



## QUEENSLAND POLICE SERVICE

WEAPONS LICENSING  
SPECIALIST SERVICES GROUP  
OPERATIONS SUPPORT COMMAND  
16 Mary Street, Brisbane QLD 4001  
GPO Box 892 Brisbane QLD 4001  
TELEPHONE (07) 3015 7777 FACSIMILE (07) 3015 7788  
<http://www.police.qld.gov.au/programs/weaponslicensing/>

Our Ref: CID 16236588

25 March 2022

**RICHARD MAXWELL ROWE**



Dear Mr ROWE

Concerns have been raised as to you being a fit and proper person to continue to hold a firearms licence, as per section 10B of the *Weapons Act 1990*, particularly in regard to the public interest.

I refer to information received indicating that you hold Sovereign Citizen beliefs relating to the laws in force in Queensland specific to their non-applicability to yourself. I further note, it is alleged that you have made online threats to kill police officers.

In order to make a determination on your current suitability to continue to be the holder of a firearms licence, it is requested you make a written submission detailing why you should continue to hold your firearms licence. In particular, reference should be made to your suitability to possess weapons having regard for the public interest.

Your response will need to address the following:

1. Reasons behind the behaviour;
2. Steps taken to address the behaviour;
3. Good character and reputation;
4. Whether the incident are likely to occur again;
5. What strategies have been put in place to ensure the incident is not repeated;
6. Whether the general community can have confidence a similar incident will not be repeated;
7. Storage and access arrangements for weapons;
8. Proposed use of weapons and;
9. Any other relevant information that indicates you are not a risk to public safety.

I will give your submission due regard before making a further determination regarding your firearms licence.

Your submission is required **within 28 days** from the date of this letter. Failure to supply such information, will result in a determination being made on the information available.

Should you have any enquiries concerning this matter, please contact the Compliance Section, Weapons Licensing, on telephone number (07) 3015 7777 between 9.00am and 3.00pm weekdays, excluding Wednesday's.



**For D W BUST  
INSPECTOR 12510  
AUTHORISED OFFICER  
WEAPONS LICENSING**

- 1a. The reasons for the behavior lies obviously within the ranks of the Qld police and whoever it was who first fabricated these accusations.
- 1b. have never claimed to be a "Sovereign Citizen". A point being that the term is an oxymoron. A Sovereign is an automomous being while a Citizen is a vassal of the state. One may either be a sovereign or they may be a Citizen, but it is impossible to be both. The notion that I would ever claim to be a Sovereign Citizen is an outright lie. I have never claimed to be either. I request you locate the Police Officer who has made such a claim so I may have him charged with falsifying and manufacturing evidence. Under the Crimes Act of 1904 the Police Officer in question is committing an offence of creating a false suspicion. Police Officers are not above the law, although the enthusiasm with which these individuals have been carrying out their overreach of powers during the government abuse of office in respect to the covid scandemic may of course indicate otherwise. Any individual who would fabricate such a claim against me however, cannot in anyway be deemed a "fit a proper person" and should not be employed by the police department. Such a person should certainly not hold a firearms license and I would like to know the name of the individual who is the original source of this claim so I can commenece legal proceeding against them.
- 1c. I have never threatened to kill police officers. I am a peaceful man with zero history of violence. The above paragraph also applies here to whichever police office fabricated this false accusation.
2. Action to be taken to ensure this instance is not repated can only be taken by Qld Police in their attempts to locate the liar within their ranks who has fabricated these false accusations.
3. I have a highly respected character and reputation. You will find no evidence to contrary anywhere.
4. Whether the instance is likely to be repeated again rests with the ability of Qld police to locate and prosecute the unfit and improper criminal within their ranks who has fabricated these claims.
5. It is obviously up to you to tell me what stategies you intened to put in place to ensure this incident is not repeated as I cannot remedy a situation I did not create. In this regard, perhaps better screening of inductees so the police force is populated by people of high integrity would help?
6. The general community has no reason to doubt, or fear, or have any concern regarding me whatsoever, however the general communities confidence and opinion of the police is at an all time low, as are their concerns for their personal safety at the hands of these armed and armour clad thugs and will likely remain that way until comprehensive investigations are launched regarding police overreach during the covid "great reset" scandemic. Their fabricating claims against me do not help, but again, I am personally unable to take any steps to deal with fabrications coming from whoever it is within the ranks of the police who is fabricating them. That task again lies with you.
7. Storage for the weapons is in a very strong gun safe and can be inspected at any time.
8. The proposed use of the weapons is target shooting and some game hunting.
9. I have never been any risk to public safety. If anyone with the ranks of the Qld police force is claiming I have been, I hereby request you provide proof of such a claim.

As you are likely aware, I have been over seas since October and I still am, so I cannot possibly visit a local station to discuss or return my shooters license at any time in the foreseeable future until I return to Australia.

To be honest, I am disgusted and appalled by the degree of dishonesty and fabrication seen in this correspondence from what was once a respected and trusted organization. After their actions over the last 2 years, and the lies and abuses of power they have supported and defended, the Australian Police have a great deal or work to do before anyone will ever be able to view them with any modicum of trust or respect again.

regards.

Richard Maxwell Rowe



A copy of this notice was issued and served personally on the above named person at

\_\_\_\_\_ am / pm \_\_\_\_\_  
(Time) (Date) (Place of service)

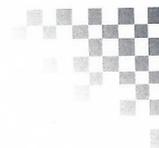
BY \_\_\_\_\_  
(Name) (Rank) (Reg. No.)

\_\_\_\_\_  
(Station/ Establishment of authorised officer serving notice) (Signature of authorised officer)



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## INFORMATION NOTICE

### PART A

To: Richard Maxwell ROWE of [REDACTED]

Reference number: 26630173 / 16236588

### PART B DECISION

You are advised that your Firearms Licence Number 26630173 is Suspended.

### PART C REASONS

*Weapons Act 1990* (the Act)

Section 10B fit and proper person – licences.

Section 10B(1)(ca)

Section 10B(1)(d) the public interest.

Section 29(1)(d) the licensee is no longer a fit and proper person.

#### Case law considered:

*Director of Public Prosecutions v Smith [1991] 1 V.R. 51, 63*

Principle applied: the public interest included standards of human conduct tacitly accepted and acknowledged to be for the good order of society and for the wellbeing of its members.

*Comalco Aluminum (Bell Bay) Ltd v O'Connor and Others (1995) 131 ALR 657*

Principle applied: in determining the public interest it is necessary that the interests of the whole community are matters for consideration and the reference to public interest is to amplify the scope and purpose of the legislation.

*Commissioner of Police v Toleafoa [1999] NSWADTAP 9*

Principle applied: "Public Interest" is an inherently broad concept giving the authorised officer the ability to have regard to a wide variety of factors in choosing whether to exercise a discretion adversely to an individual.

*Ward v NSW Commissioner of Police [2000] NSWADT.*

Principle applied: The Tribunal could never be totally satisfied that a person would not pose any risk to public safety if they were given access to a firearm. However, in the context of the Act, the Tribunal must be satisfied that there is virtually no risk to public safety if (a person) were given access to a firearm.

#### Reason for decision:

Section 3 and 4 of the *Weapons Act 1990* (the Act) provides the principles and object of the Act, which include, weapon/s possession and use are subordinate to the need to ensure public and individual safety and that public and individual safety is improved by imposing strict controls on the possession of weapons.

Section 29 of the Act provides the ability for an Authorised Officer to revoke a licence if the Authorised Officer is satisfied, amongst other things, that the licensee is no longer a fit and proper person.

Section 29 (1)(d) provides the matters for consideration are those found in section 10B of the Act.

Section 10B of the Act provides the matters which must be taken into consideration when determining if a person is, or is no longer, a fit and proper person for the issue, renewal, suspension or revocation of a weapons licence.

Section 10B(2) of the Act provides the circumstances where-by a person is deemed not to be a fit and proper person for the issue, renewal, suspension or revocation of a licence.

Section 10B(1)(ca) provides that an Authorised Officer must consider whether there is any criminal intelligence or other information to which the authorised officer has access which indicates (i) the person is a risk to public safety; or (ii) that authorising the person to possess a weapon would be contrary to the public interest.

Section 10B(1)(d) requires that the Authorised Officer must consider the public interest when determining if a person is a fit and proper person to continue to hold a licence.

The Act does not list the factors an Authorised Officer must take into account when deciding whether it is in the public interest to issue or refuse a licence.

The decisions of the Supreme Court of Victoria, Appeal Division in the matter of the Director of Public Prosecutions v Smith [1991] 1 V.R. 51, 63 and Comalco Aluminium (Bell Bay) Ltd v O'Connor and Others (1995) 131 ALR 657 provide guidance on what constitutes the public interest

From the decisions of the courts in D.P.P V Smith (supra) the public interest included standards of human conduct tacitly accepted and acknowledged to be for the good order of society and for the wellbeing of its members.

From the decision in Comalco Aluminum (supra) in determining the public interest it is necessary the interests of the whole community are matters for consideration and reference to public interest is to amplify the scope and purpose of the legislation.

I noted that the principles and object of the Act are to impose strict controls on the licensing of persons and that the possession of weapons is subordinate to the need to ensure public safety.

I also considered the concept of fit and proper person and the public interest.

I noted the assessment of whether a person is a fit and proper person to hold a licence was discussed in Australian Broadcasting Tribunal -v- Bond [1990] HCA 33; (1990) 94 ALR 11 at 56 per Toohey and Gaudron JJ at 56:

The expression "fit and proper person", standing alone, carries no precise meaning. It takes its meaning from its context, from the activities in which the person is or will be engaged and the ends to be served by those activities. The concept of "fit and proper" cannot be entirely divorced from the conduct of the person who is or will be engaging in those activities. However, depending on the nature of the activities, the question may be whether improper conduct has occurred, whether it is likely to occur, whether it can be assumed that it will not occur, or whether the general community will have confidence that it will not occur. The list is not exhaustive but it does indicate that, in certain contexts, character (because it provides indication of likely future conduct) or reputation (because it provides indication of public perception as to likely future conduct) may be sufficient to ground a finding that a person is not fit and proper to undertake the activities in question.

I considered when determining if a person is a fit and proper person to retain a licence, in the public interest, an Authorised Officer has to have regard to all information available and based on that, I am of the opinion you may not be a fit and proper person to retain a firearms licence.

Information has been received indicating that you hold Sovereign Citizen beliefs relating to the laws in force in Queensland specific to their non-applicability to yourself.

When determining if a person is a fit and proper person to retain a licence, in the public interest, an Authorised Officer **must** have regard to all information available.

The principles and objects of the Weapons Act are to impose strict controls on the possession and use of weapons, including establishing an integrated licensing and registration scheme for all firearms.

The possession and use of a firearm in Queensland is a **privilege**, not as of right. And your privilege to possess and use weapons is **subordinate** to the need to ensure public and individual safety. A licensee is subsequently required to abide by the laws in force in Queensland as a fit and proper person to hold a licence.

I further note, it is alleged that you have made on line threats to kill police officers.

I am not satisfied that there is no risk to public safety should you not intend to comply with the laws of this State.

Accordingly, I have determined it is in the public interest for your licence to be suspended until a response is received with regards to you being a fit and proper person to hold a weapons licence, specific to the laws in force in the state of Queensland and the public interest.

**This submission is to be provided to Weapons Licensing within 28 days of the service of this notice upon you.**

In the absence of a response a determination will be made on the basis of the information available. Upon received of this submission a determination will be made as to whether to reinstate or revoke your licence.

#### **PART D RIGHT OF REVIEW**

You may apply to the Queensland Civil and Administrative Tribunal for a review of the decision under section 142 of the *Weapons Act 1990*.

#### **PART E HOW TO APPLY FOR REVIEW**

Fill out the "Application to review a decision" form (QCAT Form 23) which is available from, and may be lodged:

*In person:* Queensland Civil and Administrative Tribunal,  
Level 11, 259 Queen Street, Brisbane QLD 4000, or  
at any local Magistrates courthouse outside of the Brisbane CBD

*By mail:* QCAT, GPO Box 1639, Brisbane 4001

The form is also available at [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au)

Applications must be accompanied by the prescribed application fee.

The application must be lodged within 28 days of receiving this notice.

You must lodge a copy of this notice with your application.

**You must serve a copy of any application on the decision maker.**

#### **PART F STAY OF DECISION**

You may apply under section 22 of the *Queensland Civil and Administrative Tribunal Act 2009* for an order staying the operation of my decision. If you wish to apply for a stay, fill out the "Application to stay a decision" (QCAT Form 44) which is also available from the abovementioned locations.

**You must serve a copy of any application on the decision maker.**

#### **PART G DECISION MAKER**



**T J TATKOVICH  
SERGEANT 13543  
AUTHORISED OFFICER  
WEAPONS LICENSING**