation should not confer immunity from proceeding or prosecution without adequate justification.³³³ The proposed amendments would likely result in controlled operations and controlled activities being conducted in relation to less serious offences. The explanatory notes state there are safeguards for such operations and that the lower thresholds are appropriate:³³⁴

*The offence threshold is just one criterion for the authorisation of a controlled operation, controlled activity and surveillance device warrant. It is important to recognise that other criteria for the use of the powers remain, along with significant oversight by the controlled operations committee and the PIM. The amendments to the offence thresholds are relevant and proportionate to current risks to the community.*³³⁵

Regarding the conferral of immunity, the explanatory notes state that it is necessary and contend that the broadened circumstances do not affect the existing justification:

... the amendments do not change the categories of persons who receive immunity nor the types of conduct for which the immunity applies. The immunity applies only to conduct authorised in advance, within scope and subject to rigorous reporting and accountability mechanisms. The

³²⁶ QPS and DoJ, written briefing, 13 February 2026, p 20. See also Public Briefing Transcript, Brisbane, 19 February 2026, pp 10-11.

³²⁷ QPS and DoJ, written briefing, 13 February 2026, p 20.

³²⁸ QPS and DoJ, written briefing, 13 February 2026, p 20. See also Public Briefing Transcript, Brisbane, 19 February 2026, p 10.

³²⁹ QPS and DoJ, written briefing, 13 February 2026, p 20.

³³⁰ QPS and DoJ, written briefing, 13 February 2026, p 20.

³³¹ QPS and DoJ, written briefing, 13 February 2026, p 21. See also Public Briefing Transcript, Brisbane, 19 February 2026, p 10.

³³² QPS and DoJ, written briefing, 13 February 2026, p 21.

³³³ LSA, s 4(3)(h).

³³⁴ Bill, cl 28 (amends s 323 of the PPRA).

³³⁵ Explanatory notes, p 13.

*amendments alter the purpose rather than the fundamental operation of any conferred immunity. ...*³³⁶

Committee comment



The committee is satisfied that the amendments to controlled operations and controlled activities have sufficient regard to rights and liberties of individuals, given that lowered thresholds for controlled operations, and controlled activities, would result in undercover police and civilian participants receiving immunity in relation to operations involving less serious offences.

Committee comment



The committee acknowledges and appreciates the strong amount of interest in the amendments proposed in the Bill and welcomed all views on this important piece of legislation. The committee also acknowledges the varied views of submitters, particularly those who shared their personal experiences of antisemitism and views on gun use across Queensland.

The committee supports the amendments as necessary to achieve the overall objective of the Bill—to stamp out antisemitism and prevent the misuse of firearms. The committee is of the view that these reforms offer a practical solution to these serious issues and they are appropriately focused on prevention and preserving the safety of the community.

³³⁶ Explanatory notes, pp 19-20.

Appendix A – Purpose of the Bill

The objectives of the Bill are to:

- strengthen the prohibition of the public use of hate symbols, ensuring it effectively combats their promotion and protects community safety and social cohesion;
- prohibit the use of expressions used to incite discrimination, hostility or violence towards certain groups;
- protect faith communities by ensuring people are not intimidated while accessing places of worship;
- modernise criminal offences related to religious worship to align with contemporary drafting practices and increase maximum penalties;
- increase the maximum penalty for stealing a firearm or ammunition to 14 years imprisonment;
- introduce a new offence under the Criminal Code that prohibits acts done in preparation for, or planning, an offence likely to cause the death or grievous bodily harm of another;
- amend section 540 ‘Preparation to commit crimes with dangerous things’ of the Criminal Code by clearly stating the offence applies in relation to dangerous or offensive weapons or instruments;
- impose as a combined suite of reforms, the strongest maximum penalties in Australia for a range of offences in the Weapons Act to deter criminal behaviour that endangers community safety;
- introduce a specific offence prohibiting the reckless discharge of a weapon towards a building or a vehicle;
- introduce new offences within the Weapons Act prohibiting the possession and distribution of a blueprint material for the manufacture of a firearm on a 3D printer or electronic milling machine;
- prescribe additional offences under the Youth Justice Act as Adult Crime, Adult Time arising from the seriousness of the new offences introduced or maximum penalties imposed;
- require that a Queensland weapons licence holder must, unless limited exceptions apply, be an Australian citizen;
- broaden the scope of an individual’s history that may be considered in firearms licensing decisions to include information about violent and weapons-related offences, irrespective of whether a conviction is spent or not recorded;
- strengthen the effectiveness of the Firearm Prohibition Order (FPO) scheme which is designed to deter high-risk individuals from acquiring, possessing, or using firearms;

- reform controlled operations legislation under Chapter 11 of the PPRA to enable police to frustrate criminal activity;
- expand the scope of offences that may be investigated through the use of controlled operations, controlled activities and surveillance device warrants;
- maintain the existing electronic service provisions for official warnings for consorting and police banning notices;
- strengthen intelligence and information-sharing by formalising information sharing with the Australian Defence Force (ADF); and
- strengthen the storage requirements for category A, B, C, E and M weapons by requiring these weapons to be stored exclusively in solid steel containers.³³⁷

³³⁷ Explanatory notes, pp 1, 2.

Appendix B – Submitters

Sub No.	Name / Organisation
1	Australian Multicultural Action Network Incorporated
2	Queen Victorias Rifles Shooting Club
3	South East Zone QCTA Inc
4	Ipswich and District Rifle Club Incorporated
5	Legal Aid Queensland
6	Jewish Voices of Hope
7	Shooters Union Queensland Collector's Branch
8	Queensland Advocacy for Inclusion and Queenslanders with Disabilities Network
9	Firearm Owners United
10	Islamic Council of Queensland
11	SSAA (Qld.) Inc
12	The Services Union
13	Public Health Association Australia, Queensland Branch
14	Professor Katharine Gelber and Professor Luke McNamara
15	Professor Anne Twomey
16	Queensland Police Union
17	Bar Association of Queensland
18	Queensland Homicide Victims' Support Group
19	Cairns Regional Council
20	Queensland Rifle Association
21	Queensland Council of Unions
22	Settlement Services International
23	National Tertiary Education Union - Queensland Division
24	Queensland Teachers' Union
25	Action Ready
26	Social Responsibilities Committee, Anglican Church Southern Queensland
27	Australian Arms, Militaria & Munitions Historical Society Approval No 49001016
28	Jewish Council of Australia
29	Australia Palestine Advocacy Network
30	Australia-Palestine Mental Health Advocacy Network
31	Muslim Votes Matter
32	Jews for Justice
33	Free Speech Union of Australia Pty Ltd
34	Office of the Victims' Commissioner
35	Medical Association for Prevention of War
36	National Rifle Association of Australia
37	Islamic College of Brisbane
38	Queensland Progressives Party
39	Village Support Limited
40	Labor Friends of Palestine
41	Archdiocese of Brisbane
42	Queensland Muslims Inc
43	Gympie Pistol Club Inc

44	Queensland Jewish Board of Deputies Inc
45	Shooters Union Australia
46	Institute of Public Affairs
47	Amnesty International Australia
48	Queensland Human Rights Commission
49	Multicultural Australia
50	Ethnic Communities Council of Queensland
51	Name Withheld
52	Todd McKirdy
53	Name Withheld
54	Lior Cohen
55	Jay Hani
56	Name Withheld
57	Name Withheld
58	Name Withheld
59	Jon Henshaw
60	Name Withheld
61	Nathan Kilborn
62	Michael Hall
63	Jamie Miller
64	Stuart McLeod
65	Confidential
66	Name Withheld
67	Charlie Vella
68	Ben Innes
69	Confidential
70	Jack Miller
71	Wyatt Birt
72	Louis Cooper
73	William Grant
74	Name Withheld
75	Jack Dickson

76	Kunal Gautam
77	Richard Roberts
78	James Mckenzie
79	Parker Ostrofski
80	Name Withheld
81	Aaron Schoutens
82	Name Withheld
83	Mark Bourke
84	Josh Howard
85	John Anderson
86	Joshua Priebbenow
87	David Aird
88	Name Withheld
89	Stephen D'Anann
90	Cory Newman
91	Gary White
92	Jesse Corcoran
93	Taylor Osgood
94	Confidential
95	Name Withheld
96	Luke Collins
97	Name Withheld
98	Russell Wakeford
99	Name Withheld
100	Stephen Houghton
101	Name Withheld
102	Name Withheld
103	Willem Lategan
104	Name Withheld
105	Lachlan Campbell
106	James Williamson
107	Gordon Gentle
108	Bruce Zhou
109	Benjamin Grasser
110	Noah Winn

111	Darren Mudge
112	Glen Thompson
113	Name Withheld
114	Anthony Hawes
115	Caleb Allen
116	Russell Burow
117	Confidential
118	Name Withheld
119	Name Withheld
120	Confidential
121	Justin Suffolk
122	Brendon O'Donnell
123	Craig Foreman
124	John Lancaster
125	Mark Hughes
126	Name Withheld
127	John Ellis
128	Stephen Akers
129	Mackenzie Prentis
130	Josiah Palombini
131	Name Withheld
132	Jeffrey Lowrey
133	Chris Lawn
134	Name Withheld
135	Alan Ballard
136	David Harris
137	Daniel Lewin
138	Brett Stone
139	Peter Flaherty
140	Peter Robinson
141	Delilah Walsh
142	Ted Mitchell
143	Name Withheld
144	Scott Casten
145	Richard Adams

146	Name Withheld
147	Joe Bazan
148	Confidential
149	Patience Hodgson
150	Confidential
151	Mark Scofield
152	William Sticklen
153	Anthony Puddicombe
154	Luke Calcino
155	Name Withheld
156	Name Withheld
157	Confidential
158	Darren Bright
159	Sam Nicolosi
160	Name Withheld
161	Rachel Gallagher
162	Name Withheld
163	Warren McEwan
164	Maria Carty
165	Russell Coleman
166	Madeleine Said
167	Dmitri Sharov
168	John Kummrow
169	Matthew Thomas
170	Name Withheld
171	Timothy Robinson
172	Name Withheld
173	Simon Phillips
174	Martin Edward Duggan
175	Robert Tony Polley
176	Mark Fuhrmeister
177	Name Withheld
178	Ian Eldridge
179	Name Withheld
180	Chris Henshaw

181	Name Withheld
182	Craig McPhilimey
183	Frank Drew
184	Miguel Olloren
185	Luke Heel
186	Ian Curr
187	Jacinta Jae
188	Confidential
189	Philip McAleese
190	Simon Wood
191	Name Withheld
192	Colin Schulz
193	Rhys Bosley
194	Bin Xu
195	Name Withheld
196	Greg Morris
197	Matthew Peterman
198	Boden Nicholson
199	Ramona Harvie
200	Name Withheld
201	Name Withheld
202	John Dennis
203	Confidential
204	Lori Thompson
205	Michael Hodge
206	John Hayward
207	Daniela Parra-Faundes
208	Name Withheld
209	Name Withheld
210	Douglas Graham
211	Tobias Kennett
212	Name Withheld
213	Rocky Henry
214	Michael Griffiths
215	James Richardson

216	Mia Leigh
217	Name Withheld
218	Derek Mitchell
219	Justin Parker
220	Lewis Thompson
221	Rodney Sullivan
222	Denis Waddell
223	Craig Stephens
224	Alan Curtis
225	Michael Powell
226	John Curr
227	Nocholas Hannay
228	Jason Polzin
229	Name Withheld
230	Peter Steers
231	Confidential
232	Axel Beard
233	David Brennan
234	Paul Victor
235	Greg Manning
236	Confidential
237	Ryan Cole
238	Confidential
239	Confidential
240	Name Withheld
241	Name Withheld
242	Name Withheld
243	Pedro Torres Da Costa
244	Ross Madin
245	Bruce John Williams
246	Jayne Manwarring
247	Dr Susan Bond
248	Stuart Withrington
249	Niamh Crawley
250	Alastair Tomkins

251	Anne Hassett
252	Name Withheld
253	Name Withheld
254	Kelly van Dongen
255	Name Withheld
256	Name Withheld
257	Name Withheld
258	Name Withheld
259	Stefan Karotkavitch
260	North Queensland Rifle Association
261	Christine McClafferty
262	Name Withheld
263	Brian Sayers
264	Name Withheld
265	Name Withheld
266	Peter Assfalg
267	Richard Wright
268	John Mailman
269	Name Withheld
270	Alex Deagon
271	Name Withheld
272	Name Withheld
273	Anthony Rawson
274	Leith Rapp
275	Lyndall Jones
276	Confidential
277	Name Withheld
278	Kate Nuttall
279	Michael Rosenthal
280	Alannah and Madeline Foundation
281	Form A (or variation of from A)
282	Queensland Law Society
283	Trans Justice Meanjin

284	Australasian Living History Federation
285	Gun Control Australia
286	Refugee Action Collective Queensland
287	Youth Advocacy Centre
288	Falesteen Inc
289	Submission - Form B (or variation of from B)
290	Justice for Palestine Magandjin (JFP)
291	Australia-New Zealand Lived Experience Advisory Council for Police-Related Deaths
292	Confidential
293	Institute for Collaborative Race Research
294	Unionists for Palestine Queensland
295	Office of the Special Envoy to Combat Antisemitism
296	Shooting Industry Foundation of Australia
297	Townsville Law Inc
298	Australian Dance Council, Ausdance Inc
299	North Australian Festival of Arts
300	Australian Clay Target Association
301	Brisbane Muslim Fellowship
302	Free Palestine Townsville
303	Electrical Trades Union Queensland and NT
304	Confidential
305	Lamberr Wungarch Justice Group
306	Peace is Union Business

307	Australian Recreation Union - Queensland Branch
308	Freedom for Faith
309	Queensland Conservation Council
310	Number not allocated
311	Jewish Voices of Inner Sydney
312	Brisbane Labour History Association
313	National Council of Women of Queensland Inc.
314	National Tertiary Education Union
315	Firearm Dealers Association - QLD Inc.
316	Sisters Inside Inc.
317	Queensland Sexual Assault Network
318	Samara McPhedran
319	Associate Professor Maria O'Sullivan
320	Patrick Coleman
321	Brendan James
322	Guy Boaz
323	Wayne Loader
324	Alana Williams
325	Name Withheld
326	Judy Attwood
327	Stephen Heydt
328	Name Withheld
329	National Network of Incarcerated Women & Girls
330	Damien Gartshore
331	Mladen Prasnikar
332	Gayle Powell
333	Confidential

334	Marilyn Rushby
335	Name Withheld
336	Queensland Council for Civil Liberties
337	Berenice Shelley
338	Arthur Comino
339	Name Withheld
340	Name Withheld
341	Jason Lane
342	Toby Lythgo
343	Australian Muslim Advocacy Network
344	Name Withheld
345	Stephen Keim SC
346	Ashley Jones
347	Antonio Caltabiano
348	Owen Webb
349	Madeleine Orr
350	Name Withheld
351	Kevin Jacobson
352	Tasneem Winkler
353	Brendan Morley
354	Name Withheld
355	Crina Virgona
356	Terry Pinnell
357	Name Withheld
358	BRQ, LGBTILS, RAILS, YAC, QAI
359	Cameron Barker
360	Felicity Jodell
361	Sasa Prasnikar
362	Saul Geffen
363	Mathew Pillai
364	Tom Magarey
365	Fadlullah Wilmot
366	Stuart Taylor

367	Peta Fraser
368	Leon Cooper
369	Simone Abel
370	Name Withheld
371	Reuben Richardson
372	Iliada Chronopoulos
373	Anthony Jones
374	Dean Caldwell
375	Christine Venner-Westaway
376	Shane De Freitas
377	Helen Taylor
378	Robert Taylor
379	Name Withheld
380	David Albuquerque
381	Name Withheld
382	Name Withheld
383	Name Withheld
384	Sarah Isaacs
385	Morgan Uccello
386	Name Withheld
387	Haden Lacey
388	Annette Jacqueline Karotkavitch
389	David Lewis
390	Confidential
391	Number not allocated
392	Number not allocated
393	Name Withheld
394	Rebecca Smith
395	Name Withheld
396	Kevin Guy
397	Name Withheld
398	Kyle Henry
399	Alex Bainbridge
400	Name Withheld

401	Cathy Stephens
402	Philippa Howells
403	Brianna Waterhouse
404	Robyn Gulliver
405	Gemma Cobb
406	Katherine Kerr
407	Human Rights Law Centre
408	Kate Boscolo
409	Name Withheld
410	Name Withheld
411	Tyson Parker
412	Name Withheld
413	Lori Anne Thompson

Appendix C – Public Hearing, Townsville, 17 February 2026

Individuals

Dr Sarah Kleinman

Rabbi Ari Rubin

Professor Ian Wronski AO

Organisations

Northern Region Development Sporting Shooters Association of Australia

Mr Michael Norris

Senior Vice-President

Townsville Community Law

Mr Bill Mitchell

Principal Solicitor

Northern Australia Festival of Arts

Ms Julie Englefield

Strategic Advisor

North Queensland Rifle Association

Mr Bob Hawkins

Member

Community Statements

Mr John Allen

Ms Amanda Wright

Mr William Norval

Ms Lori Anne Thompson

Mr Aaron Goldwater

Mr Lior Cohen

Mr David Gay

Mr Reuben Richardson

Mr Peter Hughes

Appendix D – Public Hearing, Brisbane, 19 February 2026

Organisations

Queensland Jewish Board of Deputies Inc.

Ms Karen Prior Executive Member

Mr Howard Posner Adviser

Office of the Victims' Commissioner

Ms Kate Connors Victims' Commissioner

Ms Sarah Kay Executive Director

Ms Wren Chadwick Manager, Policy and Systemic Review

Queensland Human Rights Commission

Ms Jane Vasey Deputy Commissioner, Public Policy and Prevention

Ms Rebekah Leong Director, Legal and Policy

Sporting Shooters Association

Mr Jeff Ross President

Mrs Ann Ross

Australia's Special Envoy to Combat Antisemitism

Ms Annita Stucken Assistant Director, Legal

Bar Association of Queensland

Ms Cate Heyworth-Smith KC President

Ms Laura Reece KC Deputy Chair, Criminal Law Committee

Queensland Law Society

Ms Bridget Burton Deputy Chair QLS Human Rights and Public Law Committee

Mr Adam Moscehlla Committee Member, QLS Criminal Law Committee

Islamic Council of Queensland

Dr Daud Batchelor Vice-President

Mr Keysar Trad Board Member of the Australian Federation of Islamic Councils (AFIC)

Ethnic Communities Council of Queensland

Ms Lisa Ward Chief Executive Officer

Dr John Bosco Ngendakurio General Manager

Shooters Union Australia

Mr Graham Park National President

Appendix E – Public Briefing, Brisbane, 19 February 2026

Queensland Police Service

Ms Cheryl Scanlon APM	Deputy Commissioner, Specialist Operations
Mr Brian Connors APM	Assistant Commissioner, Crime Command
Mr John Henderson	Inspector, Policy and Insight Division
Mr Andrew Wilson	Senior Legal Officer, Crime and Intelligence Legal Services
Ms Joanne Jones	Manager, Weapons Licencing Group

Department of Justice

Mrs Tessa Piper	Deputy Director-General, Justice Policy and Reform (JPR)
Mrs Leanne Robertson	Assistant Director-General, Strategic Policy and Legislation (SPL), JPR
Ms Kathryn Allan	Director, SPL, JPR
Mr Jamie Impson	Principal Legal Officer (SPL), JPR

Statement of Reservation and Dissenting Report

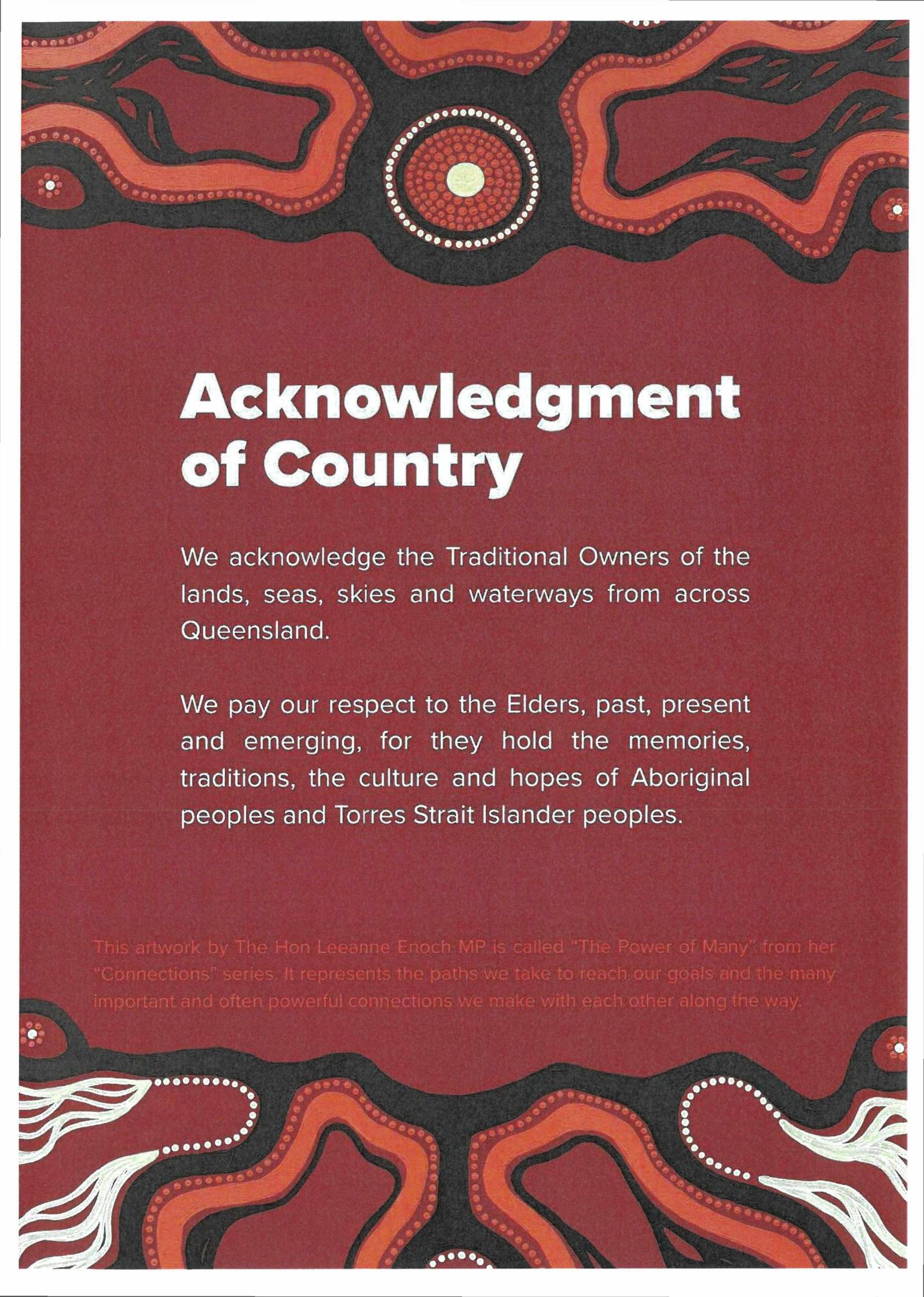


Statement of Reservation

Justice, Integrity and
Community Safety Committee

Fighting Antisemitism and Keeping Guns
out of the Hands of Terrorists and
Criminals Amendment Bill 2026





Acknowledgment of Country

We acknowledge the Traditional Owners of the lands, seas, skies and waterways from across Queensland.

We pay our respect to the Elders, past, present and emerging, for they hold the memories, traditions, the culture and hopes of Aboriginal peoples and Torres Strait Islander peoples.

This artwork by The Hon. Leeanne Enoch MP is called "The Power of Many" from her "Connections" series. It represents the paths we take to reach our goals and the many important and often powerful connections we make with each other along the way.

Queensland Labor Opposition

What happened at Bondi in New South Wales on 14 December 2025 is a national tragedy.

It was an act of hate, of violence and of vile anti-Semitism. A day that was supposed to celebrate the start of Chanukah instead was marred by the unnecessary loss of 15 innocent lives - Matilda, Edith Brutman, Dan Elkayam, Boris and Sofia Gurman, Alexander Kleytman, Rabbi Yaakov Levitan, Peter Meagher, Reuven Morrison, Markia Pogany, Rabbi Eli Schlanger, Adam Smyth, Boris Tetleroyd, Tania Tretiak and Tibor Weitzen, and more than 40 injured.

All Queenslanders will remember them, and the lifelong pain this hideous act has caused their families, friends and communities. Every day since, all Australians have grieved with the Australian Jewish community. Hatred and violence of any kind is not tolerated in a modern society, and the Queensland Labor Opposition stands with the Jewish Community, Australians and Queenslanders to do everything possible to eliminate hatred and violence in our community.

Everyone deserves to be safe and feel safe in their community. Everyone deserves respect.

Not one politician in the Queensland Parliament has a monopoly on wanting to ensure our communities and faith-based communities feel safe. We all have a responsibility to work together for the benefit of Queenslanders – ensuring early intervention, support services and strong laws are effective in making sure every person is safe and feels safe.

That is why the Queensland Labor Opposition wrote to the Crisafulli LNP Government on 17 December 2025 offering bi-partisan support for tough action on antisemitism and gun violence (**Attachment A**). Unfortunately, but not surprisingly, the Crisafulli LNP Government failed to respond to the offer to work together in a bi-partisan manner.

This important matter of public policy, of keeping citizens safe, should be beyond politics.

We owe it to every Queenslanders today, tomorrow and in a generation's time to do what is right. However, the manner in which the Crisafulli LNP Government has gone about the development of these laws does not allow for that - in fact it has been far from calm and methodical. At a time when we should be united, the Crisafulli LNP Government is playing politics.

The *Fighting Antisemitism and Keeping Guns out of the hands of Terrorists and Criminals Amendment Bill 2026* (Bill) deals with several distinct matters, deliberately so by the Crisafulli LNP Government. The Queensland Labor Opposition echoes the sentiment of concerned stakeholders that while some hate speech protections are welcomed, others could dangerously be considered a gag on freedom of speech.

Likewise, tougher sentencing for gun violence is welcomed, but the measures would not stop a Wieambilla or Bondi attack and do not go far enough in implementing the recommendations made by both Queensland and New South Wales Coroners. If the Crisafulli LNP Government was serious about striking the right balance, these laws would have been properly and thoroughly consulted on.

PROHIBITED EXPRESSIONS

The Queensland Labor Opposition understands and acknowledges the legitimate concerns of members of the community regarding acts of hostility, violence and discrimination against them and certain groups. Everyone deserves to go out about their daily lives and to feel safe, respected and free from hatred. Laws are just one way to help achieve this, in a suite of considered measures.

The Queensland Labor Opposition believes that any proposed laws to deal with antisemitism and indeed all forms of racism should be proportionate, evidenced-based and workable to ensure that they are effective.

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EXISTING LAWS IN QUEENSLAND

As outlined in the joint departmental briefing note by the Queensland Police Service and the Department of Justice, there are already existing criminal and civil protections for serious vilification in Queensland under the *Anti-Discrimination Act 1991* in particular section 124A and the *Criminal Code* in particular s 52A, both introduced by former Labor Governments.

These laws already enable individuals and the Queensland Police Service to take action against a person who knowingly or recklessly incites hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race, religion, sexuality, sex characteristics or general identity of the person or members of the group.

The Crisafulli LNP Government has not amended this section in the Bill, however stakeholders, including the Queensland Jewish Board of Deputies Inc. recommended in their submission to amend that section to replace “the term ‘incite’ in section 52A with the term ‘promote’”. This was also supported by the Office of the Special Envoy to Combat Antisemitism.

The Queensland Jewish Board of Deputies Inc. also recommended:

“... that sub-paragraph (a) and (b) be removed, such that the offence does not require proof that the conduct involved a threat, or incitement to a threat of physical harm.

This would bring Queensland into alignment with the serious vilification offences in Victoria and New South Wales, and reflect the harm caused by the promotion of hatred against a person or group on the basis of a protected attribute”.

The Queensland Jewish Board of Deputies Inc. went on to state:

While the QJBD acknowledges that the amendments proposed in this Bill do not require amendment of section 52A to operationalise, there is merit in considering this minor yet meaningful amendment in tandem with the amendments proposed.

It is unclear why the Crisafulli LNP Government did not explore this option, or if they did, they have not explained why they did not progress it.

The Queensland Law Society stated in their submission:

As stated at the outset, there are existing offences that we say are broad enough to capture the conduct contemplated by this Bill.

We note that there are other barriers however to prosecuting that conduct that have nothing to do with whether new criminal offences are created or expanded.

Those barriers include a lack of community education and proper education of police officers.

The Bar Association of Queensland also make this point in their submission:

- ***the proposed offence is arguably unnecessary given existing offences and legislative prohibitions at both State and Commonwealth levels.***

LAWS PAUSED BY THE CRISAFULLI LNP GOVERNMENT

The former Labor Government introduced laws in the *Respect at Work and Other Matters Amendment Bill* which provided enhanced vilification protections, including on the grounds of race and religion.

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The Queensland Council of Unions stated in their submission:

In September 2024, congruent reforms were introduced into Queensland's Anti-Discrimination Act 1991 (AD Act) by way of the Respect at Work and Other Matters Amendment Act 2024 (Respect at Work reforms). Relevantly, the Respect at Work reforms included:

- (a) a positive duty (on comparable duty holders to those referenced in 5.(a) above) to take reasonable and proportionate measures to eliminate discrimination (in respect of all attributes prescribed in the AD Act, including 'race' and 'religious belief or religious activity'), sexual harassment, harassment on the basis of sex or other objectionable conduct (including vilification on the grounds of race or religion) as far as possible; and*
- (b) providing the Queensland Human Rights Commission (QHRC) with the power to: i) investigate compliance with the positive duty; ii) enter into enforceable undertakings; iii) issue compliance notices; and iv) apply to the relevant tribunal for an order requiring a person to comply with the issued compliance notice; and*
- (c) requiring the QHRC to publish guidelines about how persons may comply with the positive duty.*

The Respect at Work reforms also included enhanced vilification protections (including on the grounds of race and religion) to protect Queenslanders from:

- (a) public acts that a reasonable person would consider hateful towards, reviling, seriously contemptuous of, or seriously ridiculing another person or members of a group; and*
- (b) conduct, in a public act, that is likely to incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons.*

and

These are proactive protections Queenslanders would benefit from today had the Respect at Work reforms not been indefinitely paused by the Crisafulli Government. They complement the reforms in the Bill and should commence without delay.

The Queensland Law Society stated in their submission:

It is our strong view that the preferred approach is to strengthen and harmonise antidiscrimination and anti-vilification regimes across state and federal levels before resorting to further criminalisation.

The Society calls for the implementation of changes to Queensland's anti-discrimination laws contemplated by the Respect at Work and Other Matters Amendment Act 2024 (Amendment Act).

The Amendment Act reforms are highly relevant to the core intent of this Bill and were the product of a four-year, community driven process initiated by the Cohesive Communities Coalition in 2020, marked by extensive consultation, evidence gathering and careful legislative design.

The Bill should be assessed against the broader trajectory of antidiscrimination and anti-vilification reforms to ensure their necessity and functionality and to avoid unintended consequences.

Legal Aid Queensland stated in their submission:

Finally, LAQ respectfully urges the Committee to consider the paused anti-discrimination and anti-vilification reforms developed over a four-year period, which were driven by a community

campaign initiated by the Cohesive Communities coalition in 2020. These reforms contain civil law reform which is, in LAQ's view, better placed to achieve the objectives of the current Bill. LAQ refers the Committee, in this regard, to LAQ's substantial submissions in relation to reforms to anti-discrimination legislation.

It is time that the Crisafulli LNP Government un-pause those provisions and strengthen anti-vilification and anti-discrimination protections for all Queenslanders. To further delay these provisions, will leave Queenslanders unprotected from hateful discrimination and vilification on the basis of race, gender, sexuality and religion.

LEGALITY, ENFORCEMENT AND CONSTITUTIONAL REGARD

A number of stakeholders and submitters raised concerns around prohibiting particular expressions, and whether this will become a gag on freedom of speech more broadly.

The Bar Association outlined that three questions will arise on consideration of this test, with particular regard to the third question:

... Is the law reasonably appropriate and adapted to advance that legitimate object in a manner that is compatible with the maintenance of the constitutionally prescribed system of representative and responsibly government.

Professor Emerita of Constitutional Law Anne Twomey said in her submission:

In the course of this assessment, particularly by those judges using the structured proportionality test, consideration may be given to whether there is another obvious and compelling alternative, reasonably practical means of achieving the same purpose which has a less burdensome effect on the implied freedom (McCloy v NSW (2015) 257 CLR 178, [2]).

Given other alternatives have been delayed or seemingly ignored, the opposition is concerned that the Government has not adequately explained how it intends on satisfying that constitutional test, and whether Queenslanders may ultimately bear the financial cost of defending a High Court challenge. This, along with the human cost of prolonged uncertainty and renewed trauma for all involved.

In the joint departmental briefing note it stated that “to further protect Queenslanders from the spread of ideologies that are **unambiguously** linked with hatred or violence against certain groups ...”. The term “unambiguously” means a matter that is not open to more than one interpretation. Throughout the submissions and testimony, it was clear that ambiguity is subjective.

The Chairperson of the parliamentary committee who is a member of the Crisafulli LNP Government asked a witness during the public hearing:

... would you accept that phrases can mean different things to different people ...

So even certain Crisafulli LNP Government committee members acknowledge that phrases mean different things to different people.

The matter of ambiguity was raised during the committee process, noting that a New South Wales parliamentary committee did not recommend the proscription of a phrase that is proposed in Queensland as it was deemed to be contested and therefore had ambiguity. It is understood that this has occurred in other jurisdictions as well, such as in Canada. The Department of Justice stated that:

Before the Attorney-General can make a recommendation for a regulation to be prescribed, she must be satisfied of two things: firstly, that the expression is widely known by the public as being solely or substantially representative of an ideology of extreme prejudice against a relevant group or it is widely known by the members of a relevant group to be that. Additionally, she must also be

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satisfied that the expression is regularly used to incite discrimination, hostility or violence towards that particular group.

A Google Trends document was tabled during the public briefing¹ that showed a significant spike in searching one of the proposed prescribed phrases only after the Crisafulli LNP Government announced their intention to criminalise it. This evidence suggests that the phrase was not widely known by Queenslanders prior to the announcement. The response from the Department of Justice to the question about the test for what is considered “widely known by the public” was:

It is a matter for the Attorney-General to be satisfied of. The Attorney-General will be able to satisfy herself using evidence that she sees fit to meet the test.

It’s easy to assume this means that the Attorney-General of the day in Queensland can use whatever evidence they wish – as simple as a Google search – to justify if a prescribed phrase could be considered a prohibited phrase in Queensland. Then, the Attorney-General would only need to “consult” with the required three bodies, that do not have veto rights, and before regulating that a phrase that will be banned in Queensland.

There were many submitters that commented on this section of the Bill, and Queenslanders interested in the Bill should take the opportunity to read these submissions in full. Some notable ones are extracted below.

The Bar Association of Queensland which in their submission, stated:

- *the proposed offence of recital, distribution or display of prohibited expressions is open to constitutional challenge as it seeks directly to burden political communication by allowing the proscribing by regulation of particular expressions, the meaning of which may be contestable.*
- *the arrogation of the power to ban phrases to the responsible Minister involves problems of both policy (lack of debate) and practicality (lower likelihood that people will be aware what they are not allowed to say).*
- *the circumstances which will engage the reasonable excuse proviso are not given sufficient definition to allow citizens to know at the time that they utter prohibited expressions whether or not they have a reasonable excuse (involving considerations, inter alia, of what constitutes the “public interest”).*

The Queensland Law Society stated in their submission:

We raise similar concerns in relation to the phrase 'so nearly resembles'. Introducing a 'so nearly resembles' threshold risks capturing expressions beyond the core mischief the Bill is aimed at, and, in turn, risks creating uncertainty about what conduct is actually prohibited.

and

The Queensland Law Society in their oral testimony stated:

That is one of the big things with this legislation: there is a lot of subjective tests and there is a lot of those types of offences drafted into the bill. Again, it creates a situation where the law starts to become unclear. It starts to become capable of and susceptible to change.

Quite often, for example, with the prohibition on expressions, if the minister can prohibit certain phrases then people need to be aware of what they can and cannot say. That is not something that

¹ <https://documents.parliament.qld.gov.au/com/JCSC-CD82/FAKGOHCTB2-7A6B/260219%20-%20IN%20-%20TABLED%20DOC%20-%20Meaghan%20Scanlon%20MP%20-%20Google%20Trend%20Result.pdf>

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I think most people would be genuinely aware of when subordinate legislation is passed, although lawyers are.

Often we are telling people for the first time, 'That is something you can't say,' or, 'That is something you can't do,' in a conference when they are sitting in front of us charged with an offence.

Queensland's public defender, Legal Aid Queensland in their submission observed:

LAQ also recognises the expansion of criminalised expressions to ones that 'nearly resemble' those prescribed by regulation. What constitutes 'nearly resembles' is open to a wide interpretation especially with the use of the epithet 'likely to be confused'.

Contests will inevitably arise as to a change in only one or two words amongst a broader expression, without the prosecution being required to demonstrate the broader context but instead leaving it to an accused to prove their innocence.

Further, whether something 'nearly resembles' and whether it is 'likely to be confused' with a prescribed expression is not defined and as such will rely on the collective assessment by lay persons, considering the matter in a vacuum. Not only will much turn on context, so too will contest arise by reference to an alleged perpetrator's education and comprehension skills.

In LAQ's view, the provision risks criminalising a statement which, while made without an intention to be offensive, is nevertheless interpreted by others to be likely to be confused with a prescribed expression.

Leading Australian Professor of Constitution Law, Professor Emerita Anne Twomey provided an extensive submission regarding the legal aspects of the proposed laws, with conclusion stating:

As can be seen from the above discussion, the Fighting Antisemitism Bill gives rise to a number of difficult legal issues in areas of jurisprudence which have not yet been fully developed.

The Bill also affects fundamental human rights and has the potential, in the long-term, to restrict communications on a range of contentious topics.

It therefore should not be passed quickly as a kneejerk reaction to recent events. It needs proper scrutiny and to be assessed for its potential long-term consequences.

Ethnic Communities Council of Queensland:

Where offences rely on reasonableness tests linked to emotional impact, clarity of threshold becomes especially important. Laws that rely on undefined reasonableness standards, particularly where 'offended' is included alongside more serious harms such as 'menaced' or 'harassed', require careful calibration to ensure they protect community safety without capturing conduct that falls below the level of genuine harm.

Without clearer statutory guidance as to what constitutes a reasonable expectation of offence, there is a risk of inconsistent interpretation or uneven enforcement until judicial authority provides settled guidance.

and

Broad or selectively defined speech offences risk creating a chilling effect on legitimate political, educational and cultural expression. Australian human rights bodies have consistently emphasised the need to balance hate-speech regulation with the implied freedom of political

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communication. If communities are uncertain about what language may attract criminal liability, individuals, particularly young people, may self-censor rather than engage in dialogue about identity, racism and geopolitics. This undermines civic participation and weakens social cohesion rather than strengthening it.

The Archdiocese of Brisbane stated in their submission:

First, wide ministerial discretion. The Bill empowers the executive to prescribe expressions as criminally prohibited through regulation, rather than requiring primary legislation for each addition. Given that speech is a core civil liberty, the criminalisation of expression represents one of the most serious forms of state intervention. Where expressions may be prescribed by regulation, safeguards must be especially robust. The Bill provides insufficient statutory criteria governing when expressions may be prescribed.

Second, a very low threshold for criminal liability. Once prescribed, criminal liability arises where conduct "might reasonably be expected to cause a member of the public to feel menaced, harassed or offended." The inclusion of "offended" alongside concepts associated with intimidation and fear represents a significant lowering of the criminal threshold. Offence is inherently subjective. Members of the public hold divergent views on contentious issues, and criminal liability should not turn on the sensitivities of the most easily offended observer. Combined with wide ministerial discretion, this creates a framework where speech may be criminalised on an attenuated basis.

The Anglican Church Southern Queensland stated:

It is highly problematic and concerning that Premier David Crisafulli and Attorney General and Minister for Justice and Minister for Integrity Deb Frecklington have announced in a joint statement that phrases associated with the Free Palestine movement, such as "From the river to the sea [Palestine will be free]", will be prohibited, with a two-year maximum penalty imposed for "Distributing, publishing, displaying or reciting" such phrases.

This decision fails to account for the fact that any given slogan may have multiple meanings (depending on who is using it and in what context) and criminalises legitimate political expression in a democratic country.

The Islamic Council of Queensland Inc. in their testimony at the committee stated:

The legislation before this House attempts to solve complex social tensions. Criminalising language will not achieve this outcome. Rather, it will risk turning the political expression of law-abiding, nonviolent citizens into a crime.

and

Definitely there should be broader consultation before prescribing any expressions and there should be broader consultation about a number of factors, including determining a particular place of worship or particular places in terms of hate.

The Islamic College of Brisbane stated:

From an educational perspective, we are concerned that the people most likely to modify their behaviour are not extremists but students, teachers, families and community members who are cautious about how speech may be interpreted. It is a similar issue to that raised above regarding the Shahada. Phrases a community member might use simply to express their faith or express a political opinion will be avoided for fear of reprisals.

and

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Section 52DA represents the most far-reaching innovation in the Bill. While its objective is legitimate, its breadth and the subjectivity of its threshold create significant risk of chilling legitimate speech.

Unlike symbol prohibition, which can be narrow, evidence-based and visually identifiable, the regulation of language is inherently more complex and context-dependent

Precision and evidence-based application will determine whether it enhances protection or produces uncertainty and disengagement.

The Institute of Public Affairs stated:

The bill sets a dangerous new precedent of authorising a government by declaration to outlaw words, amounting to a significant threat to freedom of speech and public debate. IPA research finds: 1. The bill confers extraordinary power on a single Minister that opens the door to overreach. 2. The ambiguous and subjective standards for unlawful phrases would enable the government to criminalise political speech. 3. The safeguards will be ineffective at limiting the Minister's power.

and

... the Minister has the power to criminalise words based on their hypothetical potential to harm, based on a threshold as low as their capacity to "incite hostility" or represent an ideology of "extreme prejudice" to a specific group.

and

A plain reading of the words in the bill would enable the Minister to ban phrases simply because they elicit a strong emotional response. An expression that "incites hostility" could be interpreted as broadly as a phrase that evokes strong disagreement. Similarly, words that "incite discrimination" could be understood as words that treat someone unfairly.

and

For instance, criticism of the federal government's migration program, or state government proposals for "treaties" based on citizens' racial background, would potentially fall within the scope of the bill. If the laws had been in force in 2023, it is conceivable that comments critical of the proposed Voice to Parliament could have been made illegal under these laws if the Minister was satisfied that rejection of the Voice incited hostility or discrimination against indigenous Australians. The broad discretion afforded to the Minister to import their values onto a subjective and ambiguous standard invites the abuse of this power.

The Queensland Council for Civil Liberties stated:

The offence will also be difficult and costly to detect, investigate and prosecute. Given that it not just the prohibited expression but also phrases "likely to be confused with or mistaken for that expression," that are to be criminalised, there is a real and substantial potential for allegations to arise from 'mis-hearings' which would further impact police resources.

The Queensland Council of Unions stated:

Queenslanders have the right to live free from hate and violence. They also have the right to speak, protest, and advocate without fear of arbitrary criminalisation. This Bill undermines that balance. It replaces objective legal safeguards with subjective political discretion. It risks criminalising political expression. And it weakens the integrity of Queensland's human rights framework.

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Submissions from the Jewish Voices of Hope, the Jewish Council of Australia, Jews for Justice, Jewish Voices of Inner Sydney have differing opinions on the Bill, but all indicated that they do not support the prohibition of phrases by law.

The Queensland Jewish Board of Deputies Inc. stated:

While the QJBD recognises the importance of freedom of speech, we maintain that this freedom does not extend to a right to intimidate, vilify or incite violence against a minority group.

The Queensland Labor Opposition agrees that words do matter, and it is the responsibility of all people to not use any speech or phrases as a vessel to intimidate, vilify or incite violence against any person. That is as true about any minority group, including First Nations communities, or those of other religious beliefs.

However, to quote current Attorney-General Deb Frecklington, “***there is nothing more precious than the right to freedom of speech.***”²

As law makers, it is important that we get the legislation right, to ensure that it protects all Queenslanders.

Laws should not be rushed through, when there are numerous stakeholders raising issues with its workability, as to do so, is likely to give false hope to individuals in the community that the Bill will solve the issues. Rushed laws also lead to legal challenges, which we saw under the former LNP Government, where it is understood that hundreds of thousands, if not millions of dollars were spent on defending LNP laws which were challenged in the courts.

There is an underlying theme throughout all submissions that phrases, statements and expressions should not be said with malice and hatred towards any individual, and that everyone deserves respect.

The purpose of the Bill to minimise and eliminate hate speech, violence and extremism in the community is supported, however, the pathway to achieve it is contested and will only be resolved through genuine and proper consultation.

MINISTERIAL POWER

The Bill establishes a framework to enable the Attorney-General to prohibit particular expressions through regulation – without prior debate, meaningful oversight or explanation. The Attorney-General must only “consult”, with the Queensland Human Rights Commission, the Queensland Police Service and the Crime and Corruption Commission. If those bodies disagree with the Attorney-General, they do not have veto rights and the Attorney-General can proceed without regard for their feedback.

As previously outlined, the committee heard from the Department of Justice during the committee process who stated:

It is a matter for the Attorney-General to be satisfied of. The Attorney-General will be able to satisfy herself using evidence that she sees fit to meet the test.

That’s a dangerously low bar to set when it comes to speech and the implied freedom of speech that Queenslanders rely on. While it is noted that this is the same process for the banning of symbols in Queensland – there is often clear identification of a symbol’s meaning, representation or intent.

In respect of the regulation-making power for the prohibition of expressions the Bar Association of Queensland stated:

² https://documents.parliament.qld.gov.au/speeches/spk2019/Deborah_Frecklington-Nanango-20190514-038474914218.pdf

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The Association observes that the mode of determining which expressions are to be prohibited (by regulation, following a determination by the Minister) provides limited safeguards against encroachments on freedom of political communication.

The Minister need only be “satisfied” that the expression is “widely known” as representative of an ideology of “extreme prejudice against” a group or is “regularly used” to incite “discrimination”, after consulting stakeholders.

There is no mechanism for any external check on the content that is proscribed in this way. There will be no debates in Parliament, no opportunity for stakeholders to be consulted or any form of public or judicial consideration

and

Of course, the more contestable the meaning of the expressions to be proscribed, the more vulnerable their proscription will be to challenge on the basis of the implied freedom of political communication.

The Bar Association of Queensland which in their submission, as previously stated:

- *the proposed offence of recital, distribution or display of prohibited expressions is open to constitutional challenge as it seeks directly to burden political communication by allowing the proscribing by regulation of particular expressions, the meaning of which may be contestable.*
- *the arrogation of the power to ban phrases to the responsible Minister involves problems of both policy (lack of debate) and practicality (lower likelihood that people will be aware what they are not allowed to say).*

The Queensland Law Society stated in their submission:

We raise similar concerns in relation to the phrase 'so nearly resembles'. Introducing a 'so nearly resembles' threshold risks capturing expressions beyond the core mischief the Bill is aimed at, and, in turn, risks creating uncertainty about what conduct is actually prohibited.

and

It is proposed that the decision to prescribe an expression rests solely with the Minister. While there is a requirement to consult with the Chairperson of the Crime and Corruption Commission, Human Rights Commissioner and the Police Commissioner, there is no other oversight mechanism or opportunity to review a Minister's decision.

In our view, concentrating such a broad, discretionary authority in the Minister alone risks undermining procedural fairness. Members of the Human Rights and Law Committee suggest affected individuals or groups should have the opportunity to be consulted in relation to proposed prohibited expressions, whether this be through a public consultation or objections process.

Legal Aid Queensland in their submission in respect of the Attorney-General ability to proscribe the banning of certain expressions in regulation stated:

It is concerning, in LAQ's respectful view, that any expression can incur criminal sanction (including imprisonment) by mere designation in regulation, and without any built-in mechanism for significant oversight or review.

While LAQ notes the requirement for Ministerial consultation with the Crime and Corruption Commission, the Human Rights Commissioner and the Police Commissioner prior to prohibiting

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particular expressions, LAQ remains concerned that this process is not subject to any public scrutiny, oversight or review in a unicameral parliament.

LAQ respectfully suggests that the list of symbols or expressions should be contained within a schedule to the relevant Act. Any amendments to the list of prohibited symbols and phrases would therefore be subject to consultation with the public prior to becoming law.

This would ensure that the prohibitions reflect prevailing community standards, require consideration of human rights in relation to each additional 'expression'. and provide an opportunity for the public to make submissions on the proposed symbol or expression that 3 the Minister seeks to prohibit. It would also ensure that the full context of the proposed prohibited symbol or expression is considered before a decision about regulation is made

The Institute of Public Affairs stated:

The bill sets a dangerous new precedent of authorising a government by declaration to outlaw words, amounting to a significant threat to freedom of speech and public debate. IPA research finds: 1. The bill confers extraordinary power on a single Minister that opens the door to overreach. 2. The ambiguous and subjective standards for unlawful phrases would enable the government to criminalise political speech. 3. The safeguards will be ineffective at limiting the Minister's power.

and

... the Minister has the power to criminalise words based on their hypothetical potential to harm, based on a threshold as low as their capacity to "incite hostility" or represent an ideology of "extreme prejudice" to a specific group.

Professor Katharine Gelber from the University of Queensland and Professor Luke McNamara from the University of New South Wales stated in their submission:

Further, the proposed basis on which two specific phrases are to be recommended under regulation is either that the Minister is satisfied the expression is widely known by the public as being representative of an ideology of extreme prejudice, or that the Minister is satisfied that the expression is widely known by members of a relevant group as being representative of an ideology of extreme prejudice, or that the Minister is satisfied the expression is regularly used to incite discrimination, hostility or violence towards a relevant group.

It is not clear what the standard is to satisfy the Minister of these elements. Nor is it clear which, or how many, or what proportion of, members of a relevant group would need to see the phrase as representative of such an ideology for the Minister to be satisfied.

It is understood that other states, like New South Wales are exploring options to potentially ban unambiguous expressions, but only by legislation, meaning that it would have to go to the parliament, go to a committee, allow citizens to have their say and then be voted upon by the democratically elected representatives of the state.

It was also raised during the committee process about the need to ensure that Queenslanders know what is proscribed and banned by the Attorney-General. As the proposed framework allows for the expressions to be banned by regulation, the Attorney-General can just quietly release a new regulation one day and then that is banned, without any public consultation or active publication and notification from the government of the day, other than by publishing them on a government website.

This is not a hypothetical; this has actually occurred.

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On Friday, 13 February 2026 the Crisafulli LNP Government quietly issued the *Criminal Code (Prohibited Symbols) Amendment Regulation 2026* which prescribed a number of new prohibited symbols. While the Queensland Labor Opposition supports the prohibition of the symbols, the process by which the Crisafulli LNP Government went through though was in the view of the Queensland Labor Opposition hardly transparent.

It is understood that no media conference was held, no media statement was released, and no additional public notification was made by any Crisafulli LNP Government Minister, other than the regulation being quietly published on the Queensland Legislation website. Meaning Queenslanders who do not regularly check the Queensland Legislation website would not be aware that a new regulation was made to proscribe new prohibited symbols.

In the same fashion, the Attorney-General could proscribe new banned expressions via regulation, without public notification, meaning phrases could be said in the community without awareness of the new law, and Queenslanders could be arrested. This is something many stakeholders have raised as concerning and does not accord with the notion of freedom of speech.

Queenslanders have also recently heard from former LNP Premier, Campbell Newman who described the laws as a “slippery slope” with the ABC article reporting³:

Mr Newman has described the move as an assault on freedom of speech and democracy — and has insisted the legislation is open to "significant abuse".

and

But he suggested the state was going down a "very dangerous path" with the new laws the government had put forward.

"These laws will be weaponised for political purposes against the political opponents of the government of the day," Mr Newman said.

"They are totally open to significant abuse."

and

"It will be used by the Labor Party and the Greens in the future against people who are of the right or conservatives," he said.

"It will be — to shut down, to stifle debate, to literally use lawfare against their political foes. That's what will happen. The LNP won't be in government forever."

In a Seven News report aired on Tuesday, 24 February 2026, the former LNP Premier, Campbell Newman said:

"This can be used against people in the future, by their political opponents who happen to be in government, it could be for example if we had a Labor Government."

The former LNP Premier also said: ***I think every Queenslanders should be very very worried about it ...*** – in respect of the legislation being abused.

The laws, due to their subjective nature and their ability to be used with minimal scrutiny, does leave the door open for abuse by any government or Attorney-General who occupies the seat, regardless of their political colours. This possibility has been raised as an issue by many.

³ <https://www.abc.net.au/news/2026-02-21/campbell-newman-criticises-hate-speech-laws-free-speech/106368924>

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The overreach reeks of an LNP Government that has failed to learn the lessons of the Fitzgerald Inquiry. As Queensland Council of Civil Liberties vice-president Terry O’Gorman said:

“This is up there with the excesses of the Bjelke-Petersen government.”⁴

and

“Extreme overreach”

Mr O’Gorman compared this provision for banned expressions and other parts of the Bill with the Bjelke-Petersen government’s decision to abolish the right to hold street protests – a freedom that people of all political and social persuasions enjoy as a right today. Just as those laws were overturned, so too could these for the unintended consequence they may cause.

At a time when we need greater clarity to support the fight against antisemitism and indeed all forms of racism, the Crisafulli LNP Government has introduced laws which will be difficult to police.

We urge the Crisafulli LNP Government to undertake meaningful consultation to ensure that Queensland has strong and workable anti-vilification and anti-hate laws. The provisions in relation to prohibited expressions cannot and should not be rushed, as it is clear there are significant unintended and unrealised consequences

OTHER PHRASES

The committee process highlighted that the only phrases considered by the Crisafulli LNP Government for inclusion in this Bill were the two announced by the government – not any other phrases that could be considered to offend, incite hate, or vilify any other minority group. The Attorney-General has said there will be no other phrases criminalised through this mechanism.

But, on Seven News on Tuesday, 24 February 2026 that the Minister for Police and Emergency Services Dan Purdie said:

“The parliament of the day will have, will determine in the future if any other slogans or phrases will be included.”

It appears the Police Minister let the cat out of the bag that other phrases can and will be added at the discretion of the Attorney-General. This statement should send shockwaves to concerned stakeholders who have already highlighted that this extraordinary power could be used as an assault on freedom of speech and democracy. And it begs the question – what’s next?

It is also clear that the Ministers in the Crisafulli LNP Government do not understand that to ban phrases and expressions under their legislation it is by regulation by the Attorney-General with no-pre oversight by the parliament before the regulation is made.

The bill as it stands offers no protections for phrases currently used by minority groups for peaceful protest. To this point, IPA Research Fellow Margaret Chambers, went so far as to suggest:

“These proposed laws are so vague and broad that even phrases used by the no campaign against the voice to parliament, which over two-thirds of Queenslanders supported, could have been outlawed.”⁵

⁴ <https://www.couriermail.com.au/news/queensland/qld-politics/qld-hate-speech-laws-slammed-as-extreme-overreach-by-top-lawyer/news-story/506032268b10f9f9cd7678372f26214b>

⁵ <https://www.theguardian.com/australia-news/2026/feb/16/queensland-hate-speech-laws-ipa>

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It's for this reason that the Queensland Labor Opposition calls on the Attorney General to guarantee and safeguard against prominent slogans and recognised phrases used by minority groups – including *always was, always will be* – becoming prohibited slogans.

Without doing so, the Attorney-General has given themselves a blank cheque to gag debate on any topic as it suits them. How can Queenslanders trust anything this Government says when Ministers themselves to contradict themselves on this Bill?

RELIGIOUS WORSHIP PROTECTIONS

The Bill either creates new offences relating to religious worship or increases the penalties for existing offences relating to religious worship to bring them in line with modern community standards. The Queensland Labor Opposition support these proposed amendments, as no Queenslanders should be adversely affected, interrupted or disturbed when they are engaging in their faith practices.

The laws apply to all worshippers, places and ministers of all religion and provide protections for ministers of religion and offences against disturbing religious worship, obstructing access to places of worship and increased penalties for damaging places of worship.

As the Archdiocese of Brisbane stated:

The amendments modernising offences relating to assaults on ministers of religion, creating new offences for intimidation or obstruction near places of worship, and establishing aggravated penalties for damaging religious premises address real and urgent threats. These provisions are proportionate, clearly targeted, and should proceed without amendment.

While the Queensland Labor Opposition notes that some concerns were raised by submitters in relation to these new and increased penalties, we believe that they are an appropriate way to not only protect worshippers but also send a strong message to the community that these actions will not be tolerated.

LAWS ARE NOT THE ONLY ANSWER

The Queensland Jewish Board of Deputies Inc. in their testimony at the public hearing stated:

No piece of legislation can stop anti-Semitism or, for that matter, racism generally, or anti-Indigenous people—of course not. There is no 100 per cent fix and there can never be a 100 per cent fix, but if society makes it clear that something is completely unacceptable, what happens is that the proportion of people prepared to do it moves.

Laws are not the only answer.

There needs to be a multifaceted approach to ensuring that Queensland is free from vilification and hatred.

The Queensland Law Society in their submissions stated:

Criminal law alone cannot address the root causes of rising levels of antisemitism in Australia. Any new legislative measures must be accompanied by steps to address issues through a strong focus on prevention and community education.

The Ethnic Communities Council of Queensland in their submission stated:

Complementary investment in community cohesion and interfaith dialogue is therefore essential. In practice, this should include genuine consultations with diverse faith and multicultural communities prior to implementation; culturally safe communication explaining what the law does and does not cover (including explicit reassurance about lawful peaceful protest and

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legitimate religious or cultural symbols); and structured partnerships with faith leaders, schools, youth services and multicultural organisations to support prevention and early intervention.

The Australian Multicultural Action Network Inc. stated in their submission:

... we argue that legislation alone is insufficient. Laws must be accompanied by prevention, education, community partnership, and trust-building - particularly with culturally and linguistically diverse (CALD) communities.

Professor Katharine Gelber from the University of Queensland Professor Luke McNamara from the University of New South Wales stated in their submission:

Non-punitive education strategies are essential to effective anti-racism work. This includes education about the nature, history and effects of all forms of racism including antisemitism. It also includes the promotion of standards of ethical civil engagement – including in relation to how people exercise their right to protest.

The Cairns Regional Council stated in their submission:

Council urges the Committee to consider the following measures: Adequate investment in community education, engagement, and preventative initiatives to support sustainable social cohesion.

In response to a question at the Townsville hearing in relation to other ways beyond expanded laws and policing antisemitism could be addressed, including education, Rabbi Ari Rubin stated:

Absolutely. Education is the No. 1. I have been a proponent of that for many years.

and

... I 100 per cent believe that education is a far better solution to be able to pre-empt any of these things. We do not want to live in a box. We do not want to just live in jails and have to be protected at all of our events. We want that the public should be able to accept us as a regular.

At the same hearing in Townsville, Dr Sarah Kleinman stated:

... but I think we need greater education about what you are screaming when you scream certain slogans aggressively around my places of worship, the schools that our children go to and the public areas that I would like to also frequent and what that actually means.

The Queensland Labor Opposition calls on the Crisafulli LNP Government to prioritise funding of education programs and targeted wrap around services that address the root causes and impacts of societal tensions where early interventions can make a lasting difference.

RESOURCES

It is incumbent on the Crisafulli LNP Government to ensure that if the Bill passes the Queensland Parliament, then increased resources are provided to the relevant agencies to ensure that the provisions in the Bill will be effective and enforceable.

It is clear that there will be increased powers and responsibilities provided to the Queensland Police Service, so further funding and resources should be provided to them to ensure that they can continue to do their job effectively. In addition, the courts and the Queensland Civil and Administrative Tribunal will require additional and appropriate resources to deal with any additional matters that come before them.

This is all in addition to funding and resources required to support effective and appropriate educational campaigns are rolled out in Queensland.

WEAPONS REFORM

The Queensland Labor Opposition does not believe that the reforms proposed in this Bill by the Crisafulli LNP Government go far enough and are a missed opportunity to keep Queenslanders safe.

The reforms in the Bill include increasing penalties for a number of weapons offences, the introduction of a new specific offence of prohibiting the reckless discharge of weapons towards a building or a vehicle, new offence for the possession or distribution of blueprint materials for 3D printed firearms, aligning to the commonwealth agreed position of requiring a Queensland weapons licence holder to be an Australian citizen and amendments to the Queensland firearm prohibition order scheme.

While these surface level changes appear to be a positive step, increasing penalties alone will not make Queenslanders safer.

What will protect Queenslanders is adopting nationally consistent gun laws, so Queensland isn't left behind with what will be the nation's weakest gun laws.

What will protect Queenslanders, is implementing the coroner's recommendations from the Wieambilla incident regarding mandatory mental health checks for weapons licence holders.

The Explanatory Notes of the Bill states that:

In developing the Bill, consideration was given to equivalent Weapons Legislation in other Australian States and Territories and the National Firearms Agreement (NFA). The Bill aligns with fundamental aspects of the NFA but is not intended to be uniform with legislation of the Commonwealth or another State.

It is understood the Crime and Corruption Commission at the Parliamentary Crime and Corruption Committee public meeting on Tuesday, 17 February 2026 stated:

I think as a general principle, and we've said this in relation to other aspects of legislation, is that, we live in a borderless environment...

So, anything that I guess provides a coherent and consistent National interoperative policy is actually going to be a positive step in allowing law enforcement to cooperate.

Additionally, the statement in the Explanatory Notes makes it clear that the Crisafulli LNP Government is aware of what other jurisdictions have implemented, in particular in Western Australia, where mental health checks for weapons licence holders are now mandatory.

This is a recommendation of the Queensland Coroner which the Crisafulli LNP Government is wilfully disregarding.

The Alannah and Madeline Foundation made a submission to the committee, which was also sent directly to the Premier of Queensland and the Minister for Police and Emergency Services and states:

We are deeply dismayed that this Bill ignores the options agreed by National Cabinet. It ignores the prioritisation of public and individual safety and the prevention of the misuse of weapons – the basic principles for weapons use and possession in Queensland.

It would be utterly unacceptable if these things were to be neglected in favour of the demands of the firearm industry.

Ninety-five of Queenslanders do not own a firearm, but any one of them could become a victim of firearm violence. Therefore, it is vital that the voices of all Queenslanders are heard on this matter, and not only those with an interest in the ownership or sale of weapons.

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Their submission goes on to state:

Simply put, reducing the number of firearms in the community directly limits the means by which an individual may cause injury or death, to themselves and to others. It limits the diversion to the grey market by theft. It reduces the compliance load on Queensland police.

Our submission calls upon the government to ignore the firearm industry and reinstate the crucial recommendations from National Cabinet to limit the number of firearms to be held by any one individual.

and

If Queensland acts responsibly and in the interests of public safety, it must restrict the number of firearms available per licence and restrict the type of firearms that are available to Cat A&B licence holders. Recommendation: Queensland participate in the Commonwealth gun buyback in order to provide appropriate compensation to legal firearm owners.

and

We are deeply disappointed that the Queensland Government has not taken up this recommendation, instead introducing a limited mandatory reporting regime for a limited number of practitioners.

and

It is unclear to us on what basis the Queensland Government has determined not to act on the specific recommendation from the State Coroner – a recommendation which, if implemented, would likely save lives.

The Alannah and Madeline Foundation also states:

In the announcements made by the Premier on the 9th and 10th of February, and the introduction of this Bill it is nearly impossible to find anything that prevents the misuse of weapons.

and

Furthermore, the Bill ignores the principle that the use and possession of weapons is subordinate to the need for public safety. Should the passage of the Bill proceed, Queensland would have the weakest gun laws in Australia.

In a direct plea to the Premier and the Crisafulli LNP Government, the Alannah and Madeline Foundation's founder writes:

Premier, this moment demands leadership. It demands urgency. It demands the strength to put community safety above all else. I urge you: please rise to this challenge. Strengthen our gun laws. Protect Queensland families from the harm that I know only too well.

It appears the Crisafulli LNP Government have failed to listen to important stakeholders, whose only quest is to keep Queenslanders safe.

Gun Control Australia's submission stated:

If Queensland does not align with nationally emerging standards:

- *Cross-border enforcement will weaken;*
- *Diversion risks will increase;*
- *National register benefits will be diluted;*

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- *Harmonisation will become nearly impossible in practice.*

A fragmented approach undermines the purpose of the National Firearms Agreement.

and

Queensland's decision not to adopt routine mental health checks following Wieambilla represents a missed preventive opportunity.

The Queensland Sexual Assault Network in their submission stated:

Reducing the number of available guns in our community can significantly lower the risks for women and children who are living with, escaping or recovering from domestic and family violence.

So, it beggars belief, why the Crisafulli LNP Government has not listened to the experts, stakeholders and the Crime and Corruption Commission. Or why the Premier has walked back support for nationally consistent gun laws post the meeting of National Cabinet.

All the Crisafulli LNP Government have seemed to have been able to implement is a new Ministerial Directive that will be “*issued to all professional carers within the public health system, requiring new mandatory mental health reporting for high-risk patient*”. It should be noted that this Ministerial Directive only applies to public health facilities, and it is understood that the practice of public health professionals informing the Queensland Police Service regarding weapons licence matters already exists.

This measure will only be as good as the individuals who present at a public health facility and does not capture every individual who applies for a weapon. In fact, it is likely to see those who most need to be captured by the policy avoid public health services entirely.

This will likely be the case in any system that does not capture all weapons licence applicants and renewals proactively and is an example of why the Queensland State Coroner made the considered recommendation in the way they did.

It should also be noted that based on what is known about the Wieambilla and Bondi incidents, the perpetrators and alleged perpetrators would likely have not been captured under this new Ministerial Directive.

The Queensland Labor Opposition sincerely hopes that Queensland does not find itself in a position where a future Coronial Inquiry has to make this recommendation again, due to this Government's failure to take strong action.

The question Queenslanders are asking is why the delay in substantive and proper gun control laws.

It is the view of the Queensland Labor Opposition that it is the result of around \$280,000 in donations, as a review of the disclosure records of the Electoral Commission of Queensland, at the time of writing this statement of Reservation shows, from pro-gun advocates, firearms dealers and members of the firearms industry and groups to the LNP over a number of years.

It also cannot be separated by the over-representative influence of the hard-line right wing within the Liberal National Party government Party Room, which sadly means that meaningful gun reform designed to genuinely protect Queenslanders is unlikely to ever be progressed under this Crisafulli LNP Government.

Former Premier of Queensland, Rob Borbidge quoted in a Courier Mail article in April 2013 in respect of gun reform, stating:

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“I took the stand, I was prepared to face the political consequences, and we delivered gun control,”

“We paid a high political price but we did the right thing.”

It is time for the Crisafulli LNP Government to have the same courage, step up and do the right thing when it comes to gun reform in Queensland.

CONSULTATION WITH QUEENSLANDERS

Once again, the Crisafulli LNP Government have let Queenslanders down, by rushing legislation through the committee process, without affording the committee the appropriate time to deal with the Bill.

The Explanatory Notes of the Bill states:

“On the provisions related to addressing antisemitism, senior members of Queensland’s Jewish community were consulted as the legislation was prepared.

Consultation on the proposals in the Bill will occur as part of the parliamentary committee process.”

During a public meeting of the Parliamentary Crime and Corruption Commission on Tuesday, 17 February 2026 the Crime and Corruption Commission confirmed that they had not been consulted on the Bill by the Crisafulli LNP Government, even though elements of the Bill relate to their functions. It also became apparent during the public hearing in Brisbane of the Bill, that the Crisafulli LNP Government had not consulted with bodies like the Office of the Victims’ Commissioner, the Queensland Human Rights Commissioner, and the Office of the Special Envoy to Combat Antisemitism.

It appears that in the 56 days (1 month and 25 days) the Crisafulli LNP Government had to develop the Bill, there was extremely limited consultation undertaken. From the evidence provided at the hearings and through the various documents, there appears to have been minimal selective consultation by the Crisafulli LNP Government and no public consultation with stakeholders who would be impacted by the Bill.

This is not an appropriate way to develop legislation, particularly when it is this significant and wide reaching.

While the Explanatory Notes state that “*consultation on the proposals in the Bill will occur as part of the parliamentary committee process*”, many submitters had alternate and negative views about the consultation process of the Bill, including:

Ethnic Communities Council of Queensland in their submission stated:

ECCQ unequivocally supports strong and effective measures to address all forms of hate speech and hate conduct. However, reforms of this magnitude must be developed through careful consultations, evidence-based policy design and a clear assessment of unintended impacts.

and

ECCQ recommends that the Queensland Government pause the Bill and undertake genuine consultation. This pause should enable meaningful, culturally informed consultation with multicultural and faith communities, youth and education sector stakeholders, and human rights experts, including sufficient timeframes for engagement and feedback. Experience demonstrates that bringing diverse community leaders together in structured consultation during periods of strain strengthens mutual understanding, reinforces shared civic values and contributes directly to social cohesion.

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In testimony provided at the public hearing, the Ethnic Communities Council of Queensland stated in response to what is the greatest risk you see in rushing these proposed laws through the parliament without that meaningful engagement?

The risk is lacking the voice of the multicultural community's ability to internally protect, and when the government does not consult then it is actually thinking and responding on behalf of the people without their voice, insights and ideas considered.

Of course, we know that the issue of racism we should be intending to combat is rampant across all communities, not just one community. It is very important that all the voices are heard to actually capture all perspectives. Rushing the bill then does not give the opportunity to the people the bill is potentially intending to protect and all of the people in the community, rather than targeting one community.

Bar Association of Queensland in their submission stated:

The Bill was available for review by the Association at the same time as it was made public on 10 February 2026. The consultation period is 8 days (including 2 weekend days), with public hearings commencing on 18 February 2026.

The Association has met the stringent timeframe for the provision of submissions, but the accelerated process will have otherwise deprived the Bill of the benefit of scrutiny appropriate to its importance and complexity.

This constrained period is regrettable.

Queensland Law Society in their submission stated:

A fundamental tenet of our system of parliamentary process is that stakeholders should have a meaningful opportunity to be involved in the consultation process. We do not consider short consultation time frames, such as that allowed for this Bill, amount to meaningful and robust consultation. As such, the timeframe available for making submissions in response to the Bill means that it has not been possible for the Society to conduct an exhaustive review. The absence of comments on parts of the Bill not expressly referred to in this submission should not be taken as the Society's assent or support.

The Queensland Law Society during their oral testimony stated:

Where you rush through legislation, ultimately that is where you see gaps or you see issues in terms of definitions and there are unintended consequences generally. It is that consultation and that stakeholder engagement that I think should be at the forefront, especially of this type of legislation where it does impact such a cross-section of society.

and

Given the short consultation period with respect to the bill, there are a number of things that are concerning in the bill in terms of how terms are defined, how far-reaching some offences may or may not be, the uncertainty with respect to certain offences.

Professor Katharine Gelber from the University of Queensland and Professor Luke McNamara from the University of New South Wales stated:

It is a matter of concern in principle that, in contrast, the current inquiry was referred to the Justice, Integrity and Community Safety Committee on 10 February 2026, that submissions close on 17 February 2026, and that the report of the inquiry is due to be tabled on 27 February 2026.

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The Archdiocese of Brisbane in their submission stated:

The consultation process has been inadequate. Stakeholders were provided three business days to respond to legislation that creates new criminal offences, expands executive regulation-making powers over speech, and directly affects religious freedom and expression. The Explanatory Statement itself acknowledges that the Bill "may represent a potential departure from fundamental legislative principles." Where such departures are acknowledged, comprehensive consultation is essential to responsible lawmaking.

and

Robust consultation is particularly important where legislation regulates speech and religion. These are sensitive domains that require careful balancing between community safety and fundamental freedoms. The opportunity to test drafting, identify unintended consequences and refine safeguards is essential to ensuring that protective objectives are achieved without overreach.

The Archdiocese does not question the seriousness of antisemitism or extremist violence. Nor does it dispute the need for strong legal responses where conduct incites discrimination, hostility or violence. However, where the Government itself acknowledges potential departures from fundamental legislative principles, a more comprehensive and structured consultation process would strengthen both the legislation and public confidence in its operation.

The Anglican Church Southern Queensland stated:

Providing organisations and individuals with less than a week to respond to this Bill is manifestly inadequate, especially given the complexity of the Bill; that it is for amending the Criminal Code and multiple pieces of legislation; and, its extensive scope with serious intended (and potentially unintended) consequences for social justice advocates (including our own) and the wider community (including for already marginalised and vulnerable community members).

We also question the lack of community consultation before the Bill was drafted and during the drafting process, as well as the rushed pre- and post-submission timeline. It is our understanding that relevant religious and multicultural groups (and their peak bodies), who will obviously be impacted by this Bill (if passed), were not consulted before or during the Bill's drafting. If the Queensland Government is genuine about protecting the safety and right to worship of these groups it is reasonable to expect that they would be meaningfully consulted.

Queensland Council for Civil Liberties in their submission stated:

This so-called consultation not only ignores long-established consultation processes in place since the Fitzgerald Inquiry but is totally contrary to the consultation provisions of the Cabinet Handbook. The question needs to be asked as to whether there is a new policy by this government to abandon 36 years of consultation post Fitzgerald policy.

and

This Bill with its current poorly researched and consultation non-existent background will inevitably have consequences in practice that have not even been apparently considered by the closed door policy formulation process.

The University of Queensland Branch of the National Tertiary Education Union stated in their submission:

The shockingly truncated consultation period (allowing less than a week for public submissions) is a sure sign that the drafters of this Bill sought to undermine democratic deliberation.

Queensland Labor Opposition

Laws that have the potential to significantly impact minority communities and restrict political expression require careful, transparent consultation, not accelerated passage

The Settlement Services International in their submission stated:

Government has a unique responsibility to act as a stabilising force in times of social strain. The way legislation is framed, consulted on and communicated can either build calm and reinforce equal protection, or deepen uncertainty and division. In this instance, the speed and limited consultation associated with the Bill have contributed to community unease and have risked undermining the very cohesion the reforms seek to strengthen.

and

We would ask that the Queensland government pause the passage of this bill to allow for more extensive consultation, particularly with Queensland's multicultural communities. This pause should enable meaningful, culturally informed consultation with multicultural and faith communities, youth and education sector stakeholders, and human rights experts, including sufficient timeframes for engagement and feedback.

The very process of bringing diverse community leaders together for consultation has been shown to strengthen cohesion and sharing of values.

The Services Union stated in their submission:

The rushed nature of the Bill, with less than a week for public submissions, is an affront to the democratic process. Legislation that so significantly impacts minority groups requires deep consultation, not a rushed Bill that undermines the democratic principles of Australian society.

Legal Aid Queensland stated in their submission:

LAQ emphasises that the criminal law is a poor tool to improve social cohesion, and that rushing through such significant changes to the criminal law will likely have significant unintended consequences. LAQ notes also the truncated timeframe provided for responding to the draft Bill, and the brevity of consultation undertaken.

LAQ very respectfully urges that Parliament instead refer the matter to the Queensland Law Reform Commission, or to wait for the findings of the Royal Commission into Antisemitism and Social Cohesion, before acting.

The Courier Mail on 20 February 2026, also reported “Safety switch on gun laws – Two pro bodies called up but Port Arthur group denied”, whereby the story states that:

“A government-controlled committee has barred the gun safety advocacy body established to honour two children who died in the Port Arthur massacre from giving evidence about Queensland’s proposed new gun laws.” (Attachment B)

It is also disappointing the overall time that was afforded for public hearings and public briefings and the sequencing of those meetings, did not allow for a coherent and logical process.

The Queensland Labor Opposition would have preferred a public briefing from the department at the beginning of the Committee process, then the hearings with stakeholders and Queenslanders. This could have been followed by a further departmental briefing to address matters as required.

Due to the truncated timeframe provided for by a motion put forward by the Crisafulli LNP Government in the Parliament, the public hearings were occurring before all the submissions could be published and considered. This is by no means a reflection on the Queensland Parliamentary Service staff, who did a stellar

job within the limited time provided by the motion which was put forward by the Crisafulli LNP Government in the Parliament to scrutinise the Bill.

In addition, the time allocated for the public briefing with the Queensland Police Service and the Department of Justice was inadequate in the view of the Queensland Labor Opposition. Of the hour that was allocated, over 20 minutes was taken up by public servants reading from prepared scripts about the Bill, which were all elements canvassed in their detailed joint briefing note.

While this is not a reflection on the public servants, it is recommended that in future, if there is a detailed public briefing document from a department, then that is taken as read, which allows additional time for questions to be asked during the hearing.

The Queensland Labor Opposition stand with those who were denied an opportunity to participate in the process due to the truncated timeframe and condemn the Crisafulli LNP Government for rushing through legislation of such significance without due and proper consultation.

CONCLUSION

The Queensland Labor Opposition condemns hatred and vilification in any form. It is abhorrent and should not occur in our great state – a state built from the vast multicultural communities that call Queensland home.

It is clear from stakeholders, the parliamentary inquiry and our discussion with Queenslanders that the consultation on hate speech was woefully limited, particularly around prohibiting particular expressions.

This section of the Bill is largely viewed as a gag on the freedom of speech afforded to Queenslanders. As believers in the right to peacefully protest, this provision goes further than stamping out antisemitism and could lead to stamping out any words the government deems unfavourable to them.

The Queensland Labor Opposition stands with all Queenslanders in the advocacy of stronger gun reform, to ensure that our state is not the weakest link in the national armour. This not only includes mandatory mental health checks as recommended by the Queensland State Coroner, but also implementing national consistent gun laws, as a strong next step. We cannot afford to become a safe haven for criminals, terrorists or extremists.

We continue to hold reservations about the effectiveness of these elements to prevent another Wieambilla or Bondi shootings.

However, there are strong new offences relating to religious worship and places of worship, which the Queensland Labor Opposition supports with no hesitation.

The Queensland Labor Opposition sincerely thanks all those who made a submission to the parliamentary inquiry and attended the hearings – your insights have been invaluable in our calm and methodical consideration of the bill.

Thanks also go to the Queensland Parliamentary Service staff for their support in ensuring that Queenslanders were able to participate, even in a limited time provided within the truncated committee process.

Queenslanders deserve strong workable and enforceable laws that protect them, but they also deserve a government that will invest in the services, the policies and the wrap around supports that all Queenslanders need to feel safe and to be safe.

They deserve a government that listens, and stands up for what it believes in. Queenslanders deserve a government that improves their lives, not takes our state backwards. Sadly, that remains to be seen under this administration.

Queensland Labor Opposition



**MEMBER FOR JORDAN
ACTING DEPUTY CHAIRPERSON OF THE COMMITTEE
SHADOW MINISTER FOR PUBLIC WORKS
SHADOW MINISTER FOR MULTICULTURAL AFFAIRS**



**MELISSA MCMAHON MP
MEMBER FOR MACALISTER**

On behalf of the Queensland Labor Opposition

ATTACHMENT A

*Correspondence from the Queensland Opposition to the Crisafulli LNP Government –
Unanswered by the Government*



THE HON STEVEN MILES MP
Leader of the Opposition

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17 December 2025

The Honourable Deborah Frecklington MP
Attorney-General and Minister for Justice
Minister for Integrity

The Honourable Daniel Purdie MP
Minister for Police and Emergency Services

VIA EMAIL attorney.general@ministerial.qld.gov.au and police@ministerial.qld.gov.au

Dear Attorney-General Frecklington and Minister Purdie

I write following the tragic and deplorable terrorist attack in Bondi, New South Wales last Sunday, which not only impacted the Jewish community, but all Australians.

The thoughts of all Queenslanders are with the Jewish community, the New South Wales community, first responders and volunteers who ran towards danger to help their fellow Australians after this terrorist attack.

Anti-Semitism and hate have no place in Australia, in Queensland or a modern society.

On Monday, 15 December 2025, National Cabinet was convened by the Prime Minister with a communique issued outlining the action that will be taken in the first instance. It is understood from that communique that you both as the Attorney-General and Minister for Police respectfully have been commissioned to work on the following agreed ways to strengthen gun laws across the country:

- Accelerating work on standing up the National Firearms Register.
- Allowing for additional use of criminal intelligence to underpin firearms licencing that can be used in administrative licencing regimes.
- Limiting the number of firearms to be held by any one individual.
- Limiting open-ended firearms licencing and the types of guns that are legal, including modification.
- A condition of a firearm licence is holding Australian citizenship.

These are common sense reforms, which have been publicly supported by leaders around the country.

Adopting these measures is sensible and will complement the ten recommendations made by the Queensland State Coroner in their inquest findings into the horrific murders of two brave Queensland Police Service officers and a neighbour at Wieambilla, three years ago.

Now is the time for action, without further delay.

As you are aware from the motion I moved in the Queensland Parliament during the last sitting week, the Queensland Labor Opposition supports the implementation of the ten recommendations from the State Coroner in respect of the Wieambilla incident. To do so sends a strong signal to the hardworking and dedicated Queensland Police Service officers and staff, the families of the fallen and all Queenslanders that their safety is paramount.

Queensland Labor Opposition

All Queenslanders deserve to feel safe from gun violence, which is why the Labor Opposition is calling for gun laws to be strengthened urgently, to avoid these tragedies from occurring again.

My team and I stand ready to provide bi-partisan support for urgent gun reform legislation that keeps Queenslanders safe and we are prepared should the Premier recall the Queensland Parliament as other State Leaders have done so.

In addition to any law related to gun reform, the Queensland Labor Opposition requests that laws in relation to hate symbols, which were introduced by the former government, be reviewed and strengthened considering recent events, to ensure that our faith-based communities have the protections they deserve.

I look forward to your response to this important matter.

Yours sincerely



STEVEN MILES MP
LEADER OF THE OPPOSITION

cc *The Honourable David Crisafulli MP*
Premier of Queensland and Minister for Veterans

ATTACHMENT B

Media Article – Friday, 20 February 2026

Safety switch on gun laws

Two pro bodies called up but Port Arthur group denied

Mikaela Mulveney

A government-controlled committee has barred the gun safety advocacy body established to honour two children who died in the Port Arthur massacre from giving evidence about Queensland's proposed new gun laws.

The Alannah and Madeline Foundation — set up by their father Walter Mikac — was one of the leading firearm control groups not permitted to present to the committee in favour of two pro-gun groups.

This is despite the pro-gun Shooters Union and Sporting Shooters Association — which were supportive of the legislation — both getting a call up to speak.

The Crisafulli government moved to rush the laws, reducing a six-week committee process down to two weeks, with just one day of public hearings.

Relevant groups were also given a tight three-day deadline to make a submission on the proposed reforms — a mammoth bill that addresses both anti-Semitism and gun laws.

Alannah and Madeline

Foundation advocacy adviser Stephen Bendle has accused the government of "bending the knee" to the gun lobby after their requests to present were rejected.

"We understand there are a whole range of different sectors represented, but the fact that there are two of the largest gun lobby members appearing is outrageous and this just confirms our submission that says clearly that this government is overseeing the consolidation of Australia's weakest gun laws," he said.

The foundation wrote to the Committee Secretariat on Sunday requesting to attend the hearing before calling on Wednesday after hearing nothing.

At 7pm that night, the foundation received a response stating "the Committee did not resolve to invite AMF".

The foundation presented in both Canberra and NSW when gun reform was going through the respective parliaments.

Gun Control Australia was also overlooked.

Committee chair Marty

Hunt said he couldn't comment on deliberations made by the committee.

But he said generally the committee called witnesses if they wanted further information, but that all submissions were considered.

"All submissions to any committee are given equal weight and no extra weight is given to witnesses who appear before the committee," Mr Hunt said.

The LNP government has moved to urgently pass legislation with a shortened committee process seven times since coming to power.

This includes Adult Crime, Adult Time, the expansion of electronic monitoring devices, tough planning reforms to override 15 planning acts for the Brisbane 2032 Olympics and the axing of the Path to Treaty.

Premier David Crisafulli stressed the importance of the committees while he was in opposition. On Thursday, he acknowledged it was a shorter-than-normal process.

Attorney-General Deb Frecklington said she would "listen to all the submitters".



MICHAEL BERKMAN
MEMBER FOR MAIWAR ▲

26 February 2026

Dissenting report - Justice, Integrity and Community Safety Committee Report on Inquiry into the Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026

At the outset of this report I wish to acknowledge the contributions of Jewish Queenslanders in sharing their experiences of antisemitism throughout the Inquiry. It is a legitimate and important aim to address discrimination and prejudice. In the wake of the Bondi terror attacks, governments also have an urgent responsibility to review and update our firearm laws to limit the potential for gun violence as far as possible. However, this Bill will serve neither purpose. It should not be passed.

Deficiencies in the Parliamentary processes

The Committee process was flawed

Despite submitters' efforts to comply with a one-week timeframe in which to make submissions, the truncated Committee process has limited the effective scrutiny of the Bill and its consequences.

It is telling that even with the short window to make submissions, the Committee received 412 individual submissions and a further 281 form-based submissions. The community is plainly concerned about the ramifications of this Bill, yet the Committee report mischaracterises or downplays the huge proportion of submissions which oppose the Bill.

The government has signalled its intention to list two expressions as "prohibited expressions" (discussed further below):

1. "From the river to the sea"
2. "Globalise the Intifada"

Despite the Palestinian community and its supporters being most directly impacted by these changes, not one Palestinian person or community organisation appeared to give evidence to the Committee at a public hearing.

Moreover, the Committee did not hear from Justice for Palestine Magandjin, notwithstanding that a representative was at the public hearing in Brisbane and willing to appear and give evidence, and despite a motion to facilitate their appearance.¹

The exclusion of these voices is shamefully disrespectful and short sighted, and can only further undermine the credibility of the Committee's findings and recommendations.

¹ I moved that the public hearing timetable "be amended to include an appearance from Justice for Palestine at 12.45 after the conclusion of the public hearing", but the hearing concluded in accordance with the unamended timetable and without hearing from Justice for Palestine Magandjin.

The statement of compatibility is inadequate

Pursuant to s 38 of the *Human Rights Act 2019* (Qld), a statement of compatibility with human rights was required to be tabled with the Bill. The statement concluded that the Bill is compatible with human rights despite potential for limitations on a broad range of rights.

In respect of the prohibited expressions regime, impacts on the right to peaceful assembly and freedom of association are not even mentioned, despite the proposed prohibited expressions being commonly used as protest chants in support of a free Palestine. The implementation of the Bill would plainly have a chilling effect on people's willingness to engage in peaceful assembly.

References in Report to "Stamping out antisemitism" and "Antisemitism provisions"

Despite the short title of the Bill, the actual amendments do not specifically target, or even mention antisemitism. As a consequence, the Departmental staff at the briefing seemed reluctant to answer questions about the above phrases which are to be banned not by the Bill itself, but by *regulation* on the basis that they are antisemitic (a premise that I, and many experts, dispute).

Despite this, the Committee's Report is structured to include headings that refer to "Stamping out Antisemitism" and "Antisemitism provisions generally". This does not reflect the actual substance of the Bill and is in my view misleading.

This contradiction exposes one of the underlying flaws with the Bill's presentation: the Government has attempted to brand it as "fighting antisemitism" through its title, while avoiding any scrutiny of exactly how - or indeed, whether - they are in fact fighting antisemitism. In my view, the Committee's report reflects much of the Government's political spin, without applying any measure of genuine scrutiny or critical analysis. This is yet another argument for reform of the Committee system, and I maintain the view that committees should be chaired by non-government members.

Prohibiting the use of expressions

The power to make regulations

The Bill creates a regulation making power whereby the Attorney-General can prescribe prohibited expressions without, in my view, any effective oversight; the only requirement is that consultation with the Crime and Corruption Commission, Queensland Human Rights Commission and Police Commissioner has occurred and that the **Minister** is satisfied that "the expression is regularly used to incite discrimination, hostility or violence towards a relevant group". This covers groups of people who identify with each other on the basis of race, religion, sexuality, sex, sex characteristics or gender identity.

The Queensland Greens disagree that the delegation of legislative power to prescribe prohibited expressions is appropriate in the circumstances, especially where the Minister's subjective satisfaction is so minimally constrained.

Significantly, "hostility" is not defined in the Bill, which means statutory interpretation by the Courts will rely on the ordinary meaning of the word, which includes "unfriendliness or opposition". In my view, this has been misrepresented in both the statement of compatibility and the Committee report as being directed at expressions which represent "extreme prejudice". Inciting unfriendliness or opposition is in no way equivalent to extreme prejudice.

Proposed prohibited expressions, antisemitism and anti-Israel sentiment

In any case, it is unclear how the government justifies the proposed prohibition of the following expressions:

1. "From the river to the sea": used to advocate "for the equality of all people living in the geographical area between the Jordan River and the Mediterranean Sea. It is a call for freedom from apartheid, freedom from occupation and freedom from oppression."²
2. "Globalise the Intifada": the Jewish Council of Australia offered a nuanced perspective on this expression in its submission. It says, "The word 'intifada' has a long, complex history in the Arabic world that cannot be reduced to a single definition. Much like English translation 'uprising' or

² Submission 290, Justice for Palestine Magandjin.

‘revolution’, the term ‘intifada’ has been associated with violent and non-violent actions depending on the context, meaning that the violent association is merely one interpretation and not the word’s inherent or exclusive meaning.”

Both of these are used to express legitimate criticism of the actions of the State of Israel, not to incite discrimination, hostility or violence towards any group of people. The Greens are gravely concerned by the conflation of antisemitism and anti-zionism (i.e. legitimate criticism of the State of Israel³). Again, despite the title of the bill, the only proposal which has been explicitly linked to “fighting antisemitism” is the government’s commitment to prohibit pro-Palestine expressions in associated regulation - expressions used to criticise the actions of the State of Israel, but not Jewish or Israeli people as a protected group.

In its summary of submitters’ views, the Committee report is selective in its approach to featuring Jewish voices that oppose the Bill. For example, the report doesn’t feature anything from the submission made by the Jewish Council of Australia, which shared its critical concerns that the proposed prohibited expressions are discriminatory and counterproductive, and “will lead to *more* polarisation and discrimination and, consequently, *less* safety for racialised communities, including the Jewish community”.

Similarly, Jews for Justice urges the Committee to recommend against the Bill being passed:

“To approach antisemitism in isolation from other forms of racism is dangerous and counter-productive to the safety and security of not only Jewish Australians, but of all Australians. Safety cannot be built on selective protection, and efforts must be intertwined with the safety of Muslims, Palestinians, migrants, First Nations people, and other minorities. ...

By conflating Judaism and Zionism, the Bill dangerously positions Israel as a representative of Jews. This risks linking the political and military actions of Israel with those of Jewish faith. Israel is accused of war crimes and genocide, of which the Australian public are outraged, as evidenced by consistent and large public protests. By conflating Judaism and Zionism, the Queensland government risks feeding a false narrative that Jewish people in Australia are responsible for Israel’s actions. ... In contrast, Palestinian solidarity movements across the country understand the difference between Judaism and Zionism - with Jewish speakers at most Free Palestine rallies, and coalitions built in solidarity towards a shared future of justice for all.”

That firm position against the Bill is essentially overlooked in the quote presented in the Committee report - that antisemitism “must be addressed in a comprehensive, whole-of-society response to all forms of racism and religious hatred”.

The offence of using prohibited expressions

Once a prohibited expression is prescribed, the Bill provides that a person should only be charged for its use if additional circumstances exist; namely, the expression must be used “in a way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended”. This is, yet again, an unreasonably broad test, particularly through the inclusion of “offended” in the law, and given there is no requirement to actually cause offence: the mere **expectation** of offence is enough.

In its submission, Muslim Votes Matter reflected on the inappropriateness of criminalisation on this basis:

“...the existence of strong disagreement or offence does not, of itself, justify criminal prohibition. Legislative design must ensure that minority communities are not exposed to uneven enforcement or investigative intrusion solely because their political expression is contentious.”

The explanatory notes expressly indicates that this new offence provision applies to the use of “chants or placards at a protest.” This tends to imply that the use of a prohibited expression in this context would meet the threshold for the offence, notwithstanding that regular peaceful assemblies have taken place for the last two and a half years without issue.

³ Note the evidence from Rabbi Ruben at the Townsville Public Hearing: “Anti-Zionism is definitely something that is legitimate in general, in theory. There is a huge Israeli community as part of my constituency, part of my parishioners. All the Israeli expats are here for a reason. There is something they did not like about Israel which is why they all moved to Australia, which they love and are so appreciative of, and they celebrate the day they became Australian citizens.”

Although the “reasonable excuse” provisions in the proposed s52DA(2) provide a public interest defence that might be expected to apply in such a context (i.e. the conduct is for the purpose of “a genuine political or other genuine public dispute or issue carried on in the public interest”), it is significant that the onus rests with the defendant to prove that this defence applies. In circumstances where the government is already co-opting and misrepresenting the usage of phrases most commonly used as chants at peaceful protests (ie. “from the river to the sea [Palestine will be free]”), there is a real risk of police overreach, or even the possibility that the judiciary follows suit.

The laws are unnecessary and potentially counterproductive

In circumstances where existing vilification laws already strike the balance between protecting freedom of expression and limiting hate speech, the proposed changes are effectively redundant. In fact, given the phrases intended to be prohibited, the Bill functions more effectively to intimidate people out of participating in peaceful protest than to “protect community safety and social cohesion”.

To put it plainly, it seems the primary objective of the Bill’s prohibited expressions provisions - taken together with government statements about proposed regulation - is to intimidate and silence peaceful protestors.

Expanding the prohibited symbols regime

The Bill amends Chapter 7A of the *Criminal Code Act 1899* to increase penalties for the display of prohibited symbols to a maximum of 2 years imprisonment. Previously, prohibited symbols were required to be clearly prescribed, with the symbols depicted in regulations.

Under the new provisions, prohibitions will extend to symbols “used by a prescribed organisation, or a member of a prescribed organisation, to identify the organisation or any part of the organisation”. This aspect of the Bill creates significant uncertainty, because symbols will not be expressly identified.

During the hearings, Mr Trad, from the Australian Federation of Islamic Councils, pointed out the difficulty with respect to symbols that may be co-opted or subject to contested uses. For example, he points to the ISIS flag, which “hijacked an expression of faith” and “put it on their flag”. He is referring to the Shahada or the Kalima, which is the first of the Five Pillars of Islam and is a declaration of faith, often depicted in Arabic.

There is a real risk that this broadening of the law, to include any symbols used by a terrorist organisation, actually diminishes freedom and safety for faith-based groups or other movements. Symbols of faith or liberation, like the Shahada, effectively become prohibited symbols at the discretion of terrorist organisations. There is a real risk that a terrorist organisation could co-opt symbols of liberation, such as the watermelon (used by proponents of a free and peaceful Palestine), exposing anti-genocide protestors to criminalisation.

The government says this uncertainty is addressed by requiring the accused had constructive knowledge that the symbol was used by the group, or a member of the group. This is not sufficient to address the fundamental precept that the criminal law must be sufficiently clear so that people can know in advance whether their conduct may not comply.

Expanding police powers

The Bill also expands police powers to search persons and their vehicles without a warrant to include situations where an officer reasonably suspects someone is committing or has committed an offence in relation to using a prohibited expression or symbol.

Unlike current provisions regarding prohibited symbols, an officer does not need to be satisfied that they would find evidence of the commission of such an offence in order to carry out the search.

Given the expressions flagged for prohibition so far are specifically those used by supporters of a free Palestine, this Bill will essentially give the police carte-blanche to profile and search people they believe may be supporters of a free Palestine. Any one of 50,000 people who came together in August 2025 to express their opposition to genocide and apartheid in Palestine may be at risk of increased policing.

I do not agree with the Committee’s conclusion that the new powers have sufficient regard to the rights and liberties of individuals. As Legal Aid Queensland (LAQ) observed in their submission, “It is difficult to

understand why urgent, warrantless searches are required if police suspect a person of saying something offensive (as opposed to displaying an offensive symbol, evidence of which, such as an offensive flag, might be found in the vehicle)".

Increased scope for police to undertake controlled operations and surveillance

The Bill significantly expands the use of controlled police operations, with implications for human rights that are not adequately justified by the purpose of the Bill.

Current laws allow police to undertake controlled operations to gather evidence for the prosecution of offences with a maximum penalty of 7 or more years, or a range of other specific offences for which controlled operations may be necessary and effective, including child exploitation offences, illegal betting and unlawful supply of weapons.

Under the proposed changes, controlled operations would be permitted for either gathering evidence or frustrating (disrupting/preventing) the commission of relevant offences, and the scope of relevant offences expanded to include those with a maximum penalty of at least 3 years imprisonment.

Controlled operations are essentially covert investigations, which, having complied with the steps required for approval of an investigation, allow police to commit offences. Effectively, this Bill would allow police to commit offences in order to (potentially) prevent the commission of theoretical future offences. The potential for misuse is extreme.

Parliament cannot ignore that these changes have been included in a Bill which purportedly targets acts of violence involving guns, but in practice specifically targets the community of peaceful protestors standing in support of a free Palestine.

Offences in relation to places of worship

The Bill updates offence provisions regarding disturbance of religious worship or ceremonies. The Queensland Greens support the equal application of protections for religious communities and their places of worship, as this Bill provides.

However, greater consideration should be given to potential unintended consequences of the unnecessarily broad scope of the proposed offence for "disturbing" a religious worship. For example, LAQ considered the circumstances where a preacher unexpectedly conveys hatred or denigration of others, and a church member stands up and deliberately, but respectfully, interrupts the preaching to disagree. It should be made clear that this type of disturbance is not an offence.

I note the concerns of the Anglican Church in Southern Queensland, whose submission opposed the inclusion of the offence, preferring community-led restorative justice processes.

New offence for planning an offence

The Bill creates a new offence for planning an offence that is likely to cause the death or grievous bodily harm. Although modelled on Commonwealth anti-terrorist legislation, the Bill goes much further to include offences well beyond terrorism.

The Queensland Greens disagree with the Committee's finding that this is proportionate.

It appears that these provisions are primarily driven by a desire to respond to the Bondi shootings last year. While it is natural and right that the government acts to prevent tragedies like this, a reactive approach is problematic, and likely ineffective. Existing laws already adequately deal with attempts to commit offences, and provisions that effectively target the commission of a hypothetical offence are likely to have unintended consequences.

Gun reforms

Yet again, the substance of the Bill fails to reflect its short title. Reforms relating to firearm licensing are inadequate to "keep guns out of the hands of terrorists and criminals". They rely primarily on increasing various existing penalties, without any evidence that such reforms effectively deter offending.

The most significant change to licensing contained in the Bill is to prohibit the issuing of firearm licences to non-citizens, albeit with a broad range of exceptions. It is entirely unclear on what basis non-citizens are more likely to be, as per the short title of the Bill, “terrorists” or “criminals”. Even the Queensland Police Union submitted that “there is no logical reason to exclude permanent residents from the licensing system”, raising no issues with the efficacy of existing processes for background checks. The provisions also raise particular concerns in light of the Government’s failure to participate in a national buyback scheme, as permanent residents who currently hold a firearm licence will not be able to participate in such a scheme to surrender their weapon in circumstances where they are no longer eligible.

This appears to be little more than a xenophobic dog whistle - an attempt to claim action is being taken without pursuing any of the reforms actually suggested by experts or gun safety advocates.

Indeed, the Committee report has happily drawn quotes from various gun lobbyists and organisations, but failed to include Gun Control Australia or the Alannah and Madeline Foundation in hearings. Gun Control Australia’s submission notes various reforms which are missing from the Bill but would be far more likely to genuinely improve community safety and protection from gun violence, including:

- Removing recreational licences
- Restricting high capability firearms
- Ending metropolitan home storage for non-occupational firearms
- Limiting the number of firearms per individual
- Prohibiting the use of firearms by children
- More robust renewable licensing
- Banning political donations from the firearms industry (as the Greens have proposed)

Reforms contained in the Bill to delegate the issuing of Firearm Prohibition Orders (FPOs) from the Court to the Police Commissioner (with a right of review by QCAT) are a further, inappropriate expansion of police powers for a scheme which has been broadly ineffective. The Bill includes various expansions to the FPO scheme, including expanded search powers to include someone in the company of, or in a vehicle with, a person with an FPO. Although the Queensland Greens support strong gun controls, to date FPOs have not necessarily been used to specifically target bikies or serious offenders, or to genuinely improve gun safety. The power to conduct searches without a warrant is a significant potential incursion on civil liberties, and therefore should be subject to serious scrutiny. The powers should be far more clearly defined, with greater checks and balances on the exercise of police discretion, particularly in the absence of an independent police integrity unit (as recommended by the Commission of Inquiry into Queensland Police Service Responses to Domestic and Family Violence).

Recommendations

1. Given the unjustifiable limitations on free speech and human rights, the dubious relationship between the Bill’s stated objectives and its actual effect, and the lack of genuine scrutiny afforded during the inquiry into the Bill, I recommend that the Bill should not be passed.
2. The reforms to vilification and anti-discrimination laws which were delayed by amendments contained in the *Crime and Corruption (Restoring Reporting Powers) Amendment Bill 2025* should be commenced.
3. Genuine gun safety reforms should be pursued, including restricting access to high capability firearms, limiting the number of firearms and participating in the national firearms buyback scheme announced by the Federal Government.



Michael Berkman MP