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THE HOUSE OF ASSEMBLY SELECT COMMITTEE ON FIREARMS LEGISLATION MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART ON MONDAY 10 DECEMBER 2018.

Dr PHILL PULLINGER, SPOKESPERSON, **Dr SAMUEL MALONEY**, **Ms JENNIFER BROWN MPH**, **Mr JAMES LLOYD**, PRESIDENT ANMF, **Ms FIONA BEER**, BOARD MEMBER RACPG, MEDICS FOR GUN CONTROL, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR (Mr Shelton) - Welcome. We do have your submission presented to the Legislative Council inquiry but all that evidence has been taken into evidence through our inquiry. Would you like to make a short opening statement? Thank you, Dr Pullinger.

Dr PULLINGER - Thanks very much for giving us the opportunity. This group, Medics for Gun Control, is a small incorporated association that was formed not long after the state election out of concern about the consideration of watering down Tasmania's gun laws. Essentially, the focus is on the public health and safety component of gun regulations and work across the various peak bodies in the health profession. There is a very, very strong view in the health profession that good gun regulations are a critical public health and safety issue.

At an overall level what we would put as our argument to the committee and to the Government is that gun regulation should be seen through the prism of being a critical public health and safety issue, just like road safety laws, vaccinations, and smoking regulations, and looking at these laws through the prism of public health and safety.

In Tasmania, before Port Arthur, we had so much more gun injuries, death and health problems than we have had subsequent to the implementation of the National Firearms Agreement. In Australia in the 18 years before the Port Arthur massacre there were 13 mass shooting events. A mass shooting being an incident that involves more than five people other than the shooter themselves being killed. This was not a one-off event, even though Port Arthur was the worst example; this was actually something that was happening in Australia as a semi-regular occurrence.

In the 20 years since the National Firearms Agreement was put in place there wasn't a single mass shooting event in Australia. That is in stark contrast to America where there is a more laissez faire approach to gun regulations. Similarly, overall rates of gun deaths in Australia have plummeted since those laws were brought into place.

Just a fortnight ago the Public Health Association of Australia did a report that I would like to table for your benefit that looked at the most important public health initiatives in Australia in the last 20 years. It listed Australia's gun regulations as one of the most important public health initiatives. We've referenced a few of them in our report, but there are mountains of evidence of how good gun regulations protect public health and safety.

This is just an excerpt to another report, an international report, where James Cook University Associate Professor Richard Franklin joined hundreds of academics around the world looking at gun regulations across the world and found that Australia was one of the best examples of where good gun laws had dramatically reduced deaths, both in total and also in relation to suicide as well. I will just pass you that as well.

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Having said all of that there is still a large number of deaths in Australia from gun-related violence. The deaths per se only capture a small part of the broader impacts, because it is not just the people who get killed; it's the people who are injured, it's the family members, friends and communities that are impacted so dramatically by gun violence and death. Most deaths that continue to occur in Australia from guns are as a result of suicide. Tasmania has the second highest rate of suicide in the country behind the Northern Territory. The people who are most at risk of death from suicide by guns are men in rural communities. That is why we've been very fortunate by the improvement to safety that has occurred through the National Firearms Agreement, but it's still a very real risk. That is one of the reasons why people who work in public health have such a strong feeling about this, because we see it so often in our work.

I've given an opening presentation from our group. Our submission focuses on where we think the risk of harm from guns can be further reduced through strengthening and tightening up of our existing regulations in keeping with the spirit and intent of the National Firearms Agreement. We can come back to that; I am sure you have questions, but I want to hand over to some of the other members of our committee to put forward some of their views.

Dr Sam Maloney trained at Flinders University. He has worked in outback Australia. He is a microbiologist, which is his speciality, and he is currently working in drug and alcohol in Tasmania.

CHAIR - Sorry to interrupt, but the two documents you put on the table, the first one you asked to table and the second one - we will mention for *Hansard* purposes - you have put on the table to table as well.

Dr MALONEY - My name is Sam and I am a doctor and microbiologist. As a microbiologist, public health has always been a strong part of my work and I have been familiar with making legislation to protect the public interest. Gun violence and gun deaths touched my life as a young man, when a close acquaintance from a rural area was killed in an incident with young people having access to guns. It was an extremely unfortunate event and may have been prevented with some of the tightenings we are suggesting because it was access of a person under 18 that led to this occurring.

When it became clear there was some push to weaken legislation in Tasmania, where these laws had their inception with the violence that happened here, it was extremely concerning to me personally, so the opportunity to catalyse the voice of the medical profession in this forum was one I was very keen to be a part of. While I knew the medical profession would be strongly against these laws because of open policies of groups like the AMA, it was not until we began to start organising that the depth of feeling, particularly in Tasmania, became evident. It was a humbling experience to put on a small press conference with people who were first responders in the Port Arthur incident and also senior members of the medical establishment in Tasmania and hear first-hand how strongly they held the view that these laws were important to the health and safety of the community at large and the health and safety of medical professionals themselves.

To my way of thinking, strong regulation on firearms makes a lot of sense because unlike many other commodities, firearms have the capacity to do harm beyond the person who is using them for the purpose they are intended. A person who has access to a firearm can hurt not only themselves through misadventure or intentional action, but they can hurt others because they are handling a deadly weapon. They also do trauma to the community at large when such an event occurs, best seen in an event like Port Arthur, when the damage to the community 35 years on is still very real

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and palpable. I put my opinion with our group and the medical establishment more broadly that these laws should only ever be strengthened.

Dr PULLINGER - Jen Brown is a nurse who has worked in public health. She has a master's in public health, a degree in law, and currently works with the Australian Nurses and Midwives Federation.

Ms BROWN - Thank you for letting me speak today. I am part of this group as vice-president and as a representative of nurses in Tasmania. As a person who has extensive study in both law and public health, I feel it is pertinent to make a point around public health law and regulation. The founding principles behind public health laws and regulations are from a utilitarian approach in that we are aiming to do the greatest good for the greatest number of people. Sometimes public health laws and regulations - and in this instance gun laws can be put into that category - can be seen to restrict the rights of individuals in quite a significant way. I point to laws such as bike helmet laws, seatbelt laws, driving restrictions, age limits on alcohol, and speeding laws. Those kinds of things are very important public health regulations that restrict the rights of individuals quite considerably. The point I would like to make is that making changes to gun regulations needs to be considered in the light of these public health regulations and founding principles, and we need to be thinking about the greatest good for the greatest number of people, rather than focusing on small individual groups.

I point to the idea that making changes to firearms regulations in terms of crossing public roads and allowing gun owners not to have to lock up their guns when they cross those roads is a classic example of changing the laws for a group of individuals but not necessarily thinking about the greater good the regulation is there to protect. If you make changes like that it is difficult to reconcile those kinds of changes without risking the impact on the founding principles of public health and other regulations like seatbelt laws and those other things. You are undermining those principles and putting at risk the value those laws have.

As someone who studies law, works in public health and has a pretty extensive background in nursing, I find it hard to reconcile those kinds of changes for the greater good of the population.

Dr PULLINGER - Thanks, Jen. Fiona Beer is a fourth-year medical student and also a member of the board of the Royal Australian College of General Practitioners.

Ms BEER - I'm Fiona Beer. As a medical student we're taught to value life and we're taught about diseases, infections and how violence impacts health. The 1996 National Firearms Agreement positively impacted on public health. Studies have shown that the mass effect of removing so many weapons meant that homicides, suicides and mass shootings were far less common after the National Firearms Agreement was implemented. Will Hodgman was quoted in the Family Violence Family Action Plan 2015-20:

Everyone has a right to live their life free from violence. Despite this, family violence is disturbingly high. The impact of family violence is particularly devastating. It damages the physical and mental health of people who experience it and it has significant short and long-term negative effects on children. The Tasmanian Government is serious about its responsibility.

Yet by watering down the gun laws you are also watering down the Family Violence Action Plan. The Australian Institute for Health and Welfare National Drug Strategy highlighted that in

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2016 almost one in six recent drinkers aged over 14 put themselves or others at the risk of harm while under the influence of alcohol. That means 4.4 million people were the victims of alcohol-related incidences in 2016. If we water down the gun laws, shooting incidents will increase while people are under the influence of alcohol.

As medical students we learn about public health. In 2015 the state Government set an ambitious target to make Australia the healthiest Australian state by 2025. The Health minister pledged to make it easier for Tasmanians to be healthier. But surely watering down gun laws is going to contradict this pledge. Like many medical students, I am in favour of keeping the National Firearms Agreement as a strict law to ensure firearms are limited. For the state of Tasmania to condone watering down any gun laws is inappropriate, but it is also horrific for those who were affected by the Port Arthur massacre. For the health and safety of all Australians, I urge the Government to continue to lead the world in strict gun control.

CHAIR - Thank you.

Dr BROAD - There has been a fair bit of conjecture presented to us about the reductions in gun deaths post-Port Arthur, pre-Port Arthur. Arguments have been put to us, for example, that it was trending downward anyway. We have also heard evidence there was a step change after Port Arthur. There was a decline but there was a step change, a significant drop, after Port Arthur and the National Firearms Agreement. You have quite a bit of data in here. Do you want to go through gun deaths in more detail, pre- and post-Port Arthur?

Dr PULLINGER - Certainly. There is a more recent scientific paper that I have referenced with the document I have tabled. Sometimes what happens with public health is that it can take a little while for the data to catch up with what is evident. With smoking as a classic example, in the 1950s, there was a growing number of doctors who were clear and confident that smoking was causing a spike in cancer. However, because of the nature of building up big numbers of data sets to then unambiguously prove that is the case, there were a number of years of conjecture and of the smoking lobby saying, 'no, smoking has nothing to do with cancer', before there was enough data to make it absolutely unambiguous.

As to the trend in gun violence in Australia, you can see from the graph that was tabled and is referenced with more detail behind it, yes, there was a downward trend in gun deaths in Australia prior to the National Firearms Agreement. But that trend dramatically increased after the Port Arthur gun laws were put in place. There is no other change in laws or change in society that can logically explain why a slight downward trend dramatically increased after those laws were put in place. There are a number of very good epidemiological studies that have analysed these changes and analysed the reduction in deaths. They have very strongly pointed toward the laws as being the reason why we have had such an improvement. The one I have tabled, being a comprehensive global study, is one of the most recent studies.

If you look at other jurisdictions in the world, it is the case that those jurisdictions that have the strongest regulations on guns also happen to have the lowest rate of gun deaths. Those with the more laissez-faire approach, like the United States, are also among those with the highest rate of gun deaths. There is a clear link. It is like with driving laws, if you look back in the 1970s, there has been a dramatic reduction in deaths and injuries on the roads since a series of different public health measures were put into place. Sometimes it can be hard to pick apart the exact impact of seatbelts, the 0.05 drinking limit or improved training. All these things have an impact but it is

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clear to us and clear from the evidence that a good, strong set of regulations has dramatically reduced deaths and injuries from guns.

Dr MALONEY - The alternative way to prove it is to loosen gun laws and watch the deaths spike. I don't think that anyone should entertain that. If you are saying these gun laws haven't affected the death rate, you remove them and they spike, it is a horrendous way to move forward.

Dr WOODRUFF - To be clear, I think what Dr Broad was saying is that we've had assertions and we've had evidence presented. There are assertions this was happening anyway. The evidence, as you have just explained in more detail, does show there is this step reduction afterward.

Dr MALONEY - This is a common experience in public health laws, like Phill was saying. In my field, immunisation is a classic example of where this occurs. The death rates from respiratory illnesses like pertussis were falling rapidly in the 1950s, then we introduced vaccines and there is no way to tell the effect of the vaccine on the back of that decrease, but because we know the vaccines are effective, just like we know tightening gun laws are effective, it enables you to make the causal link. The only way to retrospectively prove that causal link is to remove the other intervention and watch the increase and it is not something you do in public health.

Dr BROAD - It is unfortunate that with pertussis we are seeing some areas where you do remove vaccinations and see the result -

Dr WOODRUFF - There you go.

Dr BROAD - but we are not on that at the moment. Unfortunately, there have been a couple of mass shootings in the recent past. The five killed in Western Australian was a tragedy. What do you think needs to be done to try to reduce those sorts of incidents? That incident involved a licensed gun owner, as I understand.

Dr PULLINGER - Yes, that is right. The point I would make is that you can see the rate of deaths in Australia is this dramatic drop off when the National Firearms Agreement was brought into place but it has plateaued. More than 200 people are dying from gun violence in Australia in a year. A lot of that is suicide; some of it is domestic violence and some of it is homicide.

We have tried to identify in our submission where we are at with the laws now, as a public health issue. We can see that the laws have made a certain amount of progress, so the question is, how do we further reduce unnecessary deaths and injuries from these firearms? We have tried to identify a number of areas in our submission for you where we think the laws can be tightened up and strengthened to further reduce risk of those sorts of events. If you look at page two of our submission, we have summarised. There are still a number of areas where are not upholding the National Firearms Agreement. The National Firearms Agreement said, for example, that kids younger than 18 should not have access to weapons. That still is allowed under the law in Tasmania, so that can be tightened up.

CHAIR - Is there any proof to say that is not a positive thing? You are arguing that it doesn't comply with the National Firearms Agreement and it has been through parliament. Do you have any proof that it is detrimental to public health?

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Dr PULLINGER - From a personal point of view, I can say that one of my brother's best mates in high school, he must have been about 16, shot and killed himself a couple of years after the Port Arthur massacre.

CHAIR - That may be the case but I am really talking about evidence. The reality is he had access to it and, for example, if the firearms storage issues had been sorted out, that bit of evidence is not to say the policy around the 14-year-olds being trained in firearms caused that.

Dr PULLINGER - That is a direct example of the negative consequence of kids having access to firearms. These are deadly weapons and they need to be managed.

CHAIR - So your group won't be happy until no-one has access to any firearms? Is that from the public health perspective?

Ms BROWN - If you go back to the principle of public health regulation and you look at an age limit for alcohol, for example, there is a very similar argument here that we could reduce or raise, I think the argument goes the other way these days, that you could raise the age limit to 21 for alcohol because at that time individuals have the sense of maturity capable of managing their alcohol intake better than someone at 18. Probably the same argument applies here that you need to set an age limit, an appropriate age limit, for the level of maturity required to be able to have access to guns. We would say that if you are choosing 18 for alcohol, 18 for guns is probably a fairly substantial age limit.

Dr MALONEY - My question would be how would you obtain such evidence? How would you obtain direct evidence that a younger age limit would result in a lower rate of deaths from guns? I think it would be very difficult to design even an observational study that would provide that sort of evidence. As part of a medical community what we do know about younger people is that they do not have the same level of impulsivity control that others had so there is a risk of that. Anecdotes do add to this risk that younger people will cause harm through access to guns. What is the benefit, what is the demonstrative benefit, of allowing them to have access? We do not have any evidence that it reduces the rate of gun deaths. We do not have any evidence that younger exposure to guns makes safer adults. We may believe that that might be the case but we are not certain. We do have examples of harm caused by younger people having access to weapons. That is why I would think it was in the national firearms agreement and being in accordance with that is an overall benefit.

Dr BROAD - I suppose the argument that has been put to us is that children as young as 14 are under supervision when they are being exposed to firearms. The argument was put that that is a training mechanism so that when they turn 18 and have access to firearms and use them without supervision that they better understand the proper use of firearms. That was the argument that was put to us and that was the argument that got it through parliament. It is not supposed to be unsupervised. They are not supposed to have access to the gun locker, et cetera.

You are right about the alcohol thing. The argument has been put that if we teach our kids how to use alcohol responsibly before they are 18 then after 18 -

Dr MALONEY - In that circumstance we do have evidence that that is incorrect.

Dr PULLINGER - Back to the point that you made about say the shooting in Western Australia, I should table this as well. I made the point that Tasmania has the second highest rate of suicide in the nation behind the Northern Territory.

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Dr BROAD - Is that irrespective of means?

Dr PULLINGER - That is irrespective of means, the highest rate of suicide. In Tasmania's suicide prevention strategy, which was put together a couple of years ago and which looked at all the evidence, I make the point, like the first point:

The Tasmanian Government has considered the existing and emerging evidence which underpins the action, approaches and the interventions included in this strategy, including reducing access to means of suicide.

The most lethal and effective means, unfortunately, is access to guns. Working in general practice we unfortunately every day will see so much depression, so much anxiety that exists out there in the community. So many people who go through periods of depression and suicidal thoughts. One of the first questions, particularly in rural Tasmania, that you ask of farmers or people who work on the land is, do you have a gun? Where is it? Who has the key? Where is it being stored? In terms of how can we reduce these sorts of events, like Margaret River, happening one of the key things for us is reducing the licence periods. Certainly the AMA says that there should be a maximum. The National Firearms Agreement at the moment says five years is the maximum but they encourage states to look at shorter licence periods. The AMA advocates a maximum of three years and certainly no more than one year for semi-automatic weapons.

With people who go through depression sometimes you cannot predict it so people who have never experienced it in their entire life and have had no problems whatsoever it can be surprising and dramatic how quickly things can turn. Reducing the licence periods creates the opportunity for those safety mechanisms to come in where they have to go through the process again. They have to fill out the paperwork. Yes, that can be a bit of time and a bit of inconvenience but that is more likely to pick up cases where people have fallen off the perch in the meantime, or there has been a nasty split where there is domestic violence or other problems where you have the chance to pick up these things before it leads to those sorts of tragedies.

Dr BROAD - How? There is not a psych test for a gun licence. There is somebody who could present every three years as being perfectly normal as opposed to five years. How would making it three years pick up somebody who was likely to do something?

Dr PULLINGER - With suicide sometimes part of the issue is impulsiveness. At a very practical level I have had individual patients who, we have put an arrangement in place where their wife has access to the keys to the gun safe. We have talked about it. We have worked out a plan beforehand and they have called or we have seen them in the clinic and they have actively gone to the gun safe and have not been able to get through to the gun safe. I have had that circumstance and the delay in time enables them to get through that crisis point. So we have paperwork, literally, even the process of every year having to fill in the paperwork, take the time, go through those steps is a mechanism which reduces the chance. Even in the first instance it has saved lives as the licensing requirements have been tougher and that is what we find in Australia and in other parts of the world. It reduces the chance for people to do things impulsively - impulsively get out and get a gun, whether it is to hurt themselves or hurt others.

The point you make about mental health checks as well, at the moment it is touched on in the legislation but there is a lot more thinking and work that can and needs to be done about how do you strengthen how that works in a practical sense.

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Dr MALONEY - If I could add to that response about how reduced licensing periods improves the situation, it also means that people are more frequently reassessing their need to have guns. The use for a gun for an individual maybe a short-term thing. They have licence they will usually let it run up to the end of the licence before deciding what to do with their gun if they do not need it and there is not access there. If their mental health deteriorates and the weapon is no longer on their premises and they do not have access to it because they have not bothered to go through that process.

The other things I would say - and we frequently do this in drug and alcohol - is the way we assess how someone is going with their substance abuse is whether they are showing up to appointments. If they stop showing up then we know that things are not going so well. So if people are unable to go through the process of reapplying for their licence it is a suggestion that there is a problem there that may mean that they should not be having it.

I admit that in that net you will catch up some people who do not have a problem who are just very busy but these are lethal weapons.

CHAIR - As many as 84 000 people are affected in Tasmania because we are trying to encapsulate this small group of people?

Dr WOODRUFF - How are 84 000 people affected?

CHAIR - There are 84 000 registered firearm owners in Tasmania.

Dr WOODRUFF - There are 84 000 registered firearm owners? I thought it was 34 000.

Dr MALONEY - A large number but similar legislation affecting similar numbers of people is in place because the outcome we are talking about is death, so it would easily make criteria for legislation.

Dr WOODRUFF - I suppose you could say 100 percent of people who own a car in Tasmania are affected by driving regulations and every single person who gets into a car is affected by seatbelt regulations, which is quite onerous. I have seen people in Cygnet, where the police had a check and were watching, outside a supermarket and simply pottering down the road in their car less than 100 metres to another shop without their seatbelt on, and they were fined. I know two people who did that. It was a habit the local police were trying to break, people getting slack about wearing their seatbelts. There are grave, expensive consequences meted out to people in Tasmania every day for not obeying the laws.

Can I ask a question? I have not had a chance to do that yet. I would like to delve a bit deeper into this idea of background checks. That is something which seems to be a link between the GP's or the medical practitioner's experience and the connection to police and the firearms service. Clearly there is no psych test, as Dr Broad has said, and there is no obvious link between your experiences as medical professionals and a person getting a licence the first time or getting it renewed. Can you think of any way that would not have an unintended negative consequence in a way that is not reasonable to be able to provide that information to the police? Do you do that in any other way? If somebody is violent or aggressive and you hear that, because of medical confidentiality, how can you do that?

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Dr PULLINGER - The most practical similar example I can think of on a day-to-day basis in a GP clinic is the driver's medical. When people get to a certain age they have to have a driver's medical test on a semi-regular basis. There are also certain medical conditions such as epilepsy, heart disease or diabetes that will trigger an automatic requirement that they have to have regular driver's medicals. If someone has an epileptic seizure whilst driving, there is a risk both to themselves and also potentially others if they veer into oncoming traffic.

At the moment in terms of guns, just at a practical level, we don't have any sense of 'if we had a concern where we would report to?'. Usually we're thinking about the particular safety of this particular person in relation to suicide and whether they personally have access to guns, or is someone in a domestic violence situation and are they safe? Does their ex-partner have access to weapons, et cetera? We're thinking about that.

It is not simple to put this together. I have thought about how you would do this in a practical sense of working out the nuts and bolts of how it would work. I would think for this sort of thing, for example, you have the Road Safety Task Force which is a roundtable of experts in the field, and I would see a gun safety task force in the same vein. To be honest, I have no idea how the legislation works. The legislation says that the police commissioner should take into account mental health. I don't know that happens practically at the moment. Do they have a list of people who have tried to commit suicide in the last 12 months? As far as I know, they don't have a list or have access to people who have been admitted to the psychiatric unit when they are making that decision.

I don't know, but I think a gun safety taskforce that has on it police, criminologists, experts in gun safety and public health experts could actually look at this and how we can we improve things. When you look at the incidents in Margaret River and Sydney with the ex-partner who shot his children, mental health is a strong part of most of these incidents.

Dr WOODRUFF - Following up on the gun safety taskforce, do you think there would be a role for sporting shooting associations and firearms groups? I am not talking about a firearms lobby, I couldn't imagine that could be justified, but sporting shooters groups being on that gun safety taskforce.

Dr PULLINGER - There are certain professions that need to use guns as part of their professional work, such as police and farmers for vermin control, and I see a practical role with that. But if you have a smoking taskforce you don't have the tobacco industry as part of it because they would block any attempt at reasonable regulation. I don't believe there should be in such a thing a formal role for the shooting industry or groups that are funded by the firearms industry.

Dr WOODRUFF - What about the TFGA in terms of farmers?

Dr PULLINGER - Yes, and the police obviously need to be involved in that.

CHAIR - The figures you have put together are being used substantially in submissions and I will run through them quickly there. We have all talked about the drop-off after 1996. The reality is, what your graphs show you is not quite what is portrayed in the sense that in the 10 years prior to Port Arthur in 1996, Australia-wide there was a reduction of around 200 deaths, and in the 10 years after Port Arthur there was a further reduction of about 250. The reduction declines, I would put to you, as being rather consistent over that 20-year span with Port Arthur in the middle of it. When you look at the national guns death rate per 100, from 1986-87 down to 1996, and there is a spike at 1996, it reduced by 1.4 per 100 000; and in the next 10 years it reduced by 1.6. If you

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take the spike of 1996 out of it, it is 1.5 those 10 years either side. So there has been a gradual decline. What has been put to us by the lobby for change is that it is a decline created by societal change, not necessarily regulation. It now down to an average of 12 or 13 deaths in Tasmania per annum, as I understand.

Dr WOODRUFF - That is 13 too many because it is another 1100 people who are affected.

CHAIR - I understand that, but the bulk of those are suicides, am I right in what I am saying?

Dr PULLINGER - No. I have the reference to a more detailed article. The reference is end note hyperlink references no 2: Chapman, Alpers, Agho and Jones did a statistical analysis of that trend. There was a downward trend prior to 1996 but that has more than doubled since 1996, so there is a clear and marked change. There are a number of factors, as we were talking about before, that impact road deaths, including drink driving, speed limits, seatbelts, public awareness and public culture. Public culture around guns has changed and that is part of it, so there are both cultural changes and laws.

CHAIR - Along those lines, an argument put in a previous submission was that if you compare Australia with New Zealand - not Australia with America because everybody uses America and their gun culture - New Zealand doesn't have any of these regulations and doesn't have the deaths of America. It is about the culture in New Zealand which has created a situation where they don't need any gun regulations, and they make the comparison that Australia's culture is much the same, therefore the reductions would have happened anyway.

Ms BROWN - Public regulation is not law on its own. It is a suite of measures together that reduce death or impact on public health. The law is one measure of many. In making comparisons with New Zealand, you would need to look at what those things are, and what they may have in New Zealand in other forms of policy or regulation that impact on their death rate. You can't make a direct comparison without making a broader assessment, just like you probably can't with America.

You would need to make that assessment based more broadly but I argue that the law is a very important part of public regulation. Even the mere symbolism of the law is important. To make changes to that, you are sending a pretty strong message to the community without even thinking you need to make any change in light of all of those other frameworks supporting it. However, if you want to make significant changes to the law, you also need to consider what other changes you are making in regard to domestic violence, suicide, mental health supports, protections, policies and procedures. They're not alone, they do work together as a group. Making that very symbolic change to the laws can't be done in a vacuum, it needs to be done with those other measures around it. It does send a very strong message to the community -

Dr MALONEY - Coming back to a point I was trying to make earlier, looking at epidemiology, you're looking for causation. Epidemiological studies always have this degree where things can be argued to and forth about trends. We have strong epidemiological evidence of a change and a causal change that happened at the time to affect it. The only real way to prove whether that change was the cause of the drop is to remove it, which would carry unacceptable levels of risk in this circumstance.

Dr WOODRUFF - I feel as though we've really covered this, but that was really interesting. There are two areas you have raised in your submission I'd like to get to because they are different

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from what other people have put. One is that the cancellation of a firearm licence and the seizure of weapons should occur in the case of aggravated assaults, in addition to those currently covered, such as situations family violence order, domestic violence order and assault. You are suggesting there be a conviction or a warning for aggravated assault.

Dr PULLINGER - That was something that was picked up. There were a couple of really comprehensive reviews into the effectiveness of implementation of Kate Warner's review, Warner and Sherwood, 2006. There was a subsequent review into how well the different states were implementing the firearms laws. A particular point they picked up on was the need for the legislation to identify aggravated assault and it was picked up again on the subsequent review. This is one of those things, picking up on Dr Broad's earlier point, of mechanisms to catch potential risk. Small acts of violence or small acts of aggression can be the warning signs for bigger risks.

Dr WOODRUFF - In your experience as medical professionals, are you seeing more evidence that there are increasing pressures on people you are seeing? You work in a regional area, Phill, in Huonville. Are you seeing more anxiety, rental stress, all of the sort of stresses that encourage more alcohol and addictive substance use, could you speak to the state of the community? Do you see that spilling over into violence?

Dr PULLINGER - I never cease to be amazed by how much anxiety, depression and pressure that exist on people who are under the radar. You see people in normal, day-to-day life and they put on a face, but almost every day in the clinic you will have someone who is nearly falling apart for some particular reason. That is part of the thing that horrifies me about ease of access to weapons, both in terms of depression and suicide risk but also domestic violence and things like that. It is the case that on a number of occasions you will see women who are in situations of domestic violence who have escaped from ex-partners and are actively being threatened. It is a very unfortunate and common experience. It is prevalent -

Dr WOODRUFF - It is prevalent, but do you feel from your experience that there has been any change in that prevalence over the last 10 years or is it generally high?

Dr PULLINGER - I think it has been persistently high. One thing I feel is that mental health is an area where the support services are constantly struggling. You are constantly struggling between whether you can look after someone out in the community or whether they should be sent to the Royal, and the Royal has this absolute pressure on beds. Often, people that might be acutely suicidal will be admitted for a day or two and then they are bounced out into the community into a very difficult, dysfunctional situation, where you are trying to manage things in the community as well. It is a constant -

Dr WOODRUFF - Is there more pressure in regional communities in that respect?

Dr PULLINGER - Absolutely.

Ms BROWN - Anecdotally, there are a lot of health professionals, particularly nurses, saying they believe there is more suicide in the community because of the access problems to the hospital at the moment. There is also a thought around the increased use of technology having an impact on the rates of suicide and suicide ideation. You would need a statistical analysis but we know it is high in Tasmania.

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Dr BROAD - Coming back to the whole idea of mental health checks and so on, it is a very difficult subject with a lot of moving parts. A GP put to us the idea that an almost compulsory notification procedure or something like that might have the perverse outcome of people with firearms not seeking help because their firearms would be removed if they are open and honest about their mental health. That GP also said she saw in her practice that some people stopped going to the doctor when they reach a certain age because they think their drivers' licence will be taken once it is understood that they can't see or whatever it is. How do we balance it without having this perverse outcome of people not being open and honest about their situation and seeking help?

Ms BROWN - I point to the founding principle of public health regulation. You might have one or two individuals who don't seek help but you will probably still have a larger majority of people captured by those regulatory checks. There is some argument that mandatory reporting in many areas can have that impact but you would need to think about those founding principles again; it is for the greater good. I can't imagine that every single person who presents with a mental health problem who owns a firearm isn't going to present simply because they are scared of having their firearm taken.

CHAIR - Evidence has also been presented that the firearms issue is a larger issue for regional communities in access, use and the consequences of that. Phill, you mentioned you understand that the primary industry absolutely needs firearms. The wildlife population and that sort of thing is becoming out of control. We can't remove firearms from the population. How do we make the public health situation better without the legitimate firearm owner, who has a use and a purpose for it, being unduly or over-regulated in that sense?

Dr MALONEY - Just before I answer that question, on the point about not presenting because of a requirement to report, a doctor already has that under a duty of care. The fact that it was legislated would not change the fact that a doctor needs to report somebody who is at risk and holds a firearm licence. They would need to do that. It does not really change anything; maybe it would change the perception but the reality is no different. In terms of having access to firearms for legitimate purposes such as pest removal, of course we would support people having access to firearms to do this but the minimum number in the best people's hands.

Dr PULLINGER - Yes, it is the case that rural Tasmania is where there is a greater proportion of people in their professional work who need to use these weapons but it is also the greatest risk. We have the second highest suicide rate in the country and it is rural men who are the most at risk.

CHAIR - I understand that from the suicide statistics. It is my understanding since 1996 and the buyback that the data that we have been presented with says that the deaths have plateaued from firearms both suicide and accidental. Whatever, it has plateaued in Tasmania. In reality the number of firearms that are out there, anecdotally, and I will have to ask this question of the Firearms Services, has actually doubled. There is no link between the number of firearms out there and the deaths in Tasmania over the last 10 or 15 years.

Dr BROAD - I don't know. If you are talking about each firearm owner having weapons there is still only one person to access more weapons.

Dr WOODRUFF - Some people have many firearms. It is not the firearms per person. Those figures are very difficult to read because people have thousands.

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Ms BROWN - Illegal firearms are still going to be there. If you had not made those changes those illegal firearms would still be there, you just have a significantly larger number of firearms in the community so the number of illegal firearms is not really the way to measure -

CHAIR - We are not talking about illegal firearms; we are talking about legal firearms.

Ms BROWN - I am sorry, I thought you were saying unregulated firearms.

Dr MALONEY - Our point of view would be that the current laws are effective and we should strengthen them to reduce the number of deaths further.

Dr WOODRUFF - Yes, we are still having deaths from firearms so why wouldn't we want to do what we can to reduce them? Just as we are with car accidents and smoking. Why would we not want to move down that path?

Dr MALONEY - Yes, absolutely.

Dr WOODRUFF - The last thing was that you talked about not wanting to have minor changes, the idea of minor infractions, minor and major. With your proposal that there should not be minor infringements. There has been a point put forward by some people that we should have a sliding scale of minor and major in terms of whether people have to lose their firearms, or have a licence cancelled or suspended. Do you support that view?

Dr PULLINGER - What I would say, partly there is regulation and there is also culture and they are interlinked. One thing I noticed since the firearm laws, when you talk to a gun owner in the clinic and you say 'where is your gun stored', to a person, I found, they know exactly where it is stored, they recognise the seriousness of having a lethal weapon in their possession. Part of the thing that is so important is the culture to say, 'there are no exceptions to this'. We have this put to us on a number of times by politicians, 'what would be the problem with a firearm owner who is shooting pests in one paddock and they just have to cross the road to go to another paddock, and it is so annoying having to uncouple a gun and pull the bullets apart just to cross the road'.

The gun safety training says that the highest risk time for having an accident is exactly that type of circumstance - crossing a fence if you are shooting animals and you let your guard down, you focus on something else, that is when an accident happens. You cross the road and you get distracted by a phone call and the kid happens to jump in the back of the car. Part of saying we are not going to water down these laws is recognising the importance of the culture in saying 'no these are lethal weapons'. There are no ifs and buts, just like with picking up your kids from the school that is just a couple of blocks around. You don't say, well it is annoying having to buckle your kids up - it is a lot of work a lot of hassle. You say, no actually you always put your seatbelt on.

Dr WOODRUFF - It is annoying and it is a hassle, but you always do it.

CHAIR - I apologise for cutting you off there but we have gone over time and we do need to finish up. Thank you very much for your submissions and coming in today. As I advised you at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table you need to be aware that that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you have said to us today. Do you understand that?

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Messrs Dr PULLINGER, Dr MALONEY, Ms BROWN and Ms BEER - Yes.

CHAIR - Thank you very much. We appreciate you coming in.

THE WITNESSES WITHDREW.

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Mr STEPHEN LARGE, CHIEF EXECUTIVE OFFICER, **Hon MICHAEL FIELD AC**, DEPUTY CHAIR, AND **Dr JANE HARRINGTON**, DIRECTOR, CONSERVATION AND INFRASTRUCTURE, PORT ARTHUR HISTORIC SITE MANAGEMENT AUTHORITY WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Welcome, I apologise for the slight delay. Just before you begin giving your evidence I would like to ask whether you received and read the guide sent to you by the committee's chair and if so I would like to reiterate some of the important aspects of that document. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if the statement that may be defamatory is repeated or referred to by you outside the confines of the parliamentary proceedings. This is a public hearing. Members of the public and journalists may be present and this means that your evidence may be reported. It is important that should you wish all or part of your evidence to be heard in private, you must make this request and given an explanation prior to giving the evidence. Do you understand?

Mr LARGE, Mr MICHAEL FIELD and Dr HARRINGTON - Yes.

CHAIR - Thank you very much. Is there an opening statement to be presented?

Mr FIELD - Perhaps I could just put this in context. I am now here as deputy chair of Port Arthur, but a long time ago - 22 years ago - I was leader of the opposition and therefore I was involved in a bipartisan way with the events at Port Arthur, and post events at Port Arthur. For me, there is a personal resonance not only because of my role at Port Arthur but because of what happened before then.

In introduction, I would like to put Tasmania's review of gun laws in an international and national context. Anything we do as a state, by definition, because of the events that stimulated and enabled Australia to pass gun laws, will be picked up nationally and internationally. Internationally, if we weaken gun laws it would be picked up by every gun advocate lobby in the world and it would get press around the world, particularly if we break from the national gun agreement. That is the second point.

To me, if there is going to be any change in gun laws it should only happen on a national basis, certainly not from Tasmania, but from a national basis based on the agreement of all the states and the Commonwealth. To do otherwise would not have profound impacts not only on the reputation of Tasmania, and from my point of view an adverse effect on the reputation of Tasmania, but would also provide support to those people who advocate the extremes of gun ownership around the world.

At a national level these gun laws were very significant and on the twentieth anniversary I talked to John Howard about it. This is something he is extremely proud of, and if you see him and Tim Fischer, the former leader of the National Party, if you talk to them, this is one thing they are extremely proud of achieving. So for any changes we make we need to be well aware that we are representing all Tasmanians.

My final point is that every time there is a massacre anywhere in the world there is a reference to Australia's gun laws. I am sure you have noticed that. It is always referred back to Port Arthur.

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Any decision on gun laws has to be seen in the context of the relative impact on Tasmanians. This is beyond statistics. It needs to be seen in the context of those people who went through the trauma and how it will affect them, compared to any changes that would convenience gun owners, and I would say that the impact would be far more traumatic for those people who were involved in it.

I know from my own point of view that people sat around in this parliament virtually shell-shocked for that week after that massacre. It profoundly affected the parliament and it profoundly affected the community. If we are over 20 we all remember it and remember the response. My request therefore would be that the committee's deliberations are seen within a broader context not just the technicalities of some sort of demand by some sort of interest group, but in the context of social policy, not only in Australia but worldwide, and the impact on Tasmania's reputation. That is all I would like to say in introduction. Stephen will add some observations about Port Arthur.

Mr LARGE - Thank you for the opportunity to be here. I am the chief executive officer at Port Arthur and my colleague, Dr Jane Harrington, is the director of our conservation and infrastructure team. Michael, as he said, is chair of the board. Our chair, Professor Sharon Sullivan, would have liked to have been here and we tried through James to get a date that was suitable with the committee but we could not do that. Anyway, we are very pleased to have somebody of Michael's profile who, as he said, was heavily involved at the time, to represent us. We don't have too much more to add to the submission we submitted on 9 August 2018, but would be happy to elaborate if you have any questions after that.

Given Port Arthur Historic Site's integral position relating to the somewhat unique gun laws that were established in 1996, we are of the view that to have not accepted this invitation to appear before this committee could possibly be viewed unfavourably by some of our stakeholders, particularly those we consulted on this issue. The Port Arthur Historic Site Management Authority strongly opposes the weakening of the firearm law reforms that were introduced following the 1996 Port Arthur massacre. This position is also shared by our Port Arthur Community Advisory Committee, a local group that acts as a conduit between the PAHSMA board and the local community.

While many people who were deeply affected by the tragedy have significantly moved on, there are many still in the Tasman community who continue to suffer from the horrific shootings 22 years ago. The regular tragic shootings that occur almost daily in the United States of America and then the consequential link back to the Port Arthur massacre and gun law reform serve as a constant reminder of the shootings to those who are still profoundly affected by what happened.

Just two-and-a-half years ago PAHSMA coordinated the twentieth anniversary commemoration service at the Port Arthur Historic Site, an event that attracted national and international attention and which demonstrated that many people are still trying to come to terms as to how something like this could happen in such a pristine location as Port Arthur, Tasmania.

We read with interest a newspaper report on one of this committee's hearings last week when someone stated that -

Port Arthur came from nowhere and has caused a problem now that we are all paying for.

We respectfully suggest that Port Arthur was not the problem, but rather the fact that a mentally deranged young man could readily gain access to the firearms that killed 35 people, wounded many

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more, and changed forever the lives of so many people. As such, we believe that to weaken the current firearm laws would be totally inappropriate, particularly when measured against other countries like the United States of America and other places that do not have strong firearm laws and where shootings occur so frequently and have such a profound effect on innocent people.

CHAIR - Thank you very much.

Dr HARRINGTON - It is very hard to follow that statement up. I took on this role at Port Arthur some 12 years ago. In my first week I was interviewed by a radio reporter who asked me as the new person involved with conservation and heritage, whether I thought the Port Arthur massacre was a significant part of the history of the Port Arthur Historic Site. I found it an extraordinary question to ask. I think it was live at the time, so my response was perhaps a bit more moderated than it might have been.

It is hard to explain to people how palpable, how real, how not history, it is. I work a lot with, what I call 'lived heritage' and ongoing heritage, and this is a part of people's lives. The massacre that happened in that community, as Stephen has said, infuses the community. I live within the community. I am very proud to be part of the Tasman Peninsula community, and it's an unavoidable event and conversation that, as I said before, can't be escaped.

I have the huge privilege of looking after the Port Arthur Historic Site from a conservation point of view and the way we engage with what happened 22 years ago is one of huge sensitivity but also one of reality. The interesting thing that has happened over the last five years, and this has been very much working closely with our community advisory committee, who from time to time have included people who were part of the event so we have taken advice from them. All of those people have been supportive that it is time for the story of what happened to be told by the Port Arthur Historic site. That has been very, very challenging for the community, to have come to that decision because they are the ones who would influence any further public engagement with what happened on the day. The other thing is because we are such a small community, many people, much of the community work at the site. Our staff are a major stakeholder in everything we do and in everything that has happened there and many of them have lived what happened there through being there on the day or through their own families.

The tragedy you hear about in emotional responses is something that would make all of us sad and make all of us need to sit up and pay attention to what is happening now. You can't walk away from that pain. You can't walk away from that tragedy. One of the things that has really stood out for us with trying our first foray into publicly telling the story with our new visitor centre, we have a new interpretation gallery and it has become a new but really important part of how we engage with people. The big story it centres around is what happened, not so much with the massacre but with the gun laws. If one phoenix can come from that ash, it was those gun laws.

I talk as a community member as well as someone who wasn't there but has been immersed in it very heavily for 12 years. I support my colleagues' comments in that there is very much a limitation on these attempts to water the gun laws down.

Dr BROAD - Where do you think the line is between watering down the gun laws and improving them, or making them more practical for gun owners?

Mr FIELD - I am not an expert on guns, I have never owned a gun, and I am not speaking for my colleagues here, but it comes down to process. The process has to be that Australia moves in

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unison with any change. If there was a breakdown with one state moving unilaterally, that gives permission for other states to do the same in their narrow interest or within a state with a sectional interest within that state bringing about changes for whatever purpose.

If I was advising this committee, my advice would be that you come back with the process for change rather than recommended change on substance. To me, the process is that we as a country act on this nationally. If it breaks down locally because of the nature of Australia, there would be problems with borders and there would be problems with states acting unilaterally on other matters that we didn't necessarily agree with. To me, that is the challenge for this committee.

CHAIR - Michael, you may not be aware that has already happened. No state is in unison with the National Firearms Agreement. There are a number of variations between the states on different issues, which partly relates to the discussion we are having now.

Mr FIELD - I don't know what the nature of the changes are because I haven't got that sort of focus. If I was talking to any national body about this, I would be reinforcing that any move Tasmania makes needs to be in concert with the rest of Australia. Any change made by Tasmania should be agreed to by the rest of Australia. If there are moves away from that, however minor, that weakens the whole. That statement of principle would be critical. You may say that others have moved, but that's like the kid at home saying, 'my brother had one, I want one, too'.

This is an issue in which Australia has been a beacon because of what happened. John Howard, himself, said to me that when he has gone to other places that they can't understand him, as a conservative, being proud of the gun law reform. He sees, and I notice, too, that conservatives who were involved at the time have come out against changes. I reinforce their points of view in spite of what would be minor changes, so far. If Tasmania moved, that would be deeply symbolic.

Dr BROAD - There are already some areas where we're not compliant, such as in access to firearms for people under 18. We're non-compliant with the National Firearms Agreement.

Mr FIELD - If I were in a position to influence government, and almost any single member is these days, I would be moving to make sure the government was compliant.

Dr BROAD - Is the National Firearms Agreement the benchmark? How do you feel about issues outside the agreement, such as the use of sound suppressors, which is not covered by the National Firearms Agreement but it is covered by Tasmanian legislation that predates it?

Mr FIELD - I don't have expertise on changes. You have other people coming to this committee who can advise you on that. I don't know whether Stephen or Jane would be.

Mr LARGE - No.

Mr FIELD - I would say that the minister going to national conferences would have the forum to raise these matters. If there are inconsistencies, we could take a lead because we'd have more authority on this than virtually any other state. We would be listened to nationally if we wanted to change something and if we wanted consistency, we would be heard. That is what the role of Tasmania could be. That would pick up changes and they would be acceptable, if they were acceptable to every state and the national government.

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Dr WOODRUFF - Could I summarise your view, then, that the appropriate process would be that this committee would make recommendations about the process for change?

Mr FIELD - That's right.

Dr WOODRUFF - Either the process for tightening, or if something was to be changed that was not currently conforming with the National Firearms Agreement - bearing in mind that many of the submitters have made changes that would breach the National Firearms Agreement - that we make a decision as a committee and as a parliament about which of those things for which we may make a case for change at the next national COAG meeting?

Mr FIELD - That's exactly right. We would have opinions and there are varied opinions within the parliament. If parliament should express a point of view but only change it through the national process, and if this committee reinforced proper process, I think this committee can make - assuming it's accepted by the parliament - a very constructive contribution to firearms debate.

Dr WOODRUFF - Were you around when the National Firearms Agreement was being written?

Mr FIELD - I was, but I was in opposition. I wasn't in government.

Dr WOODRUFF - You would have observed, as you have talked about the experience of Port Arthur very -

Mr FIELD - It was seared into our souls. I was around then. I went to the services. The day of the massacre, I was flying to Melbourne to meet Kim Beazley because it was just after an election. I got to the Melbourne airport and came straight back home and went to the police room. The government and the opposition -

Dr WOODRUFF - Christine Milne, the Greens.

Mr FIELD - Yes, and Christine Milne. She wasn't there that day but there was a unity of purpose from all the elements of the parliament to the outcome, which I thought was quite a rare moment but understandable, given the circumstances. That is all I would need to say.

Dr WOODRUFF - Some people who have made submissions, such as the Australian Firearms Lobby, have said that things have changed since then and that there were not groups who were at the table often enough to put their case. Some of the proposed changes would be around competition, hand gun use, competition rules and those sorts of things. Given that the National Firearms Agreement was revisited in February 2017, that is my understanding of the last time that COAG gathered and made an agreement, and although that is 21 years after Port Arthur and the original date of the agreement, those conversations could have occurred last year. Could you discuss the conversations among the different groups; shooters, sporting shooters, farmers' groups and competition groups? Presumably, everyone was at the table.

Mr FIELD - Remember that John Howard, who said he shouldn't have, ended up wearing a bulletproof vest, such was the strength of feeling. The National Party had real problems because of their constituency being against gun laws. They expressed a view at that time. I am not sure what has emerged that is new. They expressed the view with public rallies. John Howard attended one of them and I can still visualise the television coverage. It is not that there has not been an

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opportunity to express a point of view. It is that, in the context of the massacre the urgency of doing something about gun laws overrode those.

The premier of New South Wales previously said at a police ministers' conference, when gun law reform was discussed, and because Tasmania had a very radical pro-gun position at the time, that there would have to be a massacre for anything to be done about gun laws in Australia, and there was. It is in that context that the gun laws changed because the gun lobby was so strong that it was only after that event that it gave Howard the authority to move on gun laws in a bipartisan way.

Dr WOODRUFF - You are saying that this committee, this parliament, this state needs to hold the urgency, that it is our responsibility to hold the urgency for change that was the catalyst for the change, because of what happened at Port Arthur.

Mr FIELD - Exactly. Yes, and to safeguard what is widely regarded as a real positive to make sure you reinforce process because the nature of parliament can change as time goes on. The response, as shown by the last election, to small groups is sometimes politically persuasive and that that can happen around Australia. We can see smaller interest groups getting leverage in parliament, which is probably more likely. Establishing the mechanism for change is more important than any minor change you could recommend.

CHAIR - Michael, it comes to the practicalities. Things have changed since 1996. The TFGA is presenting to us next, but there have been other organisations presenting on the front of primary industries and as you said there were some concessions given to the farmers back then of category C firearms because of the vermin control.

Since 1996 things have changed. Society has moved on from 1080 and I am sure that the TFGA will say that farmers are being eaten out of house and home with wildlife and they need a process in place that they can eradicate some of the vermin, whether it is cockatoos or wallabies. It has been expressed to us that the farming fraternity is ageing, first of all, and they have neither the time or the energy. The firearms agreement says that the owner of the farm can have a category C. One of the changes is that their employee or contractor would be able to have a category C licence. There we have a change and it is a practical change. Where would you sit on those practical changes?

Mr FIELD - Without being on your committee and hearing all the evidence and then making a judgment on a particular position, I am not in the position to say. I do not regard myself as having general expertise. What I could say is, there are farmers throughout Australia and if there are changes in terms of community values associated with pesticides and if that means that the options for dealing with vermin are narrowed then the way to deal with that is for the farmers nationally to put in a submission and it be dealt with at a national level through the ministerial councils. That is my response to that because if it is a problem for Tasmania, we do not have exclusive problems associated with vermin. We are in a context of sociological changes so for us to step out and say, 'we are so different we need to change it' without getting national agreement then I think we are kidding ourselves if we act alone. We should not do it anyway because of the down side.

If I was in parliament and you came up to me with a change given the sentiment of the Tasmanian community and you put it up, you doing it in good faith might be okay. But if you put it up I would be opposing it on the basis of the impact, not only here in terms of the people who have gone through the trauma, but also the implications beyond Tasmania, Australia and

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internationally. You would not get my vote unless it moved to that area. If I was head of a party I would be getting the party to adopt that position as well.

Practically if you want change and you want it rational then you have to choose the forum that you put that change up. That to me is the best way to get reflection about it, either way, would be to say, 'let's take that to a national body', and if the farmers' federation, TFGA, I would be asking them, 'what is your national policy?'. Have you got a universal national policy? Why not? Have you gone to national bodies and put it up? How did you go? If you are coming to us and want us to do something about it unilaterally, what have you done about it nationally? That is what I would be saying to them.

Dr WOODRUFF - They are coming in next; maybe we will ask them that.

Mr FIELD - I cannot swap sides of the table, unfortunately, but that is what I would do.

Dr WOODRUFF - Jane, you talked about your experiences regarding someone coming in after Port Arthur and having now made this change in providing information about what happened in 1996 at Port Arthur which had not been done before. That is a big shift. Could you talk about the impacts on other staff? People who were not there in 1996 and how people are affected despite the fact they did not experience that.

Dr HARRINGTON - For a long time it was more a policy to not talk about it, a policy internally that was responding to the wishes of the community. It is a very hard thing to talk about. The other thing that is really quite interesting - and there has been a big change - is this notion of dark tourism that has taken on legs a bit as I have seen over the last decade.

Part of the issue talking about it also from a staff perspective is there are people who are genuinely interested, and then there are people who are interested in a way that some of us might not be comfortable with. I don't think that is prevalent at the site, but certainly we have been approached more and more about people who are academics who are writing in that area and about places of trauma. It has taken on a lot of different stances but one of the things that has been interesting is that outside people are talking about it far more than we have internally. That is not to say that within closed walls we don't certainly engage with issues as they come up.

Stephen has dealt far more closely with the people through the 10th anniversary into the 20th anniversary and he has been very engaged at a level that he may even like to make a comment about. I have found it very difficult to even talk about it myself because I feel like I wasn't there. I am not authorised to talk about the event per se, but working closely with some of the people who have been involved, who are interested now in saying it is time to tell the story, and how you get around to that decision, I don't know; maybe it is the length of time.

One of the things that has been really hard for people is it has taken on a very perverse life of its own in terms of the stories about what happened on the day. Sometimes I find it horrifying even around leading up into the 20th anniversary, the material that appears in the press or a number of us, for example, received emails that were quite extraordinarily ill-informed shall we say, which makes it quite an emotional issue too when basically your belief in what happened has been challenged. I actually think that one of the reasons it is time - or the community feels it is time - to talk about it is because it is time to have a story that is the truth.

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Dr BROAD - Do you mean in terms of people saying that the massacre didn't occur and those sorts of things?

Dr HARRINGTON - Yes.

Mr LARGE - Clearly for probably 10 years after the shootings there were staff involved, particularly guiding staff, that were still there doing tours. They quite rightly didn't want to talk about it so we had a brochure done and referred people to a couple of books that had been written, one by Professor Margaret Scott who was on our board at the time, and that worked well.

Visitors have a genuine interest in it and, like it or not, it is now part of the site's history. I think there is an obligation on us to tell the story in the way that we want to and in the way that is acceptable to those closely involved. We went through a series of consultation sessions with workshops with those closely affected, including a couple of staff, and the feeling there was unanimous in terms of look, it is time now and providing we do it in the right way, we should. I think we have that pretty right now.

Dr WOODRUFF - Jane, could you talk about the impact that you have observed? How long has that part of the exhibition about our gun laws been available? I haven't seen it yet. Could you talk about people's responses to that? I have visited Port Arthur many times but I haven't seen this. Could you talk about that side of things?

Dr HARRINGTON - I can't necessarily respond as to how people are taking it on board. It is a good question. We have guides there who talk to people but I personally can't comment. We haven't had any feedback. Suffice it to say we do questionnaires with visitors on a fairly regular basis and there has been some response in there about how good it is to see that the story is being told. Not only do we have some factual information there which I think, for many people, is what they would expect to see, but we have also taken the opportunity with some direct videos of staff and various people who were involved who are happy to talk about what happened on the day.

It is something that has been very cathartic for the staff. I can certainly give that feedback, and for those of us who have worked on it, and I don't think I'm talking just for myself, it is something we feel very, I don't know if 'proud' is the right word, but certainly very glad that we have been able to present this part of the history in a way, because one of the critiques that has come up is that people have suggested that we've tried to hide it. One interpretation is that by not talking about it, there has been a decision to hide it, and that is definitely not the case. It has been a decision to respect the memories and feelings of people who are still there. I really wanted this opportunity to reinforce that whilst 20 years ago seems like a long time, it's not.

Dr WOODRUFF - The flow-on effects to people who weren't there is what you're talking about as well.

Dr HARRINGTON - Yes.

Dr WOODRUFF - Michael, I am interested in the comments you were making about Tasmania's special position; special responsibility really is how I read into what you were saying. Maybe this is a question for Stephen. It sounds like you are already on the track talking about what happened and then talking about the gun laws that came into place and making the link between that terrible experience as a catalyst for something good coming from it, and telling more of the story so people value the change that has happened and understand where it came from, and making

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the link between not just the experience on its own isolation but the history of the legislation, and where Australia is in terms of the massive reduction in gun related shootings that have occurred since the mass shootings.

Mr FIELD - It is the sensitivity associated with Port Arthur itself. I have been on the board quite some time, 13 years I think, and I would say that it has to be carefully assessed relative to the sensitivity of the community and our obligation to tell the story. Stephen would probably have more to say about that but that is how I see it. There is a sensitivity such as it has to be.

In the new visitor centre, it's the first time we have had a display. Before that there was the fountain and now, within the interpretative gallery, there is an interpretation. It is only small. It could be greater, given its significance, because it gets press, as we all know, every time there is a massacre somewhere else. It is a matter of how far we can go, because it is an integral part of Port Arthur's history, without offending the community, who are still scarred by it. That is a continuous interpretation, but the community advisory committee agreed that there should be greater interpretation when there were discussions about what the visitor centre would hold. Do you want to add to that, Stephen?

Mr LARGE - No, I think as Michael said, it is still very raw for some people down there. They closely observe what we do and we invite comment from them and they provide that. What we've done to date, even though some would say it took too long to get there, we've done sensitively. Whether we broaden it any further, maybe a bit, but certainly the introduction of the gun laws in 1996 was one of the key positives that came out of the Port Arthur massacre, in our view.

Dr WOODRUFF - Every time I talk to somebody who has been involved in Port Arthur I'm always struck by how cautious and considered you are and how much consultation you do. Whenever you make any changes you've really brought the community along with you, and I've never heard anything otherwise so it's great to see that in operation.

CHAIR - Thank you very much for your submission and making your time available to the committee today. As I advised you at the commencement of your evidence what you have said to us here today is protected by parliamentary privilege. Once you leave the table you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are repeating what you have said to us. Do you understand?

Messrs LARGE, FIELD and HARRINGTON - Yes.

CHAIR - Thank you very much.

THE WITNESSES WITHDREW.

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Mr PETER SKILLERN, POLICY AND RURAL AFFAIRS, MANAGER, AND **Mr DONALD JONES**, TASMANIAN FARMERS AND GRAZIERS ASSOCIATION, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Welcome, gentlemen. I would like to reiterate some of the important aspects of the guide sent to you by the committee secretary. A committee hearing is a procedure of parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without fear of being sued or questioned in any court or place outside of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of this parliamentary proceeding. This is a public hearing. Members of the public and journalists may be present, and this means that your evidence may be reported. It is important that if you wish some or all of your evidence to be heard in private, you make that request and explain your reasons prior to giving that evidence.

Do you have an opening statement?

Mr SKILLEN - No, Chair, we have not. Time is of the essence so we will get right into it.

Mr JONES - I am a farmer. I own a 4000-acre property at Kempton and am currently the chairman of the TFGA's wildlife policing and firearms committee. On top of that I have had extensive experience in wildlife management. For 11 years I was a member of the National Parks and Wildlife Advisory Committee under Dr Eric Gyler, which reported directly to the minister. I then became a member of the game management liaison committee for the government in Tasmania, which has since ceased. I was on the expert panel of the Alternatives to 1080 committee and further to that, I have been nominated to the Government's Game Management Unit.

I have extensive knowledge of the firearms industry. I have designed, built and manufactured firearms for over 10 years which were distributed throughout the world. I have had extensive communications with police and security services and foreign governments throughout the world. I also represented Australia in competitive skeet shooting for over 12 years throughout the world. That gives you a brief history of some of the things.

CHAIR - You learn something every day. An Australian skeet-shooting representative. Well done.

Dr BROAD - No doubt you are going to talk to us about the impact of browsing animals, especially where we are now starting to see wildlife, wallabies, et cetera, coming into the middle of even our major cities. That is probably an area to open up discussion on.

Mr SKILLERN - Before we respond to that, we would like to table some reports which I am sure all the committee members are aware of but it is relevant to this, if that is okay, Chair?

CHAIR - Certainly you may table that.

Mr SKILLERN - The Nature and Implications of Browsing by Native Wildlife on Tasmanian Farms is the first document; Alternatives to the 1080 Program is the final report, which is the one Don just mentioned; Alternatives to the Use of 1080 Program; and the Investigation of the Use of

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Sound Moderators on Firearms for Game and Feral Animal Management in New South Wales. Finally, members may remember this kit in relation to the alternative to 1080 program.

Mr JONES - That was given to all farmers after the 1080 program finished as a guide to the use.

Mr SKILLERN - Primarily that last one was so that individual farmers could for themselves determine the amount of loss that was occurring on their properties. As a bit of background, I also own as number of farms like Don, so have some personal experience of this as well.

In answer to your question, the impact on production of browsing wildlife is significant to agriculture. A study undertaken between August 2008 and March 2010 showed that there was an estimated population of Bennett's wallabies in excess of half a million on King Island alone, covering an approximate area of 66 000 hectares. The estimated loss was as high as 83 000 tonnes of dry matter, which equated, depending on the enterprise being conducted on King Island, anything from \$436 per hectare in beef production right up to \$664 per hectare for dairy production. These are significant losses just from one species of browsing animals. The losses are significant in that they eventually flow through to the economy and the broader community in the costs they pay in terms of food.

Mr JONES - I could reiterate that with our own circumstances on my farm. As a youngster we did not have any kangaroos on our property whatsoever, and no rabbits or deer. At this present time we are running 1000 fewer sheep than we were 15 years ago.

CHAIR - When you say kangaroo, are you talking about the Bennetts?

Mr JONES - Both Bennetts and rufous wallaby. We are currently running about 1000 fewer sheep than we were 15 years ago and that is a significant loss that needs to be addressed in some way. Personally I don't believe in 1080 poison, never have done, and we've never used it, so we have to use alternative methods.

Dr BROAD - We obviously have to balance the requirements of farmers with public safety and we are definitely getting both sides of that debate here in submissions to our committee. What sort of impact do you think the changes you have requested would have on the population levels? Could you quantify the impact?

Mr JONES - Let me put it this way. It is having the proper tools of trade to do the job. I don't think anybody would ask me to plough a 100-acre paddock with a horse and a single-furrow plough. Unfortunately there are other aspects that are taken into account today. Some of those are significant. One of those is significant bird damage on top of the browsing animal damage. We have a lot of losses to crows at lambing time. They are so dash quick they take the eye out of a lamb and that's the end of the story. It is being able to adequately control, to keep them at a reasonable level. I don't think anybody wants to see everything wiped out, but the numbers have multiplied because of irrigation and things like that.

Roadkill is notable simply due to the sheer numbers. I own a house in Sandy Bay and I've got 16 wallabies on my lawn on a nightly basis, so they are migrating everywhere. Having the right tools of trade is important. Where a farmer is licensed with a category C firearm to handle certain things - I can't be out all night and work a farm and do everything, you have to have help. That is the important thing. The other important thing is looking at it with common sense.

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We were talking about category C firearms for bird control. Let's talk about category C firearms. Category C firearms is the only category that has limitations on it. Why? Somebody should answer that. You see, category C is what used to be the bread and butter firearm for farmers forever and a day. They are only very low-power. A category C shotgun has a capacity of 50 to 60 metres, and these are regulations under animal welfare, and the rifle is 60 to 70 metres. We're having category B firearms with 3000 feet muzzle velocity, 10-shot magazines that reach out to a kilometre-and-a-half. Why is the farming community held to ransom on that? A person with a category C licence can't have a category C firearm for target shooting. Why? It is because the target-shooting category C is different from the one on the farm.

In the early 1970s, I went to the United States for the world championship to shoot in the national skeet. I got into that Australian team using a category C shotgun especially designed for skeet shooting. I can't have that now and one for the farm because of the restrictions. It just doesn't make sense. I have been a competitive pistol shooter for many years, and I can have half-a-dozen pistols, one for each competition. Why is category C put into the light it is? That question needs to be answered. It is not to do with public welfare or going against the needs in the public perception because this is a stupid act that says you can only have one of these.

I can have as many as I like in every other category, even category D. If I'm licensed for category D, centrefire rifles, semiautomatic, 10-shot magazines; there are no restrictions. The poor old farmer's category C, he's held to ransom. I have farmers who have put to me they want to be target shooting, but they can't target-shoot because under the act they're not allowed to have two guns. We're not talking about changing the laws to make them worse; we're changing them to be common sense in the law. They are the sort of things that need addressing.

Looking at category C for bird control, and I've tried a lot of firearms, even the lever action they condemned and things like that, it isn't as satisfactory as using a category C firearm. That is the difference. We have in category C pump action shotguns. They were not designed to be there under the 1996 agreement when it was made. They are no different to the pump action .308 rifle. They come a little way but they do not answer the problem in the technical aspects. Pump action shotguns should be in category B with high-powered pump action rifles. There is no definition. They are only a five shot and they are only a 50 metre firearm and they are probably the safest firearm that you could use.

These are the little things that need to be addressed from the farming community's point of view. In recognising that, we must recognise the fact that the farmer needs his workforce and agents to overcome the problems. Under the alternative 1080 program and under the BITE program, the analysis on my property said that I was losing \$175 000 a year to wildlife. Now that is a lot of money. That means less food production.

I would never see that we were going to wipe them out but I need them at manageable numbers. To do that we have to have the proper tools of trade and the ability to use agents and workmen to help us in that regard. As I said before, I do not ever contemplate using 1080.

CHAIR - Before I hand over to Dr Woodruff, one of the issues I see is if you have an employee and they are allowed to use a category C and they are only employed there for a certain period of time and they move on, what happens to that category C licence and firearm when they move on?

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Mr JONES - Once again you are talking about restrictions because you have to deal with category C the same as any other category and look at it in exactly the same balanced nature, that is what you have to do. The previous Labor government in talking to the TFGA came up with the idea that they would give farmers 10 category Cs and you can keep them and hand them out and get them back. We looked at that and we thought, no, that it not our responsibility to be managers of firearms for other people. It was one of David O'Byrne's suggestions to overcome this problem.

The problem is that you have to review category C as a category, not look at the restrictions. In organising licences, the police department in analysing a licence discusses the need for it and what you intend to use it for and can it be backed up by the farmer's statement. If I apply for my pistol licence because I am a member of a gun club then they are just processed, but you have to establish why category C is in the situation that it is, that it is restrictive to the rural population. That is the basis of it, mistakes were made in 1996 and they need to be now rectified.

A friend of mine, who was John Howard's adviser on these matters, has reiterated that mistakes were made and they never got corrected at that time because it was a political situation. Now, 20 years later, the problems that were around on the animals on the farms in 1996 did not exist to the extent they are today. Some of the vegetable growers are having problems with bird damage. I know one particular company and they put in gas guns and the council made them take them out because they were too noisy. Some of the major losses are in the hundreds of thousands of dollars and they can become unviable in some areas. Some crops, if there is desiccation in them, cannot be marketed to the public. The basic thing is to look at category C: why it is in such a position, and why it has a definition outside the other categories when they are the lowest powered firearms of all the categories.

Dr WOODRUFF - Thanks, Don. Peter, you didn't write the submission from TFGA but I might ask you - I think Nick Steel wrote the submission.

Mr SKILLERN - I do have leave sometimes.

Dr WOODRUFF - Yes, I know you are a busy man. Reading the submission, I felt that it certainly makes the case very clearly that there are more browsing animals than there were at some point in the past. I take Don's point - I hear that regularly from people who grew up in different parts of the state. They didn't see wallabies; they saw rabbits. Farmers are always dealing with competition for pasture, there is no doubt about that. There were rabbits and now there are wallabies and other animals. Yes, there has been an increase.

I didn't see any evidence in here that there aren't the techniques available to deal with that. I saw it as one of the many problems that farmers have to confront, as every business owner has to confront a range of problems. I didn't see - and I haven't yet heard - any submissions that give any evidence that the tools of trade that are already available, that there is an intrinsic problem with them that isn't anything more than an issue related to comfort, convenience and I think Don said, satisfaction.

There is an issue, as we have heard, of older farmers not having the time to use their category C firearms, but we have also heard submissions from people who would be willing to go on a farmer's property and do that work and who actually do that work, people from sporting shooters' groups and recreational hunters' groups. People who actively do that work, see it as a service, bring their own firearms at their own expense with their own ammunition and don't even ask the farmer to pay. There was an identified lack of connection between shooters and farmers in order to be able

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to broker the trust that is required to allow a person to come onto your property. So, there was something there.

I am challenging you to provide some evidence. There is clearly an issue with browsing animals. I have not seen in your submission the evidence that the browsing animal management program does not work.

Mr SKILLERN - If I can just take your last point about the shooters coming onto property. Certainly, that is a possibility but many of my members do not wish to engage with those individuals or groups, and there is a range of reasons why they don't. Some of them are simply legal in terms of insurance, and others are they just don't like other people walking around their property shooting wildlife. Overall, I think it is very clear and you have conceded the point, that there is an increase in browsing animals and that is everything from wallaby through to deer. The other day I saw deer grazing beside the Midlands Highway. That is the extent to where we are now.

There are issues that need to be dealt with. Whether the existing tools are adequate enough, it is clearly obvious that there is an increasing pressure coming from browsing wildlife on farming more broadly, whether that be vegetable production, whether it be pasture production, or whether it be birds or whatever it may be. Is the current set of tools adequate enough - ...

or whether it be birds, or whatever it may be.

Is the current set of tools adequate enough? The reports we have tabled today indicate there is not a simple answer to that question in the sense that there is a range of methodologies that can be used to address these issues. One that we would point government to, and not just the current government but consecutive governments, is that by and large, these browsing wildlife reside primarily on public land and yet it is my members who have to manage them at their cost. We can talk about fencing, for example.

Dr WOODRUFF - Is that an issue with fencing? Wouldn't you need to fence the edge of your property from public land?

Mr SKILLERN - Unfortunately the government will not meet their half of that fencing requirement. It's up to the landowner to wear the cost, and that can run to \$20 000 a kilometre. While we're on that topic, I note that people talked about wallaby-proof fencing. That is such a misnomer; there is no such thing as wallaby-proof fencing, and I speak from experience. It reduces the number of wallabies, but as soon as they get a break, and they will find a break, they're back in, so it's a constant maintenance issue. My members have to add their own cost to maintain those fences, erect those fences, and when they are insufficient mechanisms, then have to engage in some type of reduction of the population on their property. I repeat, these are not their wildlife. They are the community's wildlife, yet the community makes no attempt, through government or agencies, to subsidise my members for that.

In terms of answering your question directly, as these pressures have built, it's fair to say that the current tools and mechanisms available to us are not adequate and we continue to see these

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rising pressures, and that is impacting on the actual economics of farming and some areas are worse than others. It depends on what pressures you have.

Dr WOODRUFF - I suppose farmers choose to take the good and bad when it comes to fencing and many farmers choose not to fence in areas because they take advantage of the public land outside their own property and use that as an extension of their land. That may or may not -

Mr SKILLERN - I'm not aware of anybody who does that.

Dr WOODRUFF - But isn't your argument that people are required to fence the edge of their properties? That would be the case for any person with land.

Mr SKILLERN - Indeed. If Don and I had two properties -

Dr WOODRUFF - It is our responsibility as a landowner to put a fence up.

Mr SKILLERN - Correct, but if Don and I had two properties next door to each other and we needed to put in a new fence, we would share the cost equally. Unfortunately, when it comes to public land, that is not the case. I know that is not the focus of this committee but it is a relevant point when most of these browsing animals come from public land and yet the community's representatives do not meet half the cost. It is something we have been advocating for a very long time. Let's not lose focus here, fencing is not the panic area. It is not the silver bullet but just one of a number of tools that can be used in agriculture to reduce the impact of wildlife, but on its own it doesn't reduce the impact of wildlife.

Dr WOODRUFF - Your submission says that if you fence there is still a proportion of animals that come in, depending on the numbers and depending on the studies of the papers you have proposed -

Mr SKILLERN - It depends on the mix of species too. For example, and this is often the case, if a wombat digs under wallaby-proof fencing, which they're very prone to do and very capable of doing, effectively you will then find you have a line of wallabies lined up right behind that wombat, following through.

Dr WOODRUFF - I notice wombat gates are being trialled at the moment and found to be fairly successful.

Once the animals get inside, shooting is typically employed as a way of managing the population on the farming property. I still don't understand, from your point of view, how the tools of the trade are insufficient, given that most kangaroos are shot by people with category A or category B licences. So the requirement for a category C to undertake -

Mr SKILLERN - I'm sorry, where would that figure come from, because that is certainly not my experience?

Dr WOODRUFF - They can be, and that is what the recreational shooters -

Mr SKILLERN - With respect to them, that may be how they do it but we're here representing farmers and I can assure you that farmers do not. As Don alluded to before, we don't have the time for going out there and doing that. At the end of the day -

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Dr WOODRUFF - Going out there and doing what?

Mr SKILLERN - I would prefer to be out there with a .22 semiautomatic than a single-shot firearm. At the end of the day you can go out onto any paddock and on many times you'll find not three or four but hundreds of wallaby, rufous and Bennett. That's not something you want to be addressing with a single-shot firearm.

Dr WOODRUFF - But it can be done and it is done.

Mr SKILLERN - Not effectively. You asked the question before about effectiveness and efficiency. You have just answered your own question, to be fair.

Dr WOODRUFF - Farmers with category C licences obviously have a time issue and also maybe an ability issue. They're not able to use that weapon as they're getting older or they don't feel that they can. An ageing farming population has been raised as a reason for why it might be needed.

Mr SKILLERN - I wouldn't concur with that. I don't think an ageing farming population has any relevance to what this committee is reviewing. Whether you're using a semiautomatic .22 or a single shot, if you don't have the capacity to shoot because of your age, the firearms I would argue are irrelevant.

Dr WOODRUFF - I am not making a case. The point was made that as people get older they would like somebody else to go out late at night and do that work on their behalf. This is the argument for having an employee to go and do that work. I don't understand why a person couldn't come onto the property with a category C licence and be given permission to do that work, a person with whom some sort of trusting relationship has been developed. I guess I am challenging you to explain.

Mr SKILLERN - You can't do that with a cat C.

Dr WOODRUFF - You can come onto the property with a category A or B licence but not with a category C?

Mr SKILLERN - You can come with an A and B but you can't with a cat C.

Mr JONES - Let me answer some of those questions, if you don't mind. First of all, you mentioned about shooters coming onto the properties. Most properties have shooters who go to their property. One of the things analysed in sporting shooters and people is the obligations under the farm in relation to insurance. Through the insurance companies we use, and also there is a part of TFGA which is WFI, they will not insure shooters or wood carters. Therefore it is essential that if you are getting outside shooters they have to have an insurance policy. Most farmers have shooters registered on their properties, and this idea that there is going to be an overflow of people going to run on to a farm, that doesn't work because a farm is a farming operation. Depending on the time of the year, whether you are lambing or the type of sheep that you're running and things like that, management of the property has to take all of this into consideration.

When you talk about the tools of the trade, there are various things. We're talking about wallabies but wallabies are only one of the problems. Cockatoos are a major problem and it is

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proven that the way to handle cockatoos and reduce the numbers is to go to the roost tree with a semiautomatic .22 with a sound suppressor. This was when the trial was done. In the trials on the alternatives to 1080 we looked at various things. For instance, we looked at the aggregate of the paddock and the number of wallabies in there and counted those wallabies, and when we went back with night vision equipment they suddenly went up 40 per cent because they weren't visible. In the balance of the alternatives to the 1080 program, they found that fencing and shooting were the viable alternatives working in conjunction with one another. We're talking about browsing animals and then we are talking about the bird damage, which is significant. We did a survey at TFGA on bird damage in Tasmania just over a year ago. That had the highest response to any other survey we had sent out throughout Tasmania. It had significant bearing on that damage in the cherry industry and various other things. You can't control birds other than with a semiautomatic shotgun or, in the case of the Scot Lodge [TBC], with rifles. I defy you to do it and I am considered an expert with a shotgun. If anybody can come out there and prove to us they can do it adequately, we will listen, but it is not possible.

CHAIR - It is not possible even to get close enough to a crow or a cockatoo to fire a shot, let alone rouse them.

Mr JONES - The other things with a semiautomatic shotgun or a semiautomatic .22, it also an animal welfare issue. Not everybody is a perfect shot and, if they wound an animal, the very important thing is the ability to dispatch of it humanely and quickly. Under the firearms agreement in Western Australia, a farmer is allowed to have pistols for animal welfare reasons if they have over 1000 acres. This is simply because they are efficient and they don't cause a lot of problems. That is one state that looks at animal welfare in those areas. In debating it, if you put it right down to wallabies only, we are missing the point. Peter lost his cherry orchard to starlings two years running.

Mr SKILLERN - Chair, if I could bring us back to a higher level, I will start by saying that I was involved in a violent armed robbery. I have been at the wrong end of a firearm, held by violent criminals using illegal firearms. I have also been shot at, so I am well aware from that side of the argument and of the need for safety within the community. I heard your previous presenters saying that time does not dull those senses and I can assure you that is correct. I have a very personal understanding of that.

I am also a farmer and I also understand that firearms are a tool of trade. There is no question around that. If we quickly revision 1996, particularly the National Firearms Agreement put together by the Australasian Police Ministers' Council at a time of heightened, as Don referred to before, emotion within the community and a heightened political sense of a need to do something. Without apportioning blame, because it was due to the circumstances at the time, various states produced their legislation. Over the last two decades or so, those states have sought to address the inconsistencies and, arguably, the poor drafting of some of that legislation.

The TFGA is not suggesting in any way there should be any deviation from the National Firearms Agreement. We are in complete lockstep with the Government on this and with the comments made by the Premier. However, there is a clear need for adjustments to the legislation to make it contemporary and to clean up those errors that were inadvertently put in during 1996. I will give you a perfect example. It talks about firearms in use but it doesn't define, 'in use'. Effectively, it does, but it defines it in such a way that it means the only time it is in use is if it's in storage or you are shooting it. We have this anomaly, that definition does not clearly say what it is. In use, for example, could be taking it from storage to the point you use it and return it. It is a

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simple one but it needs to be clarified and addressed in the act. They are the type of sensible adjustments to the act that we support.

I reiterate again, we are not seeking nor suggesting in any shape or form there should be a deviation from the National Firearms Agreement. Having said that, it is very clear that is more in name than actual practice. When you look around the various states, every state has interpreted that agreement and there are a number of states that are well outside that agreement. To suggest it's a National Firearms Agreement doesn't stack up to scrutiny. We're talking about Tasmania and that's our position.

People don't like to talk about firearms in this context but they are genuinely a tool of trade for agriculture, whether that be for animal welfare, to deal with browsing wildlife; no matter what that is. It must be done in a sensible regime and it must be done in a context the community at large will accept. We are here today in the hope of reaching that position in the long run.

Dr BROAD - I would like to ask Don, with his extensive experience, about category D. Is that used in Tasmania? Do we have people licensed for category D firearms and, if so, what sort of firearms are licensed under category D?

Mr JONES - Category D is available for professional shooters. It is more applicable to the mainland because they are high-powered firearms and we don't often need high-powered firearms, except hunters who are deer shooting. There is a specific calibre and energy they have to combine. For instance, we don't have pig shooting or buffalo or things like that, so we're totally different in that area. That is why the category C falls more into line with Tasmanian conditions than it does, probably, for mainland conditions. I'm not sure of their bird control on the mainland. I can only reiterate what we've got here in Tasmania and how to address it.

Dr BROAD - Are you aware of arguments being put by people, for example, to be licensed with semiautomatic .22s, not being primary producers but being professional shooters? Are people being licensed under category D?

Mr JONES - No, .22s are under category C. Category D is for centrefire firearms.

Dr BROAD - Is that centrefire only?

Mr JONES - Yes, centrefire only. That is the difference. Category C is for low-powered firearms. I'm talking about technicalities, why you could pick that category out from other categories in relation to how it is handled by the police department. It doesn't make sense. We talk about the NFA, but no two states are the same when you look at firearm storage. They are all different. Tasmania is probably one of the strictest of the lot. If you have one pistol, you have to have an alarm system, but in other states that is out to five and 10.

Mr SKILLERN - Sorry, Don, that was something we worked on implementing with the government the year before last.

Mr JONES - The other thing that is all-important is firearms training. A person trained in Victoria who moves to Tasmania has to complete another training certificate. It doesn't make sense if you're trained by a professional trainer. These are the little things in the act that need tidying up. We're not breaking laws; they need tidying up. There is only one training organisation in Tasmania, which is a monopoly and that is TAFE, and the prices are going through the roof. There should be

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more registered training organisations because some people, particularly in the rural communities, have to travel too far.

CHAIR - That is in your submissions and in others.

Dr WOODRUFF - Peter, in page two or three of the submission you've mentioned that as the peak farming organisation you were asked to take part in several consultation committees, that the previous firearms consultation group was made up of 11 organisations including the TFGA, and that you understood the recommendations that came from that would follow due process before the parliament and the people. You, or others from the TFGA, have mentioned you were clearly part of a consultation process that happened with the Government in February this year and signed up to or had an agreement with the then police minister about some policy changes. Can you just talk about the due process that you were given to understand would proceed around the Liberal policies on gun law changes that were made before the election?

Mr SKILLERN - The process that would occur with those, do you mean?

Dr WOODRUFF - Yes, you have written in there that you understood that due process would follow.

Mr SKILLERN - That due process would be arguably what we are going through now, but more likely that it would be some amendments made to the act which would then be presented to parliament.

Dr WOODRUFF - On the basis of the policies that had been agreed to?

Mr SKILLERN - Not agreed to but as had been put in a political statement leading up to the election, yes.

Dr WOODRUFF - In a policy that came out of the group that TFGA was one of the members of - the firearm consultation group.

Mr SKILLERN - I wasn't on that committee so I can't really comment on that.

Dr WOODRUFF - But TFGA was a member of that group?

Mr SKILLERN - A TFGA member was on that group, yes.

Dr WOODRUFF - What I am trying to understand is why it seems that the position of your organisation has changed. On 4 April, strong statements were made by the president of the TFGA saying that the proposed changes in the Liberal's policy was just a wish list and that if they don't go through parliament, that is just life. 'If it doesn't get up, it doesn't get up - that is just life', he was quoted as saying -

Mr SKILLERN - Sorry, I don't see how that is inconsistent with what I just said.

Dr WOODRUFF - No, I am finding some inconsistencies in what you are proposing, because some of the things that your submission proposes do breach the National Firearms Agreement. It is a breach in the National Firearms Agreement to have category C licensed for two years, not one year. It is a breach in the National Firearms Agreement to have users of category C -

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Mr SKILLERN - Category C is a licence for five years.

Mr JONES - I have a five-year licence.

Dr WOODRUFF - For employees, sorry, engaged in primary production, for two years. So that is an increase. There are a number of things in your submission that are in breach of the National Firearms Agreement, so I am getting these conflicting views. One is that there is a need for change but nothing that is inconsistent with the National Firearms Agreement, but then some of the things that you are proposing - what I am trying to understand is your position seems to have changed from the statement from the president on 4 April.

Mr SKILLERN - I don't think it has changed and I will reiterate it again, that whatever amendments come out from this process or any other process will go before the parliament, which is the representative of the people and the people will decide whether those amendments are appropriately passed or not, or amended as the case may be either by the lower or the upper House.

Dr WOODRUFF - Would the TFGA still not be disappointed - the words of the president of the TFGA - if none of the policy proposals did, in fact, occur?

Mr SKILLERN - I am not sure that the president actually said 'not disappointed'. I am sure we will have some reservations if some of those things are not passed, but at the end of the day the TFGA is not going to rally against the houses of parliament, which as I said are the representatives of the people.

Dr WOODRUFF - Wayne Johnston said on 4 April that the TFGA would not be disappointed if the end result did not resemble the current policy.

Mr JONES - Do you know why? I can answer why he said that. It is because he is absolutely fed up with the firearms and the rural community being tossed around like a political football, and that is what it has been - a political football. All parties have been arguing between one another on the Liberal proposal that came out and any other proposal that was put up.

Common sense does not prevail. Our president just said, where do you go when the politicians are making a whole bonanza out of firearms? That is what they have done and that is what they have done in the media. We are not here to talk about the way the politicians fight their arguments. We are here to put the benefits of the farming community. You talk about the NFA, right? The NFA -

Dr WOODRUFF - Have you raised the issues that you want with the federal farmers' association?

Mr JONES - The NFA is convenient to use for some purposes but not convenient to use for the other. If I look at the NFA on just some small things, New South Wales and South Australia have sound suppressors in their legislation. Western Australia has pistols for farmers. There are no storage requirements constant throughout the jurisdiction and firearms training is not recognised between states. Where is the NFA? That is a ridiculous thing to try to use the NFA as a tool rather than look at the balance argument on the proper procedure of where the problems are, and constructively we try to address them. That is what we are trying to do, address them.

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CHAIR - You mentioned sound suppressors then and Dr Broad mentioned it earlier on. It is an area that if you take away the discussion about the NFA, something that I see as a real efficiency benefit to agriculture, the ability to use a sound suppressor when you are out at night, that combined with a semi-automatic where you can have multiple shots and hardly anything moves -

Mr JONES - Can I answer the question on sound suppressors? During the course of the alternative to 1080 program, we used sound suppressors which were found to be effective, particularly at night time under spotlighting. The reason being, it is all right on night number one and night number two, but when the shooters went into the area, say the third, fourth and fifth night it is the noise that before they get there, and moving muffling vehicles, the animals were disappearing. Sound suppressors have an effective use there, and they have an effective use on the control of cockatoos.

Four years ago, I did a study at the Scottish National Heritage on Deer Management in Scotland. As part of that program over there, 85 per cent of all the high-powered firearms in Scotland were sound-suppressed and they were being OH&S noise, et cetera. That happens in New Zealand and a number of other countries throughout the world. People look at sound suppressors - some people call them silencers - and they think that nothing ever happens. They only take the crack out of the firearm so it has been chosen that because that crack of the firearm is not there, the disturbance factor is not there and it is better on the ears.

New South Wales has sound suppressors, they are licensed to the shooter, the same as their firearm. If it comes in, in Tasmania, they would be licensed at the same effect.

If somebody wanted to use a sound suppressor, a coke bottle over a .22 is the same thing. We are talking about people who want to use them to do management on farms and things of that nature. We are not looking at the movies and somebody has a sounder that does not work, so anyway, that is it -

CHAIR - I am looking at the time.

Dr BROAD - One thing is the National Firearms Agreement has been looked at a couple of times. It has been reviewed most recently, in 2017. This question was actually put to us to ask you. Does the National Farmers' Federation have a position on firearms that is consistent with the TGFA? Is that being actively lobbied to make the changes to the National Firearms Agreement each time it comes up for review?

Mr SKILLERN - We are not a member of the NFF so I am not in a position to answer that question. I just cannot answer that.

Dr BROAD - What is your awareness, Don?

Mr JONES - A few years ago when we were a member of the NFF, they did have somebody on firearms and it was arranged that I talk to him but he left. I do not think they have had a position - I do not know. We have decided at TFGA that as an organisation we were of more benefit to the state than a national organisation in the way we deal with the state Government, and as you know from the produce we export overseas and that, it's working very effectively. For the many thousands of dollars it costs to be a member we were not getting the recognition we deserved.

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Mr SKILLERN - I suggest given the resourcing it is highly unlikely that they actually have somebody specialised in firearms.

Dr BROAD - Even if there's just a unified position on what firearms regulation should look like across the country? We have this piecemeal approach where each state has a different interpretation. From what you understand, there is no unified position of farmers as to what gun laws should look like?

Mr SKILLERN - I'm not in a position to make a value judgment on that, but I think it's fair to say, as you rightly point out, if state governments can't agree on what the National Firearms Agreement actually means in a practical implementation sense, I'm not sure why you're asking us either, to be honest.

Dr WOODRUFF - Isn't it also the case that state governments are agreeing on the National Firearms Agreement, though, because the National Firearms Agreement has been upheld as the principles for the last 22 years?

Mr SKILLERN - But the facts don't meet that, as Don pointed out. You have states that have suppressors, you have states that allow for farmers to hold pistols, and each state is inconsistent in terms of its storage requirements. Logic says that if you have a national agreement on anything it must be consistent from state to state. The point Don made was that if you are appropriately trained in Victoria you should be able to roll into Tasmania and that training should be accredited and recognised, but it's not. It's more in name than practicals on the ground.

Dr WOODRUFF - The other way of looking at it is that we have a National Firearms Agreement and regardless of whether other states have failed to live up to it Tasmania has always lived up to that agreement. The fact the policy commitments that were made to the firearms consultation group before the election were secret and when that was revealed to the public in Tasmania there was such a level of public conversation about it makes it pretty clear that Tasmanians view us as having strong firearms laws and they're not inclined to change them. We want to be in line with the National Firearms Agreement. My question is -

Mr SKILLERN - Sorry, I have to object to your comment around it being secret. I don't know where you garner that from. It certainly wasn't secret and the TFGA was not engaged in some sort of conspiracy to keep what was proposed secret.

Dr WOODRUFF - I'm certainly not saying the TFGA was in any way involved with being secretive. I'm saying the Government did not make that position on changes to our firearms laws, some of which are in breach of the National Firearms Agreement, public. It was essentially a closed group, because it was not available for other bodies in the community such as Port Arthur and health professionals to make comment on it.

Mr JONES - I disagree with you, Rosalie, because I was in possession of that at least three weeks prior to the battle on the eve of the election. I was also made aware the Labor Party was aware of it three weeks prior to that date, so it became a political football to the convenience of politicians who wanted to get elected and also to use public opinion when it wasn't justified. Three weeks beforehand.

Dr WOODRUFF - So you provided it to the Labor Party to provide comment on it, or just as a matter of interest?

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Mr JONES - As a matter of interest. I said to them, 'Do you realise,' - and I won't mention who - 'that the Liberal Party had released this document and it was freely available?'. I am surprised that you weren't in possession of it. There was no secrecy but there was one hell of a noise made that this secret document of the Liberal Party came out and hid under the table. If you look through that document - and I've been through that document with you when you came to our meeting -

Dr WOODRUFF - You didn't have that document then, Don. We had a number of conversations.

Mr JONES - We went through the same criteria - yes, and I've been through with it with other members of different political parties. There are a lot of sound provisions in that document as it stands and there were only two critical items I believe that leads to what we are discussing today - sound suppressors and category C licences. Things like licence renewal and increased testing facilities are common sense.

Dr WOODRUFF - You also want to have a category for minor storage offences and that would be in breach, as calling it an infringement and not as a suspension or removal of firearms.

Mr JONES - Infringement notices was a means of the police department to better and adequately manage firearms. As it is at the moment, if a law enforcement officer rings up Firearm Services and says, 'Joe Blow did this', they cancel the licence whether you are guilty or not. Common sense is not prevailing. You have to look at how this firearms legislation is drawn up and if you want a good comparison, look at the 1992 firearms legislation that was brought into place in this state. It is easier to read and manage than the present thing. The more words you put into legislation the more difficult it becomes to read.

I was liaison for the writing of the 1992 legislation and I also drew up the first firearms training thing with Sergeant Paul Smith of Firearm Services in 1992, so I do have an understanding of the complexity of legislation. We are asking to look at the complexity of legislation as to how it can handle and help the farming community and at the same time alleviate the concerns that the community have. We have not talked about the hundreds and thousands of dollars that have been lost on farms and we're not there every week pasting out a thing. If the Government wants to pay us compensation for their animals on our farms we'll shut up in relation to what we want.

Mr SKILLERN - To answer your question, Rosalie, first of all I reiterate what I said before. The TFGA will not support anything that goes outside the NFA. That said, it doesn't mean we wouldn't support a review of the NFA in relation to some of those particular items if they are a practical solution to agriculture and the community is on board with those.

Unfortunately, Don is right in that the way this issue gets reported is always emotive. As I said, having been a victim of something myself I understand that. But, at the end of the day, we still have to have an efficient, economic and sustainable agriculture sector, and one of the key elements is firearms and the use of firearms in a responsible manner. That is what we are looking for - nothing more, nothing less.

If there is the political will and there is consensus we can find a way through this, and if some of it has to be shelved and then there is a broader discussion around the NFA, notwithstanding that Tasmania has stuck to the NFA, but at the end of the day the NFA is fundamentally eroded by the fact that some states have not. I suggest strongly that there is a need nationally to revisit that. I

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understand that it was only revisited in 2017 but with the appropriate goodwill and consensus we can find a way through this and certainly in the Tasmanian context that is probably more likely than a national context.

Dr WOODRUFF - Isn't the fact that we haven't eroded the NFA in Tasmania the point from Tasmanians' point of view? Other states might have.

Mr SKILLERN - I'm sorry but it is the National Firearms Agreement, with 'national' being the key word. I understand your point and I'm not disputing it, but it's not the Tasmanian Firearms Agreement, it's the National Firearms Agreement. This is what irks many people around the country. If we're going to have a true National Firearms Agreement it needs to be an agreement that is adhered to by every state without deviation.

Dr WOODRUFF - We always set laws and people break them. That is what happens.

Mr SKILLERN - With respect, we are now dealing with the NHVR and the national heavy vehicle regulations, which have been applied around the country. I don't see any deviation in their application from state to state. If it is good enough to do it with national heavy vehicles, it should be good enough to do it with firearms. I argue that doing it with the National Firearms Agreement is much more important to the community than doing it for national heavy vehicles.

Dr WOODRUFF - Doesn't that mean we have to put pressure on the states that aren't according with the law we agreed to and bring them into line, rather than weaken our position to match theirs? That is a race to the bottom, surely.

Mr SKILLERN - I will leave that to your good selves.

Mr JONES - You will never have complete agreements on a lot of these things. Each state has its own statutory authority and therefore is not bound by the Commonwealth in a lot of legislation. It is up to Tasmania to do its own thing. Don't run to shake hands with somebody else if you can't work out your own problems. The problems we've been putting before you is addressing the agricultural industry in Tasmania, which is what we want addressed. We couldn't care less what the agricultural industry in New South Wales or somewhere else is doing because that is not pertinent to us. What is pertinent to us is what we have put forward to you, asking you to look across the board on how you can resolve these things.

I go back to the question, why is category C a restricted category when it is the lowest-powered firearm in the system? You can go one lower than that and you can have an air gun, but let it be based on facts. Category B firearms are more dangerous than category C because of their calibre, their velocity and their magazine capacity. We're asking, why were things mucked up when it came to category C? I had five or six category H firearms when I was shooting pistols competitively and I carried them all over the country. I could say the same for category B. I am asking you to look at where the problem is and why it is there. There has to be a reason because it does not make common sense.

Old and new shooters were also mentioned. Under the target situation, because of physical conditions, it would certainly be better fit, and it is a proven fact, for older shooters to use a semiautomatic shotgun than an under and over.

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Mr SKILLERN - Chair, I wanted to make one comment in which I don't agree with Don. It is relevant to know what is happening in agriculture in other jurisdictions. This is a key point and it goes to your point, Rosalie, about Tasmania. We need to be competitive with other states because we export 75 per cent of what we produce agriculturally in this state and most of that ends up in the domestic market. We are not in the marketplace if we are not competitive, so we do need to know what is going on in those.

CHAIR - Do we know the comparative difference between browsing animals, browsing pests, and losses in Tasmania compared to the mainland?

Mr SKILLERN - We don't, but I can certainly find those out for you, Chair.

CHAIR - Anecdotally, I suggest we have more wallabies in our back yard because of the smaller farms and higher production.

Mr SKILLERN - I have farmed in Victoria and I can assure you that your observation is probably correct.

Dr WOODRUFF - I'm not sure you could compare us to outback New South Wales.

CHAIR - I understand that but that is why we are dealing with these issues.

Mr SKILLERN - Chair, I thank you for the opportunity to be here today. I know it is an emotive issue and we all have strong views on it but I reiterate what I said before. It is our hope that we can find some consensus both politically and within the community. It will not meet the needs of everybody and we probably won't meet the needs of every individual player, but if we can at least find some consensus and meet most of the needs, we will have achieved a good outcome.

CHAIR - Thank you very much, gentlemen, for coming along and for your submissions. As I advised you at the commencement of your evidence, what you have said to us today is protected by Parliamentary privilege. Once you leave the table, you need to be aware that the privilege does not attach to comments you may make to anyone including the media even if you are simply repeating what you have said to us. Do you understand?

Messrs SKILLERN and JONES - Yes.

THE WITNESSES WITHDREW.

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Mr TERRY SLEVIN, CHIEF EXECUTIVE OFFICER, AND **Dr INGRID JOHNSTON**, SENIOR POLICY OFFICER, PUBLIC HEALTH ASSOCIATION AUSTRALIA, WERE CALLED VIA TELEPHONE AND WERE EXAMINED.

CHAIR - Welcome, Terry and Ingrid, we are sorry for the delay in trying to get you on video conference. As you are aware, this is a parliamentary hearing and so I would like to reiterate a few points. The first part is just before you begin your evidence, I would like to ask whether you have received and read the guide sent to you by the committee's secretary and if you haven't I will remind you of some of the important aspects of that document. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of the parliamentary proceedings. This is a public hearing. Members of the public and journalists may be present and this means your evidence may be reported. It is important that should you wish all or part of your evidence to be heard in private, you must make this request and give an explanation prior to giving the relevant evidence. Do you understand that?

Mr SLEVIN and Dr JOHNSTON - We do.

CHAIR - Thank you very much and again after some delay thank you for being where you are and it is ACT or Canberra, is it not?

Mr SLEVIN - That is correct.

CHAIR - Hopefully the weather is treating you well up there.

Mr SLEVIN - We have a bit of rain, Mark, which is good. Do you mind if I call you Mark?

CHAIR - First names are fine.

Mr SLEVIN - Thank you, sir.

CHAIR - An opening statement?

Mr SLEVIN - Sure. First, apologies for the technology. Thank you for the chance to address you. I understand that with regard to parliamentary privilege, but I do not think we are making any commentary with regard to any individual which would land us in court if this was said on the steps of your esteemed parliament.

It is worth stating from the beginning that, like many of the organisations that are concerned for public safety with regards to firearms, the Public Health Association is not a gun abolitionist organisation. We do not believe that guns should be entirely outlawed in Tasmania, Australia or anywhere else.

We believe that fundamentally the issue is one of community safety and it requires balance. It's an issue that requires balance between community safety and the proper regulation of proper

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use of firearms. We unashamedly make it our position with regard to that, the weighting should be heavily balanced towards community safety.

I will open with my own experience, if I may, Chair, with regard to gun control. In 1996 after the Port Arthur massacre, which I am sure you are very familiar with, gun control became an issue around Australia. At that time, I was living in Western Australia and I attended a community meeting on the issue. Out of my contributions to that community meeting I found myself as the founding chairman for the Coalition for Gun Control in Western Australia. I found myself very much involved in gun control debates and discussions very, very early on when it came to that watershed issue in Australia.

I also want to put on the record that one of my experiences in so doing - and my children were very young - was I received a letter at my home address. It was a handwritten letter with an envelope. When I opened the envelope, it contained a handwritten note and some white powder. The letter was written by a gun enthusiast. That enthusiast made clear that the powder that was in this envelope was harmless talcum powder. That person also pointed out the fact that there were other forms of powder that could be included in envelopes that with any personal contact through the skin could result in a rapid and painful death for those exposed.

At the time I have to say my wife was rather horrified by this and immediately demanded that I withdraw my involvement in the world of gun control. We had a longwinded, heartfelt discussion after that and I convinced her that the importance of community safety justified me continuing my action in this space. I will be clear in my belief - and I reported this to the West Australian police at the time - that that letter was sent by someone who was known to police and had a range of - I don't know technically if it was mental health problems, behaved badly in this regard not just with regard to me, but others.

The reason I tell that story is that people who are involved and concerned with community safety, who raise their voice when it comes to gun control, do so knowing that there are some people with extreme views in this sphere and they express them very aggressively, and they do so when we assume they also have access to firearms. That presents a very special level of threat, especially when these people clearly express the understanding or demonstrate they know where you live. I think it is worth putting on the record that that is an issue when it comes to the open discussion with these issues.

On one side of the debate there are those of us with a concern for public safety. On the other side of the debate there are those who are concerned to ensure greater access, less regulation and ultimately an increase in the use of firearms, we believe. That, I think, gives some construct that is worth understanding.

The other thing that I'm keen to say upfront is that the Public Health Association of Australia only recently in the last two weeks released a report of the top 10 successes in public health in the last 20 years in Australia. One of the top 10 was gun control. Essentially, we recognised the National Firearms Agreement as one of the top 10 successes in public health in Australia in the last 20 years. We have seen very clearly the reduction in the number of firearms deaths in Australia, about 2.9 per 100 000 down to about 0.9 per 100 000 people. There is no doubt there has been success. One even suggested 16 mass shootings were prevented in Australia as a result of firearm regulations that were brought into place over that period of time.

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Another observation worth putting on the record is that there are probably two main groups of people with an engagement or interest in this issue. One of those who are in the firearms industry, firearms users, whether they be enthusiasts, sporting shooters or primary producers and the other side of the coin is the broader community. Very clearly, the level of engagement in detailed regulation relating to firearms is far more close than frequent and regular for those in the first category, for people who have to live with and deal with the regulation. It is entirely understandable if those people wish to flag issues and challenge, at times, the regulation and perhaps the way it is enforced, but the large majority of the population in Tasmania, and in Australia broadly, are in the second category, that is the general community who wish to ensure maximum possible safety and safety from firearm-related accidents, injuries and death. There is very clear and consistent evidence that the vast majority of Australians are very enthusiastic to ensure proper tightly-regulated and enforced firearm-related control and regulation. But that second group is probably the large silent majority. Those are the people who don't regularly engage in the details with regard to the regulations, they don't engage with the way in which it is enforced, they just want to ensure that the maximum possible protections for them. We point out that it is that group that we largely seek to represent.

When it comes to firearms enthusiasts, there are perhaps three main subgroups for those. The first are the firearms manufacturers and dealers, the industry, those people whose profit and livelihoods rely upon the sale of firearms. It is worth recognising that is a clear industry. The second groups are the sporting shooters or perhaps weekend enthusiasts without necessarily much by way of organised engagement. The third group are primary producers, primary people who use firearms as tools of their trade. All these people clearly have an interest in and probably quite a loud voice when it comes to firearm regulation. I want to make clear up front that our focus is very much about community safety.

I will wind up that as an opening statement and am happy to address any questions you might have.

CHAIR - Thank you very much for that, Terry. I can inform you that we all have a copy of the Public Health Association's top 10 public health successes over the last 20 years. It was tabled and presented to the committee by Dr Phill Pullinger of Medics for Gun Control this morning. We have that and that information on the gun deaths in Australia is on page 13. Thank you for making us aware of that.

As a rural landowner myself, I would split us into three categories, those of the general public and the firearms-associated groups, but the primary producers, particularly where I come from, and as a third and very minor group, are the ones involved in the debate because it is their livelihood and it is their tools of trade. I would split them into three groups, but just make that point on your opening statement. Yes, there are those for and against, and this committee has definitely seen the arguments or the points presented to us from both sides of the story.

Dr BROAD - I am interested in point 5 on page 8, the ownership and use of sound suppressors by category C licence holders. Sound suppressors are not dealt with specifically in the National Firearms Agreement. The argument has been put to us in a number of ways that sound suppressors would make control of browsing animals more efficient. The other side is the argument of work health and safety, the acknowledgement being that sound suppressors do not eliminate sound but rather reduce sound. Could you go through your opinion on the use of sound suppressors?

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Mr SLEVIN - Broadly it is fair to say that via the nature of being a public association being in favour of good occupational health and safety but again this is a case where it is a question about balancing risk and benefit. There are various ways in which ear protection is a necessary part of many professions and for people who are conducting things where there are high levels of noise, good protection of the ears and the auditory canals is an important component of that.

When it comes to the flipside with regard to community safety, most people are concerned about the use of sound suppression to the extent to which that might mask inappropriate use of firearms and the prospect of it allowing later identification of the use of firearms in dangerous circumstances. A very loud bang will draw attention when it comes to firearms and less loud bang, less so. Very simply put, sound suppression regarding firearms raises the prospect of a greater level of use of firearms or more consistent use in a situation where community safety is at risk. What we are suggesting is that avoiding increased access to sound suppressors is an important part of the overall package when it comes to community safety.

Dr BROAD - The National Firearms Agreement already makes judgments about things like the use of semiautomatics by farmers for control of vermin. Doesn't the same argument also hold true with public safety if the same licensing regime is extended to sound suppressors?

Mr SLEVIN - Our position broadly is let's see the maximum possible engagement and compliance with the National Firearms Agreement. We know there are many jurisdictions, and Tasmania is one of them, where there isn't 100 per cent compliance. Our fundamental position from a community safety point of view is that we want to see all jurisdictions 100 per cent compliant. When we get into that direction, that might invite the prospect of other modifications to the National Firearms Agreement.

Only late last week we were invited to meet with Linda Reynolds, the assistant minister for home affairs, who is trying to bring together groups with an interest in gun control safety and the National Firearms Agreement in Parliament House in Canberra. That was a position we all took.

I sat at the table with members of the Alannah and Madeline Foundation, the AMA and the Law Council. Our basic position is that we want to ensure we uphold the National Firearms Agreement. We are observing in many upper Houses and jurisdictions around Australia a balance-of-power position where various small political groups with an interest from shooters and the like, whether they be enthusiasts or others, are looking to water down the National Firearms Agreement jurisdiction by jurisdiction. That is of great concern to us and of great concern to the community as a whole.

We think the National Firearms Agreement could be tightened and improved. One example I raised late last week was the issue of alcohol and the fact most legislation around Australia suggests that the use of firearms, particularly when the user is intoxicated, yet it is not defined. We have all defined intoxication when it comes to road safety at 0.05; it is objective and measurable. It seems strange that is not applied equally with the firearms law. That is an area where if we were to open discussion with regard to the National Firearms Agreement there are a couple of basic principles. One is it shouldn't be weakening that agreement and two, it should be nationally applied. In short, we are not enthusiastic about any jurisdiction, Tasmania or any other, watering down the National Firearms Agreement.

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Dr BROAD - The reason I am focusing on sound suppressors is because the National Firearms Agreement does not mention them and there is some inconsistency in other jurisdictions. According to what we have been presented with, New South Wales and South Australia allow the use of -

CHAIR - And Victoria.

Dr BROAD - Victoria, as well? Other jurisdictions permit sound suppressors and it is not mentioned in the National Firearms Agreement. I understand what you are saying but if it is not addressed in the agreement, do you think it should be excluded? Is there any room to move, in your opinion?

Mr SLEVIN - My opinion is that if there is change on that front, it is best done through a process of national negotiation with all consideration and careful examination. I am concerned about any jurisdiction starting to create further opportunities when there might be community safety concerns. As to detailed evidence about a decrease in community safety, I am not aware of any detailed evidence on that. Let's actually see a greater compliance with the existing agreement and talk toward modifications, let's engage in a national process to get everybody agreeing in the context of the way forward.

Dr WOODRUFF - Ingrid and Terry, I had a question about public health laws and the changing culture. You are an Australian body and there is a PHA Tasmania branch. There is a changing conversation, picking up from the National Rifle Association in America. I suppose Australia is influenced by what happens in the United States, such as the long arm of the NRA reaching into Australia through lobbying for firearm laws to be weakened. Part of that could be attributed to the language of entitlement to use guns and rights, which is the situation in the United States. It is not the situation in Australia.

Can you comment on public health laws in general? We have really good seatbelt laws, drinking laws, tobacco legislation, and all the other things that have been so successful in bringing down deaths and injuries. Do you think that there is difficulty in upholding public health laws for the greater good as opposed to the individual right, as referred to in that right's-based language, to do whatever a person would like to? Are you seeing that as a trend?

Mr SLEVIN - It is an ongoing challenge. There will inevitably be an ongoing tension between rules, regulations and laws imposed and enforced by the state against personal freedoms. That is how governments exist and that is ongoing in any sophisticated society, and so it should be.

Dr WOODRUFF - Excuse me, Terry. I am having trouble hearing you. If you could just get a little bit closer to your microphone that would be good.

Mr SLEVIN - That is an ongoing tension but my observation is, and I am delighted that our top 10 successes report has been tabled because it illustrates exactly the kind of issues you raise. That is, [missing audio 12.44.12 p.m.] obtained by the sacrifices of some small sacrifice of personal safety. Our road rules are a great example and road safety has been listed in our top 10, as is immunisation and many others.

The role with regard to what is going on in the US, is an extraordinarily powerful watchword, is that Australians are proud to associate themselves as providing almost the opposite attitude when it comes to firearms. The extraordinarily high levels of gun-related deaths and injuries in the US are a very powerful reminder that our laws are doing a good job toward firearms, and it is the one

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that best served the bulk of the committee. There is good evidence to support that the vast majority of Australians support exactly that position when it comes to firearm-related safety and Australians generally support those measures, which improved community wellbeing and safety even in circumstances where some personal freedoms are curtailed. Smoking regulation is a good example. I am guessing the building in which you are all sitting is smoke-free.

There is a range of public health requirements that guide how the building industry should operate; quality, safety, where people can and can't drink alcohol, for example, and various others. Those community safety rules and regulations where people live and work together are underpinning throughout society and ensure a safer distance that we all enjoy and sometimes take for granted. If it was too much taken for granted, there would be textbook act for regulators and legislators to ensure that safety is observed. Gun control is probably the most prominent example in Australia, especially when we have such a powerful, daily reminder of the benefits of our laws when compared to our American friends. I am conscious that I have been saying too much and I haven't given Ingrid a chance to offer a view. I will invite her, if she wants to speak to this one.

Dr JOHNSTON - Thanks, Terry. Terry is right. There is definitely an ongoing tension and the arguments about nanny states often come up, but the overwhelming evidence supports community safety being prioritised, and the overwhelming majority of the population support it as well. The nanny state voices might be loud but it doesn't mean that they are supported by the best evidence or supported by the most people in the community.

Dr WOODRUFF - With respect to workplace health and safety in relation to sound suppressors, there are opportunities for people to use different forms of hearing protection and people do those things including using ear muffs and earplugs. There are different types of hearing protection that shooters use now. As has been said, it is simply a question of comfort, that it would be comfortable not to have to put either of those two things in. There would be other advantages but it is not as though there are no options for hearing protection.

Dr JOHNSTON - Exactly. You are putting the comfort of the person using the firearm against potential doubts for community safety. That seems pretty clear to me.

CHAIR - I expect that neither of you are firearm owners and therefore sporting shooters or anything of that nature. The only reason I say that is because with sound suppressors, I mentioned that I am involved in agriculture, the argument has been put to the committee is that efficiency when trying to control vermin is the important thing and that sound suppressors aid that efficiency. Having hearing protection on the operator of the firearm doesn't allow that operator to hear what is going on around them, it only removes some of the noise the firearm is making.

We have had Medics for Gun Control with us today. Unfortunately, suicide is a major cause of death and access to firearms has been put as one of the issues. However, I don't know how you manage that against the rural fraternity's need to have firearms. The reality is that firearms are a tool of trade and they are needed. How do you balance that off against the community safety? I guess that is the big question for the committee. Can you assist us?

Mr SLEVIN - Yes. If we had the perfect answer to preventing suicide then we would be delighted to share it. The evidence is really clear and as you have already identified there is a disproportion of men versus women who suicide through the use of firearms. There is also a disproportionate of representation of people from rural and regional Australia who use firearms for suicide purposes. There is also a disproportionate representation of both men in rural and regional

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areas who are using firearms for injuries and death that isn't suicide related. It points to the reality that access is a very major determinant for firearm-related accidents and injuries.

It is also worth pointing out that we have found some evidence to suggest that Tasmania is slightly higher in many measures when it comes to firearm-related injuries and deaths, but you are right to point out the challenge that we face. The challenge that we face to balance the access to firearms for legitimate purposes - it is more likely to be in rural and regional communities - versus the harm it is doing with regard to suicide and other gun-related violence.

It is also worth pointing out that firearms are a major concern when it comes to family violence and having disastrous consequences there. Broadly, my answer to your question is a way of solving that problem is not to release or diminish the regulatory requirements with regard to firearms, whether it is access, whether it is storage, whether it is transport. All the issues which create no doubt frustrations by regular firearm users are all small steps in the direction of ensuring or minimising the extent to which they cause harm, permanent or otherwise. While there isn't a perfect answer, evidence firmly points in the direction of more lax gun control regulation equals greater gun-related harm, and so these are dials; these are not binary things. They not on/off switches; they are progressive dials. If we dial a little towards greater access and convenience for users then we are also putting that dial towards a greater prospect of harm from firearms.

We will urge you as a committee to give consideration to that fundamental underlying principle; that is, if you give consideration to relaxation of regulation then you are also simultaneously giving consideration to relaxation of safety concern. That is something you should weigh carefully in your considerations.

CHAIR - I have to come fully to grips with the table that the medics from firearm control or gun control gave us today, but you did mention there Tasmania and Tasmania's rate and Tasmania of course, even though we are the smallest state, are the most regionally diverse state in Australia. Along with that we have the largest licensed owners per capita, by far, of any other state and the ownership per 100 in Tasmania is 16.41 compared to New South Wales at 2.9 and 3.6 for Victoria. Yet - and I think this is an accolade to the firearm owners around the place - when compared to the firearm deaths of New South Wales and Victoria, we appear to be a lot less percentage-wise than they are. We have three or four times more firearms but are relatively equal in per capita incidents of deaths and suicide. I don't know what you can make of that but they are interesting statistics and they need more work. Do you know of any specific Tasmanian statistics that this committee needs to hear about?

Mr SLEVIN - If you will allow us then we will take that on notice and send what data we are able to access. I suspect it is the same as the data you are able to access. I guess one of my observations would be that if you are pointing out the fact that there is a higher proportion of Tasmanians who have access to firearms and there is a similar level of firearm-related harm - and I'm not accepting that as a proposition - but my best interpretation of the proposition you are putting, then my question to you is what would possess you to create a circumstance where you reduce the safety for Tasmanians when if you were in a position of reasonable favour as you articulate that way, what would possess you to risk that?

Our evidence, our data, suggests you are slightly higher in terms of firearm-related harms and one can look at these figures in any way. I'm keen to impress upon you the fundamental argument that if you believe firearm-related injuries and deaths in Tasmania are at an acceptably low level then whatever decision you take you look through that prism and ask the fundamental question, do

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we risk an increase in firearm-related harm by relaxing the existing regulations? You have the heavy burden of responsibility.

Dr WOODRUFF - Especially when as the evidence shows there is such a high level of gun ownership in Tasmania and that's just a statement, there is no judgment about that. The evidence suggests to me that the laws that we have are such that we are doing a good job of making sure that the right people own guns and that they are restrained in the use and the convenience of use of those, so that we are able to keep the gun-related harms as low as they are, which is still not low enough. The Medics for Gun Control made a strong case for how we need to strengthen the laws to reduce the amount of gun harm that does occur.

Mr SLEVIN - If I might jump in and just say because of the delay in starting I have a commitment at 1 o'clock and I will have to go, but I think Ingrid is able to stay on if you have further specific questions relating to our submission.

Dr WOODRUFF - Thank you, Terry, are you leaving us now?

Mr SLEVIN - I will leave you now unless you have anything specific; I think I've got about two-and-a-half minutes.

CHAIR - Thank you very much for your time and the submission, Terry. Before you leave I just need to remind you about parliamentary privilege. Once you leave the table you need to be aware that the privilege is not attached to comments that you may make to anyone, including the media, even if you are just repeating what you've said to us today. There's been nothing said, but I do need to inform you of that.

Mr SLEVIN - I appreciate the reminder, Mark, I am sorry about the delay in starting. I wish you well in your deliberations and will happily contribute further down the line. I wish we'd been able to be in the room with you, but unfortunately, we were unable to pull that off. Thank you.

Mr SLEVIN, WITHDREW

CHAIR - Any further questions?

Dr WOODRUFF - I have a question for Ingrid. Ingrid, could you please talk about - you probably don't have Tasmania-specific information, but nonetheless I would expect you would be able to perhaps speak about trends to do with depression, anxiety and other mental health-related illnesses, whether we're seeing any change in those illnesses? Implicitly we all know that we are, but if you could just talk around that topic a bit and in relation to firearm laws?

Dr JOHNSTON - It is a very complex comparison, particularly when you are talking longer-term trends. One of the biggest things in mental health is that in the last decade we've been working really hard on reducing stigma and increasing recognition of mental health issues that happen. The statistics definitely are going up in terms of diagnosed depression, anxiety and mental health conditions and I think that is a complex result of the reducing of stigmatisation the increasing willingness of people to access health services and get diagnosed and treated as well as the addition of psychology to the Medicare rebate. It has all meant that the statistics are going to go up anyway because it is being better recognised. How you tease out what is the real underlying increase as opposed to that better recognition is very difficult and I would need to take on notice and come back to you with numbers on that. Certainly it is a problem that we are getting much better recognition

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of and are better understanding the linkages between mental health issues and suicide and homicide and the dangers that can be clothed with access to firearms into that mix.

Dr WOODRUFF - It has not been put forward as a firm proposal but conversations have been had about the idea of how you improve the linkages between what GPs and other health professionals are observing in their interactions with patients and the conversations about mental health changes in terms of suicide or family violence and the relationship between professionals and police and duty of care. Are there any discussions across the public health community about the duty of care of health professionals to provide information to law enforcement agencies? It is obviously complex in terms of patient confidentiality but we see mandatory reporting for sexual abuse. Can you talk about whether there are conversations happening around this and guns?

Dr JOHNSTON - I'm not aware specifically of proposals being put forward in that regard. It is obviously always an ongoing concern as to how you make those linkages and balance the privacy concerns of the patients against the benefits to both the patient and the general community of being able to make those linkages. The sharing of information amongst health professionals to begin with and then with the police at another level can have huge benefits, but it is incredibly complex in terms of how you actually do it. I think the debates we just saw around My Health Record is a good example of that. It is around the potential for your personal information to end up where it should not versus the potential benefits of being able to make those links. We so often see after the event with the benefit of hindsight, if only *x*, *y* and *z* professionals had been able to put those pieces of the puzzle together they might have been aware that there was more of a crisis than each individual was able to see. It will be an ongoing issue and as technology improves and cybersecurity awareness and improvements happen those debates will continue to make sure we can maximise the benefits of information sharing while protecting people's confidentiality.

CHAIR - Ingrid, a general comment, if you wouldn't mind, around the mental fitness of people particularly in regional communities. It is my belief that when the rural economy goes down you have more mental stress and that culminates in more suicides in regional communities, whether it be caused by drought or downturn in the agricultural industry or closing down the forest industry - we see increases in mental ill health and therefore suicides. For a general statement that would be correct, wouldn't it?

Dr JOHNSTON - Absolutely. There are very clear links between mental health issues and stresses in people's individual lives and, at a community level, with then increasing rates of suicide attempts and successful suicides. We're even getting into the stage where we have really good links now in evidence that for climate change increasing droughts are more intense and lasting for longer and the effects they have on people's mental health are very clear.

CHAIR - Conversely, from a policy point of view, if you increase the economics of regional communities or any community, the suicide rate goes down, so one of the best things we can do is drive our economy and make people more self-sufficient or sustained, feeling good about themselves.

Dr JOHNSTON - I don't know if it's necessarily that clear-cut. Having people in meaningful paid employment is always going to be helpful for mental health. I don't know that you can necessarily have very good links between the unemployment rate and mental ill health rates going up and down in tandem. There are lots of things that come into the picture and that is definitely one of them. For example, if you have increasing rates of unemployment where you have a large economic downturn in two different communities where that is happening, and community A has

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some really good support services where people can go for counselling and assistance to make sure they have ways of addressing debt and feeding their families, but in community B all of those support services have been shut down, you're going to have two very different outcomes in terms of mental health in those two communities. They have experienced the same economic downturn but are going to cope with it in very different ways.

Dr WOODRUFF - We heard evidence earlier today from GPs in regional Tasmania that the mental health services available for people in regional areas are very poor relative to need. They are simply not available as much as people need them to be, so I suppose that is our state backdrop.

Dr JOHNSTON - Yes, exactly. If you're having serious mental health concerns and your only option becomes Lifeline for any instant response, that is a very difficult situation. If you have to wait weeks to get an appointment or if you have to travel for extended distances to be able to get to appointments, all of that makes it much more difficult.

CHAIR - Dr Johnston, thank you very much for participating in today's inquiry. As I advised at the commencement of your evidence, what you said to us today is protected by parliamentary privilege. Once you leave the table, you need to be aware that the privilege does not attach to comments you make to anyone including the media, even if you are just repeating what you have said today. Do you understand this?

Dr JOHNSTON - Yes.

CHAIR - Thank you very much.

THE WITNESS WITHDREW.

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Dr MILFORD McARTHUR, CHAIR, AND **Dr REBECCA GRANT**, TRAINEE, THE ROYAL AUSTRALIAN AND NEW ZEALAND COLLEGE OF PSYCHIATRISTS (TASMANIA), WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Thank you very much for your time and your submission. I need to go through some preliminaries first of all. Just before you begin your evidence I would like to ask whether you received and read the guide sent to you by the committee secretary. If so, I would like to reiterate some of the important aspects of that document. A committee hearing is a proceeding in Parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without fear of being sued or questioned in any court or place out of Parliament. It applies to ensure Parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of this Parliamentary proceeding. This is a public hearing, members of the public and journalists may be present and this means that your evidence may be reported. It is important that should you wish all or part of your evidence to be heard in private you must make this request and give an explanation prior to giving the relevant evidence. Do you understand? Thank you. An opening statement?

Dr McARTHUR - Thanks, Mr Shelton, Dr Broad and Dr Woodruff. Thanks very much for receiving our statement from the Tasmanian Branch of the Royal Australian and New Zealand College of Psychiatrists. I have a brief statement, if I can make it, and we have made a previous written submission, which I think you have.

CHAIR - Yes.

Dr McARTHUR - It is just a brief statement. We, as doctors and particularly psychiatrists, believe we have an important contribution to make towards this very complex issue surrounding the availability of firearms in Tasmania. Psychiatrists have a vital role in the detection and management of patients at high risk of suicide. We also play a key role in supporting patients after suicide attempts and family and friends impacted by completed suicides.

We believe we have an obligation to advocate for evidence-based measures that reduce the incidence of suicide in our community.

We know the most effective suicide prevention strategies are to restrict access to the means of suicide such as blister packaging on tablets, catalytic converters and erecting barriers at suicide hotspots. Our group has been advocating for the erection of a safety barrier on the Tasman Bridge for the last 25 years. Still doing it.

We also know that firearms play a role in about 15 to 20 per cent of Tasmanian suicides, so restricting firearm access will minimise their access for reasons such as suicide or homicide.

As psychiatrists we know that suicidal thinking and action is often impulsive and fleeting. It therefore follows if we remove rapid access to suicide methods of high lethality and the intense suicidal thinking passes, which it often does, suicide rates will decline. Also, the suicide method substitution effect is fairly small. Similarly, firearms are often used in family violence as a means of threat and creating fear. Firearm use in homicide is another risk and we know that in the last

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20 years following the Port Arthur massacre and the introduction of the National Firearms Agreement gun deaths in Australia have halved.

As psychiatrists we are usually not in that group of professionals who make up the first responders and who are subject to the most distressing and horrifying scenes. These are mostly our police officers and paramedics. However, we are involved in the aftermath and the ongoing psychological care of these brave people.

In some situations, psychiatrists are involved in the later stages of mass shootings, such as the events of April 1996 when those involved were witness to the consequence for the first responders, survivors, other health providers, and the community as a whole. As well, we saw the very toxic effect it had on the Royal Hobart Hospital. In view of these tragic events at Port Arthur we believe Tasmanians have a special responsibility - perhaps even a covenant - to lead the nation in reducing firearm violence such as suicide, homicide and mass shootings.

The evidence is clear that by minimising the means of suicide, which includes decreasing gun availability, we will reduce suicide rates.

We do understand that some interest groups wish to make guns more available for genuine reasons but we advocate that the overwhelming balance of community good is to maintain and not dilute the current gun laws and as a representative of our college we urge the Government to consider the overall benefit to the Tasmanian community over that of those groups that wish to sell more guns.

That concludes my statement. I am happy to try to answer any questions I am able to on medical matters that have been raised in our submission. Thank you.

Dr BROAD - As you have said, removing the more lethal options. I cannot remember the term you used.

Dr McARTHUR - Substitution?

Dr BROAD - No, when people attempt suicide with a firearm they are more likely to be successful. You also mentioned reductions in suicide rates due to restricting access to barbiturates, toxic domestic gas, pesticides, et cetera, and also erecting safety barriers. Those barbiturates, toxic domestic gas and pesticides, et cetera, were they removed due to a specific policy result around suicide?

Dr McARTHUR - Yes. The domestic gas, there was terrific evidence regarding that occurred in the United Kingdom. I think it was carbon monoxide in home gas and the suicide rates were shown to change following that. Similarly, with getting rid of barbiturates which were a very common and remain a common form of suicide in our society, the use of blister packs, catalytic converters all those ways of reducing lethality has been helpful in slowly reducing the suicide rate.

CHAIR - When we talk about statistic, as a motor mechanic and dealing with the issue of suicide and that sort of thing, catalytic converters, unleaded fuel were not simply about getting rid of carbon monoxide. Carbon monoxide was a method used in the 1980s. Is the drop in the suicide rate measurable against the time cars changed to unleaded fuel?

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Dr McARTHUR - What was measurable was the reduction in the use of that method. As suicide is so rare, it is much more difficult to see an impact on the overall suicide rate.

CHAIR - That is right. I was wondering if you could see a line somewhere.

Dr McARTHUR - I don't know, you would have to ask an epidemiologist that question. I am a clinician, so people like me see these patients every day and we see that change. The effect of carbon monoxide poisoning is a very serious thing to happen to people and there is significant brain damage if they don't die at time.

Dr BROAD - You stated that 15 per cent to 20 per cent of suicides currently involve firearms. As a proportion of suicides, is that less than it used to be?

Dr McARTHUR - As I understand, the suicide rate was coming down and the suicide rate for guns was coming down before the National Firearms Agreement but, as I best understand, the rate of reduction increased following the National Firearms Agreement.

Dr BROAD - Of the people who do, unfortunately, commit suicide, has the proportion of firearms as the method reduced?

Dr McARTHUR - Yes, as I understand it.

Dr WOODRUFF - It approximately halved from that time to now. Milford, can you talk about the relationship and is there any formal or informal communication, of any type, between clinicians and the police in relation to a person diagnosed with a mental health illness, who might have been admitted as a psychiatric patient, and them owning or holding a firearm licence?

Dr McARTHUR - There is an obligation under law, I think, for us to report people who are at risk and have a firearm licence, if that is what you meant. Yes, we often let police know if someone at risk is leaving the hospital, especially if that person has threatened other people. We are under an obligation to notify the person at risk and police if someone has made threats against people.

Dr WOODRUFF - Is that only if they are admitted to care in a psychiatric institution or if they have any consultation with a psychiatrist and have a psychiatrically diagnosed illness? Can you go into more detail about that?

Dr McARTHUR - I think any doctor who sees a patient who may be a risk and has a gun licence is obliged to notify.

Dr WOODRUFF - No, that is not what we've heard from testimony of doctors, GPs. There is nothing formal. There is an uncomfortable balance between the right to confidentiality of the patient and the obligation to provide that information, if you like, moving down the pathway towards mandatory disclosure. That is why I am asking this specifically in relation to psychiatrists.

Dr McARTHUR - I don't think we are any different. Perhaps I was wrong, but I thought there was an obligation -

Dr WOODRUFF - Perhaps there is not a formal obligation.

Dr McARTHUR - for all doctors and social workers -

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Dr BROAD - They did say there is a duty of care. That is what Phill Pullinger said this morning, 'There is a duty of care.'

Dr WOODRUFF - Yes, but he didn't say that had to go to the police. Under the act, it said the commissioner has to decide if a person is fit and proper. I am trying to tease out the basis on which the commissioner would be making that decision.

Dr McARTHUR - As a clinician, we would usually do that. In my position in the hospital, we would do that. Whether we are following the law exactly, in disagreement with the other doctors, I don't know the answer to that.

Dr WOODRUFF - Is it only if you find out the person has a gun licence?

Dr McARTHUR - Yes, has a gun or a gun licence and, if there has been risk, I would most likely notify the police or arrange for the police to be notified to remove the gun.

Dr WOODRUFF - Do you ask people if they have a gun licence when they come in?

Dr McARTHUR - Usually, I would.

Dr WOODRUFF - It is part of the conversation and the checks.

Dr McARTHUR - I would ask about a gun rather than a gun licence. We have to be careful not to trap them into saying something. We want to know if they have access to guns. That would be a standard thing to ask people.

Dr WOODRUFF - Okay, and you would ask that when admitting a patient, to where?

Dr McARTHUR - To the Royal Hobart Hospital, which is where I most often work.

Dr WOODRUFF - You don't know about the other hospitals. No.

Dr McARTHUR - I presume it would be the same, but I don't know.

Dr BROAD - In your submission, Milford, you said -

The Royal Australian and New Zealand College of Psychiatrists will also be developing a statement to clarify our position on firearms legislation.

Has that been done or is it in progress?

Dr McARTHUR - No, not yet. It is in progress, as I understand it.

Dr BROAD - How would you be putting that together?

Dr McARTHUR - That will come from our headquarters in Melbourne and there will be Australia-wide input. We will probably have some input into it as well but it will not be through our branch. It will be from the college itself.

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Dr BROAD - Do you have any clinical experience, without giving away names and so on, of patients who have used firearms in an inappropriate manner? If so, what could we do to try to prevent that from happening?

Dr McARTHUR - I have seen patients who have survived self-inflicted firearm injuries, if that's what you meant, over the years, often with very severe facial injuries but have survived it. Not a lot, but it is hard to be specific. I am giving a clinical experience rather than evidence. They are often very regretful of what they have done because what happened to them was reasonably impulsive. As I mentioned in the statement, quite often that impulsivity settles over a period of time, often minutes, hours or days but sometimes it doesn't. They greatly regret taking the action they have because they are often very injured, often with a lot of facial and jaw injuries, those I have seen.

CHAIR - The accessibility of firearms is the issue and there are requirements, storage and so on. You have to physically find the key, open it up, load it and so on. With that impulsivity, it is not going to take that long. If a person does not have access to firearms, and there have been suicides forever, what are some of the other suicide rates? You have mentioned the Tasman Bridge and I am wondering how many people use that per annum, which as I understand is a fairly high number, which you wouldn't really want to know.

Dr McARTHUR - We are talking about substitutions. It is well-known that if you block one method of suicide, there is a small substitution effect to another method such as an overdose, asphyxiation or jumping. Most of those things have less lethality. Overdose lethality is less than 5 per cent because people can be saved. If you can convert someone from a high-lethality attempt to a low-lethality, you are likely to save lives. Around 2 per cent of people who commit suicide jump from the Tasman Bridge each year, although in 2016 it was around 7 per cent.

CHAIR - That is the number I heard.

Dr McARTHUR - That is only in one year, but the average over the last 30 years is about 7 per cent. It has around an 85 per cent mortality rate, about 15 per cent survive. I can tell you more about that but it is probably not relevant. If we can convert people from doing something that is really dangerous, such as jumping from the bridge or using a gun, to not doing anything, taking an overdose, that is likely to save lives. A group of people don't do anything. It has been quite well studied. It is called the theory of substitution.

Dr WOODRUFF - The majority of people don't substitute.

Dr McARTHUR - A small percentage, perhaps five or 10 per cent, but the majority don't.

Dr WOODRUFF - That is a very small percentage. Of the ones who do, as you have given evidence, the options are typically less lethal?

Dr McARTHUR - Yes.

Dr WOODRUFF - Even asphyxiation? Any of those things can -

Dr McARTHUR - Yes, asphyxiation is pretty dangerous; that is about 40 per cent of attempts, and jumping is about 40 per cent. The others are shooting and overdoses. Males tend to have a more aggressive kind of suicide attempt, more guns and more hangings.

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CHAIR - Given the number of firearms that are in Tasmania and the number of suicides, ultimately the only way you can overcome the issue is to ban firearms altogether?

Dr McARTHUR - Yes.

CHAIR - But they are in the community and out there -

Dr McARTHUR - We hope the agreement will not be watered down, but as to whether firearms should be banned, I don't think that is possible. That is a personal view, not a college view. I don't know the answer.

CHAIR - With the arguments that have been put about public safety, I can only assume that mental health-wise it is not going to be a process where you could scan people to pick out the three or four or five people who have a mental situation in a 12-month period who ends up as a statistic.

Dr McARTHUR - It's very hard to do that. The Tasmanian suicide rate, as I am sure you know, is high, and a percentage of people who suicide don't have mental illnesses; they are distressed, they are in a predicament, something has happened, they are humiliated, enraged, jealous. Other human emotions occur to normal people and a percentage of those, and it is well documented in the literature, will attempt and will commit suicide and probably don't specifically have an easily recognisable mental illness.

CHAIR - Is the suicide rate in Tasmania higher than the national average?

Dr McARTHUR - It reached its peak in about 1992 when we were about 16 or 17 per 100 000 per year per total population, and it gradually dropped over the last couple of years, as best I understand it. We are at about 17 people per 100 000 per year at the moment. The Australian average is around 11.5 per 100 000 per year, so Tasmania is quite a lot higher.

CHAIR - What is the national average again?

Dr McARTHUR - I think it is a bit over 11. I find it very complex and hard to understand that it is not called a suicide until the coroner says it is a suicide, so we are always a bit behind in timing. We have to wait for the coroner to make a ruling on the situation that led to a person's death.

Dr WOODRUFF - If we look at those figures, then, if you equate that to real-world numbers, that would equate to approximately 30 people more a year in Tasmania than the national average dying from suicide compared to 11 nationally.

Dr McARTHUR - Yes. The actual number in Tasmania varies between the early 90s and I think it has been running in the 70s or 80s since but it must have gone up in the last year or so.

Dr WOODRUFF - You have seen an increase in suicides in very recent times?

Dr McARTHUR - There is a reported increase from the coroner, yes.

CHAIR - The figures that were given to us and, again, it is only one year's worth as far as suicide is concerned, but from firearms it is down to around seven, which -

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Dr WOODRUFF - That is actual deaths?

Dr McARTHUR - I think it was 12.

Dr WOODRUFF - Gun deaths was 12.

CHAIR - Yes, but suicides -

Dr WOODRUFF - Seven, yes. That was in 2014, four years ago, and the coroner's report is showing a significant increase since then, but we don't know the gun death figures. Could you make any comments to the committee about your experience and observations of mental illness across the Tasmanian community in terms of whether there is any change? Are you seeing a changing profile or an increase or decrease in depression, anxiety and the other sorts of mental states that people are going to be predisposed to wanting to take their own life or in fact that would lead them to a level of aggression with other people they know, family members or other people?

Dr McARTHUR - Certainly we are seeing an increase in presentations, which I guess is what you are alluding to, and we think that is very definite. There has been a significant increase in presentations of patients in psychological distress for various reasons to our hospitals and our wards have struggled to admit the patients we think need admission. I guess that is a different issue, but we think that is happening. It is very hard to then correlate that to the increase in suicide rates we are seeing. Cause and effect are very tricky and I wouldn't necessarily like to say there is a direct correlation.

Dr WOODRUFF - I'm not asking you to make that relationship, I am just asking about making any changes to gun laws in terms of public health safety. I want to understand the situation in the Tasmanian community at the moment in terms of mental health issues.

Dr McARTHUR - There are a lot of fellow Tasmanians who have periods of significant distress, and that may be due to a mental illness or their life circumstances. From our point of view if they have really quick access to such a lethal method as a gun then that is very likely to eventually impact on the suicide rates. That is what we anticipate will happen. An explanation of Tasmania's high suicide rate is complex. There are many reasons for it.

Dr WOODRUFF - What about them being used as a weapon of violence towards other people?

Dr McARTHUR - It is not an area I know a lot about. We mostly see the suicidal end of it rather than the homicidal end and the threats. We do see people who are threatened with guns but it is in a different area of health care. That is often in the forensic system and I don't work in the forensic system, so I don't really know the answer to that.

Dr WOODRUFF - I suppose I am talking about not just homicides but family violence.

Dr McARTHUR - We do see the aftermath of that on children and spouses, usually the females.

Dr WOODRUFF - Who have to be admitted with psychiatric illness?

Dr McARTHUR - Who present in distressed states to the hospital.

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Dr BROAD - In your submission there is a lot of talk about suicide, but you also express a concern around proposed law reforms which would allow farm workers, contractors, or agents of primary producers to hold category C licences for self-loading and pump-action shotguns. Assuming that those farm workers may already have access to a firearm, why would it be a concern for those pump-action or self-loading weapons?

Dr McARTHUR - I presume that a single-shot gun is just as lethal for a single suicide or a single homicide. It is really the more multiple homicides or mass shootings that one would anticipate would be affected by having guns that can fire a lot of bullets quite quickly. I think that is what we meant by that.

Dr BROAD - Yes, just clarifying that.

Dr McARTHUR - Most of the patients I saw who shot themselves used a .22, a very lethal weapon.

Dr WOODRUFF - As you say, any gun can kill but you can't kill many people quickly with a single-shot weapon.

Dr BROAD - A bolt action.

CHAIR - It's not a very nice subject to be talking about.

Dr McARTHUR - I do mention in there the respect we owe to our first responders and how hard it must be for them to see these circumstances that they are faced with, either as a single suicide, homicide or obviously multiple deaths. It is very hard for our police officers and our paramedics to have to deal with.

CHAIR - I must admit I need to drill down into these figures a little bit. Would it surprise you if I said my interpretation of the figures now as far as suicide rates go is that even though Tasmania is higher, but the use of firearms in that doesn't appear to be any higher in general terms than the mainland, with the relative population base per hundred thousand so on. However, Tasmania does have three or four times the number of people per 100 000 with firearm licences, therefore there are many more firearms per 100 000 people. Tasmania does have more firearms out there in the community and more people per head of population registered as a firearm owner, but doesn't appear to be any worse off, generally, than the mainland states.

Dr McARTHUR - I presume it's still in the same ratio, so it still would mean more people are likely to commit suicide. I assume it stays in the same ratio.

CHAIR - What I'm reading is that the amount ratio-wise to the mainland is the same per 100 000 people of deaths, but we have three or four times more people who have a licence and registered firearms. My first glance at this it doesn't appear that an argument to say the more firearms that are out there then the more deaths you are going to have.

Dr McARTHUR - That wouldn't be as I understand it, but perhaps -

Dr WOODRUFF - Where do you get the rate figures?

PUBLIC

CHAIR - Well, compared to New South Wales, for instance, so that's about four times yet the seven here is one-seventh or one-eighth the number of deaths from suicides, so it's less number.

Dr WOODRUFF - But the number of people in the community is -

Dr BROAD - If you look at the rate per licence.

Dr WOODRUFF - We don't have the rate here.

Dr BROAD - No, you work it out. I did it on gun deaths, which approximately mirrors suicides. New South Wales has about one gun death per 2790 licensed owners, Victoria was 3600 thereabouts, Queensland was every 3000, Western Australia was every 3000, Tasmania was every 7000, South Australia was every 4000, Northern Territory was every 2000.

CHAIR - So the rate is half in Tasmania compared to the mainland.

Dr BROAD - Gun deaths per licensed owner.

Dr WOODRUFF - That's a different thing we're talking about. That is not per head of population.

CHAIR - That's what I was talking about.

Dr BROAD - Assuming we are talking about access to weapons, the people with access to weapons are people who are licensed gun owners. If that's the case our rate is much lower than the other states. Bearing in mind, though, that is only a snapshot from 2014.

Dr WOODRUFF - I'm not quite sure what we're trying to prove here. It doesn't really make any sense.

Dr McARTHUR - Obviously that's correct, but it doesn't make any sense because therefore we could licence all of the population. If you took it to an absurd level we'd been even less, sort of thing. I am not sure that it makes any sense to me. I'm not saying the figure is incorrect, but say we licensed another hundred thousand Tasmanians would we get even less suicides.

Dr BROAD - I don't think we're arguing that.

Dr WOODRUFF - Your argument that you are making is in the context of Tasmania. There is no basis for weakening the gun laws from the National Firearms Agreement, that is the argument.

Dr McARTHUR - Yes. I don't know those figures.

Dr WOODRUFF - Irrespective of our position in relation to other states, just your experience and observations in Tasmania and looking at public health, that is the position that the college has reached?

Dr McARTHUR - Yes. We prefer they be left. We accept that guns have a role to play in our community.

Dr WOODRUFF - And they are playing a role now.

PUBLIC

Dr McARTHUR - Yes, I am sorry, I did not mean to be rude to you about that. I do not know those -

CHAIR - I understand that. Belonging to the committee, we have to get our head round it and whether the figures we need to prove up some figures and all that sort of thing. It goes against the general thought process that if you put more firearm owners with firearms into the community then the ratios of course go up. That is the general consensus. If there is a reason that Tasmania is low because of other factors, the suicide rate might be lower because they choose another method rather than that.

We have been told that most of the firearm owners are in regional Tasmania so that lends itself to the question, if there is some mental stress out there then it would not be just in the regions. What is the method that somebody in the city would use and given that there is no access to firearms then. It is a separate issue from what we are dealing with, with firearms I understand but when you start dealing with statistics and mental health and suicide rates then we need to get our head around all this.

Dr WOODRUFF - I suppose the sorts of proposals that have been on the table from the Government's policy that was brought to firearm groups before the election are the sort of things that have been asked, not an increase in the real number of firearms but about a change in the conditions for ownership. That is a different prospect because that essentially is asking the question: should we loosen or weaken the way that we store firearms, that we provide penalties for people such as confiscation and so on for not taking care of their firearm? It is not about whether there is more or not, it is about who gets to use them and under what conditions.

I suppose what I am hearing from you, Milford, is that the conditions of ownership are very important because then it gives people - it just takes longer to get access to a firearm if you have to use two keys, unlock one area with the bolt, unlock the other area with the stock and put them together. Also, it makes it difficult to impulsively pick it up and threaten another family member. These are the sorts of loosening that -

CHAIR - On that, that has never been discussed about firearm storage. In fact, this Government strengthened that only 18 months ago to make it harder for people to actually have access to it. The weakening was around ammunition and not firearms.

Dr BROAD - Are you satisfied with the notification process that you would have if you had concerns about somebody's mental state or their incapacity and the response?

Dr McARTHUR - I am slightly unnerved. I had believed that we did have a direct obligation to notify. It sounds like I might be wrong in that. I will have to check back.

CHAIR - We will work on that.

Dr BROAD - What I am getting at is, instances, for example, if you have had the circumstance where you have made a notification are you satisfied that it was followed up appropriately and the person was made safe?

PUBLIC

Dr McARTHUR - Yes, the police they go in and often they have done it before they have removed the guns. Someone comes in and they are in a parlous mental state and the police have been involved they will have removed the guns before but we will notify them.

CHAIR - Along those lines, the issue has been put by some that everybody should go through a mental analysis of whether they are capable or where it is practical for them to have a firearm. I understand that New South Wales looked at some legislation along that line and did not move it forward for the simple impracticality of everybody undergoing some sort of analysis. It has been discussed and Dr Broad mentioned it once this morning, when you equate it to a driver's licence, how many older farmers with access to firearms in a mental state where they rate highly in the statistics of suicides and in order to make them safe, having a determination on when they should not have access to the firearms. How could you go about that and would it deter them from turning up to their local GP or wherever they were meant to have a psych test done? Can you make a general comment around that whole issue?

Dr McARTHUR - It sounds very difficult. I haven't thought about how you would do that. I have often had patients who have had their firearms removed and I've had to make a mental health assessment of them and write to the police and say, 'I think their mental state is good now', so they could get their firearms back. That has happened. Whether one could force a huge number of the community to go through a mental health assessment of some kind or whether that would be useful, I doubt it.

Dr BROAD - You mentioned that a lot of suicides are due to things other than mental illness, so would your argument be that you wouldn't pick those people up?

Dr McARTHUR - Yes. It is very hard to predict who is going to suicide. It is a rare event statistically and it is hard to know. There are a lot of risk factors so it is very hard to know because of that reason or who should or should not have a gun licence.

Dr BROAD - Another argument put to us this morning was that essentially when you go for a gun licence it is a reapplication, so if we changed that from five to three years, that would be another opportunity to pick it up.

Dr McARTHUR - I would presume like a driver's licence, you could ask the question and people might lie but at least they will be forced to answer on their form if there has been anything wrong with their mental health that might preclude them from having a gun licence.

CHAIR - But the only way they would know that is if they have been to a practitioner and been told that.

Dr McARTHUR - Yes, or being in hospital.

CHAIR - It should be there anyway, shouldn't it?

Dr McARTHUR - Yes.

Dr WOODRUFF - It is a question of how it would get picked up, because at the moment, if a person goes to a GP it is not picked up.

PUBLIC

CHAIR - We have to tease that a little more, particularly mental health, because just going to a GP would not accommodate that.

Dr McARTHUR - It may do but it may not. When I apply for my licence every year I have to sign that I have not had any mental illness or any reason I should not continue to practise as a doctor. I don't know how affective that would be but at least I have signed that and said that is the truth.

Dr WOODRUFF - I can't imagine we would be in a position, given the evidence we have heard, to make any recommendations on the basis of it, but it seems clear from a number of testimonies that there is a need for clarity, a conversation and more deliberation about this complex area.

I was looking at the Firearms Act in relation to what you were saying, Milford, and it is very clear that section 29.2 of the Firearms Act says that the commissioner has to decide whether a person is fit and proper in order to grant a licence, and in doing so should take account of factors including mental and physical condition of a person and the ability of the person to exercise reasonable and responsible control over a firearm, and must not give it to someone who has had restraining order. It seems appropriate in the context of the act that the commissioner has to get advice somehow so that notification process is certainly not against the spirit of this law at all. I suppose the issue we noticed is that that is not happening more broadly.

CHAIR - The practicalities of asking somebody to make a decision on 84 000 people when they renew their licence every year would be difficult, particularly as you have said other factors other than suicide are there and it is very difficult to be able to pick that up and predict.

Dr McARTHUR - To finish, Dr Grant is a very experienced GP, so would it be okay to ask if I have made any errors or mistakes or anything?

Dr GRANT - On the point of notification, as a psychiatrist you are more aware of someone's risk about violence and suicide and that sort of thing, whereas as a GP you are more aware of a lot of social issues. It is more cut and dried for a psychiatrist to know when to notify about something like that but as a GP it is not quite so cut and dried and a little bit more tricky and that might be what Dr Pullinger meant when he spoke to you today.

Dr WOODRUFF - Yes, he did.

Dr GRANT - I kind of picked up on that.

Dr WOODRUFF - I have one more question about the relationship between psychiatrists in the hospital system and those in private practice. I wonder whether you had any comments to make about different experiences with patients in relation to this topic?

Dr McARTHUR - I do a little of both and I doubt there is much difference. We certainly take our duty to warn very seriously. I don't know about rifles but we have a strong duty to warn someone if there is a risk to them. If we had a patient we thought was at risk to others we have a very strong duty to deal with that, to warn.

Dr GRANT - That would be more obvious in a hospital setting because you're observing them for a longer period of time, whereas in private practice it is shorter.

PUBLIC

Dr WOODRUFF - But you might have more longevity of relationship.

Dr GRANT -That's true too.

Dr BROAD - Would there be repercussions professionally if you failed to notify?

Dr McARTHUR - Yes, I think so. There have been important cases - the Tarasoff case in America probably would apply here. The courts and the community would expect doctors to act if they thought someone was at risk. I would certainly take that as a duty I would have.

CHAIR - In rural settings GPs have a relationship with not only individuals but families and wives and that sort of thing, so it would be acceptable for that GP, if they were concerned about an individual, to be talking to that individual's partner about that.

Dr GRANT - That is very tricky because you're talking about confidentiality there. It is not so easy in that situation because you might be aware from a wife, for instance, that she feels at threat but you can't divulge, so it is a bit more complicated. You have to get lots of permissions in that situation.

CHAIR - Thank you very much for coming here today. As I advised you at the commencement of the evidence what you have said to us here today is protected by parliamentary privilege. Once you leave the table you need to be aware that privilege does not attach to comments that you make to anyone including the press, even if you are simply repeating what you have said to us today.

THE WITNESSES WITHDREW.