PARLIAMENT OF TASMANIA

DEBATES OF THE LEGISLATIVE COUNCIL

DAILY HANSARD

Thursday 29 October 2026

Preliminary Transcript

DRAFT

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Thursday 29 October 2026

The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

QUESTION ON NOTICE - ANSWER

No. 68 - Sharp Airlines Services between King Island and Melbourne

Ms FORREST question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[11.02 a.m.]

In relation to Sharp Airlines services between King Island and Melbourne:

(1) What is the total value of Tasmania Government funding provided to Sharp Airlines for King Island to mainland Tasmania and King Island to Melbourne services, broken down by financial year for 2024-25, 2025-26 and 2026-27; and

(a) what is the term and expiry date of the current agreement?

(2) Is the funding a fixed payment, a per-service payment, an underwrite of seats, or another arrangement?

(3) What minimum service delivery requirements are attached to the funding, including:

(a) the minimum number of weekly return services;

(b) minimum seat capacity;

(c) required days and times of operation, including seasonal variation; and

(d) reliability and on-time performance standards?

(4) Does the agreement permit Sharp Airlines to cancel scheduled services for commercial reasons such as low passenger loads or soft loads? If so, under what conditions, and what notice must be given to the Government and to passengers?

(5) Does a cancellation for soft loads count against Sharp Airlines' contracted service obligations, and are there abatement, penalty or claw-back provisions where contracted services are not delivered?

(6) How many cancellations have there been by Sharp Airlines, and the reasons for these cancellations, for the financial years 2024-25, 2025-26 and 2026-27?

(7) What performance reporting does Sharp Airlines provide to the Government, how often, and is it published?

(8) Was the government, or any agency, consulted or notified before Sharp Airlines decided to cancel the November services and any later services? If so, when?

(9) How many services across what date range were proposed for cancellation?

(10) What is the 'review and consultation process' for poorly loaded flights referred to in discussions with Sharp Airlines, who participates in it, and how are island communities consulted?

(11) On Thursday 22 October 2026, Sharp Airlines notified passengers by SMS, email and in a follow-up phone call, that King Island-Essendon services, including SH927 on 19 November 2026, had been cancelled 'at the direction of the Tasmanian Government'.

Your Ministerial Office has since advised that this was incorrect, and that the cancellations were an operational decision by Sharp Airlines due to soft loads. Has the Government sought a public correction from Sharp Airlines of its statement attributing the cancellations to the government?

(12) Has Sharp Airlines given any assurance about management level approval of future customer communications in similar circumstances?

(13) What requirements, if any, does the agreement place on Sharp Airlines to consider passengers travelling for medical treatment, including those supported under the Patient Travel Assistance Scheme, when cancelling or rescheduling services?

(14) What assistance is available to King Island residents whose medical appointments or treatment are disrupted by cancelled services, including help with rebooking, extra accommodation or travel costs?

(15) Has the Government assessed the impact of the cancellations and the incorrect messaging on King Island tourism operators, including lost bookings and damage to visitor confidence? What is Tourism Tasmania doing to support affected operators and reassure the market?

ANSWER

(1) Funding of $189,000 was provided for the 2025-26 summer season, covering 1 November 2025 to 30 April 2026. The current grant deed provides up to $260,940 for services from 1 October 2026 to 30 April 2027, when the agreement expires. No funding was provided in 2024-25.

(2) Underwriting of seats - the funding is a capped contribution of up to $260,940. Payments are made on a monthly basis to offset the gap between the airline's agreed operating cost and flight revenue on a per flight basis.

(3) The grant deed does not set a minimum number of services to be delivered as this is ultimately a commercial decision, based on market demand. The committed public funds assist with offsetting commercial risk.

The grant deed provides for up to four services per week in October, increasing to up to six services per week for the peak travel dates over January to March 2027 between Melbourne and King Island.

The flights are operated using a standard aircraft type, the Metroliner, which provides 19 passenger seats on each leg.

There are no on-time performance standards set in the grant deed. If a service does not operate, Sharp is not eligible for any funding for that cancelled flight.

(4) Yes, the grant deed permits Sharp to cancel a scheduled flight where passenger demand is low. The grant deed requires Sharp to notify the Tasmanian government within two business days of the cancellation or before the scheduled departure, whichever occurs first.

Notification of customers is managed by Sharp Airlines as part of normal business operations. The grant deed does not specify a minimum notice period for customers as this is a commercial matter for Sharp Airlines.

(5) The Tasmanian government is making a funding contribution, through a grant deed, to support delivery of a commercial service schedule determined by Sharp. There are, therefore, no abatement, penalty or clawback provisions where services are not delivered. The grant deed provides that no funding is payable for the service that has been cancelled.

(6) The management of the operational data is the responsibility of Sharp. That was a question about how many cancellations there may have been.

(7) Sharp provides monthly operational, patronage and financial reports during the funding period, followed by a final acquittal report, covering services operated, aircraft capacity, bookings, load factors, operating costs, passenger and freight revenue, and subsidy claimed. The information is not published because it contains commercially sensitive information and financial data.

(8) Building Tasmania and Tourism Tasmania routinely discuss forward flight schedules with Sharp Airlines. Sharp advised Building Tasmania and Tourism Tasmania on 12 October 2026, that it was reviewing some services in November and later months. These were the subject of discussion between Sharp and Tasmanian government officials, with particular focus on the November services.

Sharp sent an email to staff in Building Tasmania and Tourism Tasmania on 22 October 2026 advising it had cancelled flights across November and December 2026, and January and April 2027.

(9) Sharp advised that three services on 12, 19 and 26 November will be cancelled, together with 11 later services comprising three in December 2026, four in January 2027 and four in April 2027, for a total of 14 services across November 2026 to April 2027.

(10) The review consists of regular discussions between Sharp and officials from Building Tasmania and Tourism Tasmania. Discussions focus on passenger demand, forward bookings and efficient use of the capped funding allocation. The objective is to maintain connectivity across the season and provide access for the community and visitors, taking into consideration both Sharp and Rex schedules.

Sharp Airlines has been operating in service the King Island for over 10 years and understands community needs based on both historical demand and forward bookings.

(11) Tasmanian government officials contacted Sharp Airlines on the morning of 23 October 2026. Sharp Airlines has written to me apologising for the communication, acknowledging that its statement that the cancellations occurred 'at the direction of the state government' was inappropriate.

Sharp Airlines will continue to engage with its customers directly, as is appropriate for a commercial airline. However, it recognises the importance of consulting with the Tasmanian government before significant scheduling changes are communicated to customers.

(12) As the air service between Melbourne and King Island is primarily a commercial operation, this is a matter for Sharp Airlines.

The Tasmanian government understands that Sharp Airlines has assisted affected passengers with rebooking and offered refunds where passengers prefer to travel with an alternative provider on this route.

(13) Medical needs of passengers travelling are not specifically addressed in the grant deed. In providing funding to support these flights, the Tasmanian government's priority is to ensure the greatest overall connectivity and access to meet the needs of the community and visitors, while ensuring efficient use of the capped funding allocation.

(14) Any rebooking of cancelled services, including help with rebooking, extra accommodation or travel costs, is an operational matter for Sharp Airlines.

(15) Schedule management is a core commercial activity for airlines. The circumstances in which the proposed cancellations were communicated were regrettable.

The Tasmanian government has not undertaken an assessment of the impact of the cancellations, given the ability of the passengers to rebook on alternative services and the small total number of passengers affected.

I did have that yesterday to read out, but we just wanted to check a couple of the facts in it. Thank you.

TABLED PAPER

Joint Select Committee on Energy Matters - Interim Report

[11.10 a.m.]

Ms FORREST (Murchison) - Mr President, I have the honour to present the following report: Joint Select Committee on Energy Matters Inquiry into energy prices and related matters in Tasmania Interim Report No. 2 (No. 68 of 2026).

Report received and printed.

Mr President, I move -

> That the consideration of the report and its noting be made an order of the day.

Motion agreed to.

RECOGNITION OF VISITORS

Mr PRESIDENT - Before I call for the next tabling of papers, I'd just like to welcome to the Chamber of the Southern Christian College. They've come all the way from sunny downtown Kingston to visit the parliament today. We go through a set procedure in the Legislative Council every morning. If you come in anytime when we're sitting, we'll be going through this same process and then after we do that, we go on to debating legislation. The members here represent all parts of Tasmania, and I'll get into trouble if I don't mention that your school is in the electorate of Nelson and that is the member for Nelson. I know that we all enjoy having school visits here, and we thank you for showing an interest in the parliament. All members present today hope that you have an enjoyable time and learn a whole lot about democracy.

Members - Hear, hear.

TABLED PAPERS

Joint Standing Committee on Electoral Matters - Report

[11.12 a.m.]

Ms WEBB (Nelson) - Mr President, I have the honour to present the very first report of the Joint Standing Committee on Electoral Matters Inquiry into the conduct of the 2024 and 2025 House of Assembly general elections and the 2024 and 2025 Legislative Council elections. I move -

> That the report be received and printed.

Report received and printed.

Mr President, I move -

> That the consideration of the report and its noting be made an order of the day.

Motion agreed to.

Joint Standing Committee on Electoral Matters - Interim Report

[11.13 a.m.]

Ms WEBB (Nelson) - Mr President, I also have the honour to present the interim report of the Joint Standing Committee on Electoral Matters Inquiry into the Electoral Amendment Bill 2025 (No. 62 of 2025). I move -

> That the report be received and printed.

Report received and printed.

TEACHERS REGISTRATION BILL 2026 (No. 27)

Third Reading

Bill read the third time.

FIREARMS AMENDMENT (STRENGTHENING FIREARMS SECURITY) BILL 2026 (No. 30)

Second Reading

Continued from 28 October 2026 (page 105).

[11.14 a.m.]

Ms FORREST (Murchison) - Mr President, before I commence, I wish to foreshadow that I understand I've got 40 minutes left with the clock ticking now. I may need slightly longer than the 40 minutes. There's more information I want to relate. Thank you to the Leader for providing it. I'm flagging that and I ask that you might notify me when I'm getting close to that time. I may not, but I wanted to flag it now.

When I spoke last night, I started off basically with a request that the Leader indicate whether there was any urgency with this that needed to be dealt with this week. I'll read what she's provided to me, if that's alright with the Leader, because I think it's probably relevant for all of us, particularly with those amendments still being crafted, et cetera.

What the Leader provided to me was:

> Commonwealth funding for the National Firearms Register is paid in stages against agreed milestones. One of those milestones is passing the legislation

> needed for the register to operate in Tasmania. If that milestone is not met, funding and project delivery are put at risk. Tasmania's project team is already in place, and the software developer has been appointed.
>
> The system being built must reflect the requirements of the legislation. If the bill is not passed, there is uncertainty of what the system needs to do. That affects the system's design and creates flow-on risk for future milestones. If this legislation is resolved during the November sittings, there is still a path to meeting the project deadlines, but if it is not resolved this year, we are unlikely to have the legislative reform settled by 1 March 2027, which is a key milestone for the project.
>
> At present, firearm information is held separately by each state and territory. Police cannot easily access a complete national picture of firearm ownership, licensing and registrations. The National Firearms Register will change that. It will provide police with near real-time access to information about firearms licence holders and registrations across Australia. It will also improve the ability to identify risks, trace stolen firearms and support investigations across state borders.
>
> In practical terms, it means police will have better information available when responding to incidents. It means risks identified in one jurisdiction can be recognised in another. It also strengthens the ability to track firearms that have been stolen or diverted into the illicit market. As such, delays in the passage of this bill has the potential to delay a real reform to make Tasmanians safer.

I do appreciate, Leader, that you've provided that, but I do note that says we need to do it this year. We don't need to finish it today, and I think that's probably an important point, depending on how things go.

I sincerely appreciate that. I know there is an imperative and we don't want to be leaving it to the last week because there are amendments. It's a bit sad because we're on our own that week, surprisingly, and quite stupidly. Anyway, back to where I was. In her contribution on this bill, the Leader asked members to keep the new paramount principle of public health and public safety firmly in mind when we consider this bill. That's the way I have approached and will approach this bill, including when we consider any amendments to firearm numbers and/or caps, is the term that's used.

A principle described as underpinning every reform should be applied consistently, not only to the reforms the government has chosen. I will fully consider the amendments that have been foreshadowed in that context, as well. I would appreciate more detail on the impact of lowering the threshold at which the commissioner may act for reasonable cause to believe a risk exists to a foreseeable risk that is not insignificant.

To me, it doesn't seem like a huge change, but I'm just trying to understand what that'll actually mean in practice. I appreciate the intention that this should allow action before harm occurs rather than after, which is ideal to make it a truly preventative approach, but I would like a little bit more detail on the application of clause 20, where that appears.

We know family violence risk is so often visible in patterns of behaviour long before a conviction is recorded, and it only takes one gun to be used as a threat. You don't have to have a whole cache of weapons to put a victim of family violence in the position of fear or coercion. With a greater focus on, and awareness of, coercive control used in many abusive relationships, we know sometimes the first act of physical violence can be murder. That could be the first thing. We know that from the tragic events in Queensland with Hannah Clarke. That was the first act of physical violence. She was murdered along with her children. We need to ensure as much as possible the safety of women and children, who are the most likely victims of such abuse, but also those men who are victims as well. We know that men kill men with firearms, too.

Third, I note the Leader's assurance that registration of antique firearms will be free of charge and straightforward. That's a sensible and proportionate approach for genuine collectors. I know there are many who have heirloom firearms, some dating back to various world wars.

The Leader also said, quite rightly, that the reclassification is directed at firearms capability, not at the lawful firearms community. I'm not sure they entirely see it that way - the legal firearms owners and users - but I accept that's the intention. But I think there are a lot of people out there who operate entirely lawfully in a safe way, correctly storing, and all the things that we ask of them, and they feel that they're being indirectly and disproportionately targeted by this.

I do note - and I did mention this earlier - that with the grandfathering removed and no buyback detail before us, it is the lawful owner of a reclassified firearm who carries the practical cost here, and I think we need to remember that. These people are people who've been acting lawfully. They're not people who are criminals. These are people who are doing the right thing under the arrangements that were in place.

Finally, the Leader stated the government does not support arbitrary caps on firearm ownership. I agree that any cap really shouldn't be arbitrary. The question for this House is whether a cap can be designed that is evidence-based, proportionate, appropriate and workable. That is a different question. That's how I'll approach the amendment when we get to that point, as foreshadowed by the member for Rumney.

The case for this bill needs to, and does to a large extent, rest on evidence. According to numbers I've been provided with - and other members have quoted various numbers as well, and most of these will be consistent - but I understand there are 157,022 registered firearms in Tasmania, held by 36,598 licence holders. That is an average of more than four firearms per licence holder. Almost 9000 licence holders own six or more, and 1541 own 11 or more. A Right to Information request reported in the *Mercury* in February found 44 people had more than 50 firearms and one held 309. I'd just be interested to know of that person, the 309, are they a collector? Why have they got that many? Because I assume they'd have to be a collector. They may have a whole heap of firearms that are not operable and all that sort of stuff, but you still do need to register them.

I've met with members of my community who have heirloom rifles or guns that have been handed down and they may, if a cap is put in place, they may have their cap - whatever the number is right now - legally, lawfully would still remain legal and lawful, but they're expecting - well, they know - that when a parent passes away, they will inherit a firearm. Then what do they do? If there is a cap in place, what does that mean for them? They have to give

up one of the others that they're holding lawfully and using lawfully or what? It is a bit fraught, and I've met with people who will be in that exact situation.

I make no assumption about any of those owners that they're acting unlawfully, but the concentration does matter because firearms that are stolen do not stay with the lawful owners and may never be recovered. In fact, it seems very few are recovered, which is a real concern to police and to us as some people who rely on the security and safe use of firearms for our own safety, but particularly for the police who have to go out trying to recover and find these firearms but also, as I mentioned last night, the very sad circumstances about Constable Keith Smith.

I have seen evidence that suggests Tasmania has the highest rate of firearm theft in the country. The Australia Institute's report *Firearm Theft in Australia*, published in October last year, compiled police data from every state. It found around 29 firearms stolen per 100,000 Tasmanians, against the national average of about eight. Nationally, at least 9287 firearms were stolen from 2020, roughly one every four hours, and the available data suggests around three quarters are never recovered. The report concludes that theft of legal firearms is now the main way for the illicit pool of firearms to grow, ahead of 3D printing and illegal imports. I'll go back to the point I made at the outset that we have, per population, more people engaged in primary production and living in the rural community than jurisdictions such as Victoria, which have a large rural community but the majority of their population lives in the city and has very little use for firearms, one would hope. When you compare statistics like that, it doesn't necessarily tell the whole picture.

The commissioner's own submission tells the same story. Firearm theft incidents rose from 37 in 2021-22 to 40 in 2025-26, and the number of firearms stolen rose from 121 to 149, the average per instance from 3.3 to 3.7, so it is an issue. If there are more guns in one location, the chances of more entering illicit or unlawful ownership are real. The Australia Institute notes that Tasmanian and Queensland - the only jurisdictions that report it - have both seen the number of firearms taken per theft grow since 2018. Gun Control Australia cites the police Firearms Dashboard for August 2025 to July 2026, 164 firearms stolen and only 33 recovered, a recovery rate of about 20 per cent. I note that the minister told the other place that firearm thefts have fallen even as firearms numbers rose. The commissioner's five-year figures do not appear to show that, and the Leader's second reading speech did not address it, and I ask the Leader if she can reconcile the two. I have sent that question through and I know that a response has been prepared.

Other trends point the same way. Firearms offenders charged rose from 456 in 2021-22 to 672 in 2025-26, an increase of 47 per cent. Licence cancellations rose from 65 to 272, quite a jump, in that same period; and suspensions from 230 to 342. Taken together, cancellations and suspensions have roughly doubled, so one would say the system is working there and that the commissioner is using the power that she has to actually cancel or suspend as required. Some of those suspensions, no doubt, relate to family violence matters where the firearms are removed and stored safely elsewhere, but it does show that that is having an impact.

Gun Control Australia has drawn the Council's attention to recent incidents reported in the *Mercury*. There were 15 firearms stolen from a Coles Bay property in July, which was then burnt down, the owner assaulted and none were recovered; and that was a truly tragic event, and I really feel for the victim of that crime. Six firearms were stolen from a Southern Midlands property where the keys had been left on top of the safe. Not a good idea, Mr President. This

comes back to safe storage. A shot fired in a Rokeby street required the Special Operations Group. In *Purton v Clark*, the Supreme Court considered a Launceston recreational licence holder with 32 firearms, a thousand rounds of unsecured ammunition, two silencers and six firearms were not properly stored. They're the people we need to really go after. That's pretty poor - well, actually it's extremely poor.

This suggests the risks are not only from the criminals who never had a licence who may steal firearms, but also lawful firearm owners or those who have lawful firearms that are not stored correctly or sometimes are stored correctly but stolen nonetheless and passed into the illicit market. This is where it comes back to the rigour in which the police are able to undertake inspections and check on the secure storage, but you might be there one day and the next day they leave the keys on top of the safe. There's no perfect solution here; we need to accept that.

Interviews with offenders convicted of serious firearm crime suggest theft from rural properties is often a routine source. So, we know there's a risk there. We know that in a rural property, the guns are stored in a safe storage facility, varying depending on the category of the firearm, and the property owner will be out working on the land for the majority of the day. If someone who's intent on stealing those firearms watches that property for long enough, they'll see what the movements of the farmer actually are and can pick their time. Hopefully, the safe will be impenetrable - it depends how much time they have to deal with it - but it is a risk and we know that it is a greater risk there because it's in an isolated area, the homes are not necessarily visible from the road, all those sorts of things. From that, I suggest we need to ensure the police have adequate resources to undertake regular and intermittent unannounced inspections to try to respond to some of these matters.

The research literature on firearm availability and harm is extensive, and I appreciate those who have directed us to it. However, I want to be careful about what it does and doesn't show, as I know much of the evidence and the research we've been provided with is out of America, and whilst some of it is relevant and applicable, they do have, as we know, a very different approach to gun ownership and storage. In 2013, a study in *The American Journal of Medicine* by Drs Bangalore and Messerli examined 27 developed countries and found a strong correlation between firearms per head of population and firearm deaths, with a correlation coefficient of 0.8. Firearm ownership remained a significant predictor after accounting for the burden of mental illness, which was of only borderline significance. The authors were careful to say that correlation is not causation. We need to keep that in mind as well.

The starkest comparison is our own with the United States. The United States has around 120 civilian firearms per 100 people. Australia has around 14. We know about the American right to bear arms; that's just the way it is and if you visit the States it's not uncommon to see normal civilians with firearms visibly on display, like - well, they appear to be normal civilians. The United States records close to 47,000 firearm deaths a year, a rate of around 14 per 100,000. Australia's rate is about 1 per 100,000. That's Australia. So, our laws do work and, as I said at the outset, we should be proud of the changes we made and all proud of good John Howard, our former prime minister. I didn't agree with some of his policy approaches, but this took real courage for him to stare down the gun lobby at the time and put in place some really effective and good legislation.

In other countries the evidence points the same way. In work published by the National Bureau of Economic Research and the *Journal of Political Economy* in 2001, the economist Mark Duggan found that changes in gun ownership across US states and countries were closely

related to changes in gun homicide, but not to homicide by other means. He estimated that falling household gun ownership explained at least a third of the decline in gun homicide in the 1990s.

On suicide - I will speak about suicide, Mr President, which can be triggering for people, so I want people to appreciate I'm going to speak about that right now. The evidence is most confronting. A 2014 meta-analysis in the *Annals of Internal Medicine* by Anglemyer and colleagues pulled 16 studies and found access to a firearm in the home was associated with around three times the risk of suicide and twice the risk of homicide, with women at significantly higher risk of homicide.

The largest single study published in the *New England Journal of Medicine* in 2020 by Studdert and colleagues followed 26.3 million Californians for up to 12 years. Men who acquired a handgun had nearly eight times the rate of firearms suicide of men who did not. For women it was 35 times. Importantly, handgun owners did not have lower rates of suicide by other means. This is not simply a substitution of method. While risk peaked straight after the first acquisition, more than half the firearm suicides among owners happened more than a year later.

In the US, people can just go and buy a gun and so that real risk of using the gun to effect a suicide soon after the purchase is a real issue. That's not how it works here in Australia. It doesn't mean that the risk is not there. If there's a gun lying around and someone is in a terrible state where they see no other option, they see no future for themselves, and if a gun is available and not secured, then there is a risk. I also know from my experience it doesn't always work. And that's nearly worse.

For young people, in 2021, analysis of a nationally representative sample of more than 10,000 US adolescents concluded that living in a home with a firearm increased the risk of suicide three- to four-fold. Again, I do note the US takes a very different approach to firearm ownership and storage.

As I noted, I do not want to repeat the limitations of this research and its applicability to Australia. As I said, much of this is American and thus has a very different impact because we have totally different regulatory and storage requirements. Most of this research measures access to any firearm, not the number held by the individual owner. Some of the cross-national work suggests firearm availability shapes the method of suicide more than the overall rate, although the Californian study, at an individual level, did not find that offset. This research supports secure storage, keeping firearms from people at risk, and on its own it doesn't settle the question of caps. It only takes one firearm to do that.

It does remind us that suicide is the quiet harm in this debate. Rural men, including farmers, carry a disproportionate share of that burden. These are property owners who lawfully own and lawfully use firearms regularly in their work. A firearm in a moment of crisis leaves almost no room for intervention or a second chance. When we see the pressure that farmers come under at times, like in a drought, or other financial pressures like the cost of fertilisers and the cost of fuel at the moment, all those sorts of things put huge pressure on farmers. Caps won't fix that. It only takes one, and the majority of them would have one at least.

What we need is really good mental health care, support for people who are struggling. That's the problem we need to fix. But then, every measure that keeps a firearm out of reach of

someone in crisis does matter. But suicide by means of a firearm is sadly not the only method. If a gun's not available, something else is. It is usually quite a lethal method. It usually leads to success.

We do need to think about harm at the level of the whole population, not only the individual. Reducing access to the means of harm is a foundation of public health, from road safety to tobacco to gambling. A careful driver still wears a seatbelt and obeys road rules. A careful drinker lives within the licensing laws. Those measures do not accuse anyone of being irresponsible. They recognise that the policy must protect everyone, including from the risks no individual intends. Victoria made seatbelts compulsory in 1970, the first jurisdiction in the world to do so, and Australia led the world on plain packaging of cigarettes. In each case, we acted on the best available evidence without waiting for certainty and we now have clear evidence of real measurable positive impacts. That's the thing: do we wait for certainty or not?

As with these really complicated debates that have very mixed views in my community and across the state, I do want to make sure that people understand that I've listened to both sides of this.

In saying that, I do wish to speak on behalf of those lawful and law-abiding firearm owners, including farmers. For many farmers, including those in my electorate, a firearm is as important to their work as a fencing tool or a chainsaw. This is how they control rabbits, deer, wallabies and possums, protect crops and pasture, and meet their obligations to put down an injured or suffering animal quickly and humanely.

TasFarmers made that point clearly after the cap amendment failed in the other place. As Chief Executive Nathan Calman described firearms as an essential tool of trade, I agree. The Leader also acknowledged the importance of firearms to prime producers, sporting shooters, and hunters and collectors.

Farmers are not the problem this bill sets out to solve. The bill should not treat them as if they are. To its credit, TasFarmers engaged constructively in its submission, supported tougher penalties for theft and possession of stolen firearms, the restriction of on-lending, broader definitions of firearm parts in the age of 3D printing, dealer verification, and extending prohibition orders to parts, ammunition and suppressors.

TasFarmers and many I speak to are not people resisting reform, and we do need to listen to them and understand the reality of rural life. If we want the food they produce, we need to listen.

They also raised practical concerns. TasFarmers does not accept that straight-pull and lever or button-release firearms belong in category C, which was created for semi-automatics. In more recent discussions I've had, some of them have shifted that a bit. It's really the straight-pull centrefire that is in category C that they have real concerns about not being able to access. Primary producers will be able to access those firearms; it's the people who do the work on their behalf. But these are the firearms that have helped primary producers manage growing pest loads.

As I read clause 13 amending section 16 of the principal act, a category C licence holder may hold one self-loading rimfire rifle, one self-loading or pump action shotgun, and one straight-pull or release firearm.

TasFarmers asked that family members, agents and employees actively working on the property should also be eligible for category C, and I understand that's not the case. I've done more work since I put through the questions to the Leader on this matter, and I will foreshadow that I'm working to try to put in place an amendment - that will be a new clause, so it'll be right at the end - to enable those who legitimately work with farmers for no money and are essentially employed or engaged by a primary producer to undertake the work of vermin control can have access to these guns because they're the ones who are currently doing the job and will need to continue to do it. This is because the property owner - the primary producer, when we look at the definition of primary production, it means making a reasonable expectation of profit, that's how it's defined - those people aren't. They're not getting paid for a start.

That's a matter I've been working on, and I have had some discussion with the government about this, and I appreciate that help to try to understand how that could be done. I hope members keep an open mind about that because this is a really significant issue for the rural community, who feel that they've been ignored in some of this, regarding how they actually need to operate to protect their crops, to manage these feral animals and pests in a way that allows them to carry on a productive business, otherwise you end up with a primary producer having no reasonable expectation of profit.

This is a significant issue for me and the community I represent, not only my community, but there are many around the state, like the big Midlands farms and all down the east coast, there's vermin right across this state. Our islands as well. There's even deer on King Island, but they're far outnumbered by the wallabies at this stage.

We need to discuss what a recreational shooter actually does. It's not just going out for a shoot in the bush for fun. It's undertaking a really important role assisting primary producers, so what we're looking for is a tight and rigorous process about that to enable that to continue in a safe way.

The current definition of 'primary producer' is very narrow, and it won't actually enable what I believe is necessary to enable our farming community to operate in a safe and continuous way without putting themselves or the community at risk.

Another matter that was raised by TasFarmers and the Sporting Shooters Association of Australia (SSAA) was that the definition of 'trafficking' in section 110A can catch a licensed person lawfully holding a firearm borrowed from another licensed person.

I think the member for Elwick also raised concerns about this with sport shooters. I'm sure she'll mention that in her contribution, and I raise that here - and I'm sure that the Leader will be able to respond - but the SSAA says a recent Supreme Court appeal confirmed that reading, that this is a legitimate concern.

The bill does not appear to fix the definition, with the presumption of imprisonment now attached to section 110A. This needs to be clarified, and I ask the Leader to respond to this in her reply to the debate.

The SSAA represents more than 6700 members in Tasmania and runs a state range complex at Runnymede with clubs across the state, including the Waratah Shooting Complex

in my electorate. They train young shooters in safe handling and responsible ownership. They have an important role to play.

Hunters manage deer and browsing animals on public and private land. These are law-abiding Tasmanians and they feel this bill is aimed at them rather than the criminals. The Leader said it's not, and I agree we must be both proportionate and appropriate in our response. Whilst I don't share every view in the SSAA submission, I do respect their experience and contribution to the debate, and I would like that matter clarified with section 110A.

There are, as I understand, 1213 straight-pull and button or lever-release centrefire firearms and shotguns registered in Australia, according to the commissioner's July data.

With grandfathering removed, the new section 164A only protects the holder while the application for the new category is pending. As I understand it, category C is now available to a narrower class, principally primary producers. A recreational hunter or target shooter who bought one of those firearms lawfully perhaps last year now may have no path to keep it, and we know that the buyback scheme's not in place yet.

The Leader told us that the House of Assembly amendment strengthened the arrangement for reclassified firearms, but the consultation summary refers to the buyback and compensation for dealer stock and there was no detail in either the bill or in the Leader's speech. I have asked the Leader to provide some more on that.

The department has acknowledged the lack of clarity on compensation. I appreciate this is an Australian Government initiative but, as I understand it, there are Tasmanian government responsibilities here. I believe we do need to know more about what that buyback will pay, how it will, and how values will be set. I understand it's one and a half times the value, in some cases; I'm not sure if it's all. We also need to know when it will be open, what the owner must do and by when.

I note the commissioner in her submission asked that rimfire versions of firearms be included, which would affect a further 1141 firearms. I understand the bill does not include them, and I think that's probably at the relief of some primary producers and recreational shooters. Whilst the commissioner did ask for that, it wasn't agreed, and I think it would have been really difficult had it been.

On club firearms and lending, the SSAA points out that club firearms are commonly registered to one office holder and handed to range officers for training and competition.

Mr President, is my time nearly up?

Mr PRESIDENT - No, I'd just like you to know that you have five minutes remaining, if you need to prepare.

Ms FORREST - Alright. I think I probably have another 10 or 15 minutes. I ask if the Council would be willing to grant me an extra 15 minutes in case I need it.

Mr PRESIDENT - The honourable member for Murchison seeks leave to extend her speaking time by 15 minutes.

Leave granted.

Ms FORREST - Under the broad definitions of 'lend' and 'borrow', passing a club rifle to another official to be held and then on to a competitor could be unlawful on-lending. I would expect that cannot be the intent. A couple of questions on that: How is this being dealt with? Will the commissioner's new exemption power in section 155(3A) be used to cover approved clubs and ranges, or is an amendment needed? The SSAA also asked whether giving a few rounds of ammunition with a lawfully lent firearm amounts to unlawful supply of ammunition. If the Leader could address that question as well. Does that person have to go and then buy their own ammunition?

The SSAA describes parts of the bill as a reaction to be seen to be doing something. I do not agree that public safety measures following Bondi are mere reaction. They're entitled to their opinion. I'm not criticising, I'm just saying I disagree, but our decisions must rest on evidence for each measure and make sure that lawful owners don't get caught up in this to the extent that it interferes with how they can manage their operations and businesses.

The bill contains, at this stage, no limit on number of firearms the person may hold. The amendment that was proposed downstairs has been mentioned; it was defeated by 15 votes to 16, and as foreshadowed by the member for Rumney, we're going to reconsider that matter. The case for a cap is a serious matter. The Commissioner of Police supports it and has said so to the minister in a submission, describing the link between reducing firearms in the community and reducing harm as well-evidenced.

She told the minister that public safety must take precedence over the privilege of firearms ownership, which is a net language of the National Firearms Agreement itself. As I understand it, a licence establishes the category of firearm a person may hold, and the permit to require relates to the particular firearm. Neither requires the commission to consider how many firearms a person already has. I wonder whether we should have fixed that as an option instead, but we'll have that debate further on. I won't go right down to it now.

Storage obligations also rise with numbers and different categories of firearms, but nothing actually limits them in the bill before us. The paper I referred to earlier suggests that this is not whether fewer firearms in the community make it safer. The question is whether allowing an individual to hold 10, 20, 50 or an unlimited number of firearms enhances public safety, and I haven't heard anyone argue that it does.

Western Australia introduced limits in 2025, so it's pretty new. Under the Western Australian model, an individual licensed for hunting or target shooting may hold five firearms. A club or competition shooter may hold 10, of which no more than five may be for hunting or target shooting. A primary producer may hold 10 and may also hold a club licence going up to 20. The commissioner advises that New South Wales also has legislated limits.

The commissioner's data show 70 per cent of licence holders own five or fewer firearms, so a cap of that kind would leave most owners untouched. However, I do think we need to be really clear about who and how many people may be affected, and some advocates suggest it's around 5000 owners. The commissioner's figures show almost 9000 who hold six or more and 1541 hold 11 or more.

With a limit of 10 for primary producers and sporting shooters, the number affected would sit somewhere between those figures, I presume. Those Tasmanians deserve a fair process, not to be waved away, but they are a small fraction of more than half a million Tasmanians whose safety the paramount objective is to protect. The case for a cap is also genuine and will be debated more fully in the Committee stage.

Farmers and shooters argue, rightly, that a firearm suited to rabbits is not suited to deer, and that a shotgun is not a rifle. I have sat down with a range of firearm owners who have clearly explained the need for more than five firearms as recreational shooters, particularly those who do the job of vermin control for a primary producer - not so much those who are not engaging in that, but for those who do, that's the real issue. Some explained the need for two firearms that are the same but have different scopes, like a night scope and a day scope; some go out at night with a much heavier rifle that has a scope on it, they shoot off the back of the ute, and others will have a lighter rifle with a scope for the daytime, or they might have two guns exactly the same with a night and a day scope. Every time you change the scope on it, pull the night one off to put a day one on, you've got to get your eye in again, and that can waste ammunition; potentially, they might shoot and miss the animal and not kill it in the first shot, which is not an ideal outcome. There are legitimate reasons why people may need more than one, even of the same firearm. Those sorts of things assist with the accuracy of the shot, avoiding wasting ammunition, and a greater chance of getting a clean shot and kill of the animal targeted, and surely that's what we want.

The SSAA said it cannot find evidence linking number of firearms by compliant owner to theft, misuse, homicide or suicide. As I've said, most of the health research measures access rather numbers, so that point has some relevance on the health debate. But the department's own consultation summary recommended that any future cap be supported by a clear evidence base.

On theft, I think the link is clear and more direct. Each theft takes whatever is in the safe or whichever is accessible. In Tasmania, the number of firearms taken per instant has risen, as I said, from 3.3 to 3.7 in five years. The collection of 15 firearms in the house in Coles Bay became 15 firearms in criminal hands, one presumes, in a single incident. Concentrated collections are an attractive target, and I understand that theft is the main supply of the illicit firearms.

Gun Control Australia responds that nothing has been put to the other place showing why firearms for recreational shooters or 10 for primary producers will be insufficient, given the commissioner may permit more when the circumstance is justified. I know the amendment proposed does have that exemption power. The concern of people I've talked to is that the commissioner won't exercise it. That is a fair challenge. I know there are genuine reasons for permits for firearm owners that might be granted, and I also hear the concerns of firearm owners who do the right thing and store their firearms correctly.

I do have concern, as well, that we leave the decision on every firearm effectively to one person currently, and potentially for exemptions in the future: the commissioner, who I believe could be assisted by limits and numbers rather than an open slate on numbers. I can see both sides of this very clearly.

I note the minister's argument that a cap would not have prevented the horrific massacre at Bondi, where the offenders held three firearms between them. That's true. What seems to be

the case - and it's still subject to investigation - is there were most likely other failures that led to that point well before the tragic incident occurred.

This bill is not only about terrorism, and a cap is, at least in part, an argument about theft and about the stock of firearms available to be misused. If an amendment for a cap is moved in this place, I will judge it against five matters I believe are important and need to be considered.

Will it have a workable exemption for primary producers and recreational hunters recognising firearms used by firearm owners as a tool of the trade? Whether this comes down to a matter of definition or numbers are the two considerations. I have foreshadowed an amendment to try to make that clearer.

In line with point 1, the equitable treatment of recreational shooters, who often do pest control work for prime producers; a genuine recognition of competition and club shooters and genuine collectors; a clear, timely and reviewable process for the commissioner to permit more where justified; and a fair-funded and clearly defined disposal and buyback arrangement with a realistic transition period.

If the government maintains opposition to the cap, I ask then what it proposed instead to address concentrated holdings. For example, should storage standards, inspections or security requirements scale with the size of the collection? Opposing a cap on its own is not the answer to the theft data. I will continue to listen to the debate; a carefully designed cap meeting those tests could be justified, and I will consider that as we debate that at a later time.

There are a couple of other matters I just want to raise. The temporary classification clause 15 inserts a new section 18A allowing the commissioner to declare a new firearm prohibited or place it in the licensed category by *Gazette* notice for up to 24 months. I understand the need to respond quickly to new technology, and the commissioner asked for this. Victoria has a similar mechanism. The Leader described the power as carefully limited, with permanent arrangements remaining a decision of parliament. But there is a two-year timeline there. Is the expectation of government, should that occur, that we will see legislation come before this place well before the two years are up, if there really is a serious matter, rather than having a *Gazette* notice that there is no scrutiny of the parliament at all? There could be people out there feeling that they are going to have more rights taken away without any recourse to parliament.

With regard to household members, new section 29(2)(da) in clause 20 allows the commissioner to consider whether a relative or household member is not a fit and proper person. Given what we know about family violence and firearms, I support the intent. The Leader was right - the firearm may be licensed to one person, but it still presents an unacceptable risk to the household. I know there's an amendment being proposed by the government on this and I'll listen during the Committee stage to understand that more fully.

With regard to the family violence exclusion periods, the consultation found strong support for strengthening family violence restrictions, which I also support. Some submissions asked for the exclusion period after a family violence order to be extended from five to 10 years. The bill applies a 10-year lookback for family violence convictions, but the antique firearm permit uses only five years for orders. I ask for the rationale of the difference there.

With regard to presumptive minimum sentences, the Leader said the message to those who steal and traffic firearms is clear. I accept that and I note the courts retain discretion where a minimum would be unjust. However, every time we direct the courts in a certain way, we're impinging on the separation of powers and the discretion of the courts. I don't say this lightly and appreciate the inclusion of public sentiment around this matter.

I will close by noting that the bill makes public health and public safety the paramount consideration of how Tasmania regulates firearms. I support that principle without reservation, and I will apply this throughout the debate. In doing so, I will also have a clear-eyed focus on the law-abiding firearm owners, particularly primary producers, vermin control, recreational and professional shooters who use firearms as an important tool of trade, as well as sporting shooters. Much of what the bill does is sensible and needed: tougher penalties for those who steal and traffic firearms, stronger family violence protections, and a lower threshold for police to act on risk, verification of licence at the point of sale, and the foundations of a national register.

These measures have support across the community, including from farmers and shooters themselves. But the people who live with this law most closely are the lawful owners: the farmer controlling deer on a back paddock, the young competitor at a range, the hunter who has done everything asked of them. They deserve the law to be clear, fair and workable. The Leader said, 'Responsible firearm ownership and strong community safety are mutually reinforcing.' I agree. Now, 30 years after Port Arthur, Tasmanians still expect parliament to put safety first. They also expect us to legislate carefully on the evidence.

I look forward to the Leader's response to the questions I've asked, and I will support the bill into the Committee stage because there is a lot more work to be done.

[12.04 p.m.]

Ms O'CONNOR - Thank you, Mr President. I rise today on behalf of the Greens to indicate that we support the Firearms Amendment (Strengthening Firearms Security) Bill 2026 and note the amendments in the House of Assembly that gave this bill before us today greater strength. I begin by acknowledging that this debate to strengthen our firearms legislation is born of the trauma and grief of the events at Bondi in December last year.

We are here today debating these amendments to the *Firearms Act 1996* and the *Sentencing Act 1997* because people use guns to hurt and kill other people. It's that awful and it's that simple. In a peaceful and perfect world, there would be no need to regulate or restrict firearms use. But, of course, firearm-related violence is a dark and frightening reality of life. We know that, here in Tasmania; we've known it since colonisation and the savagery of the Black Line. Tasmanian Aboriginal people haven't forgotten what guns inflicted on their ancestors, and nor should we. Devastated families and the Tasman Peninsula community have known it - they have lived its bitter, painful legacy for 30 years. I acknowledge the Bondi tragedy will have retraumatised those who lost loved ones, were wounded, were there, including first responders and media crews on that most terrible day, a day that changed us forever at Port Arthur.

As former premier Michael Field OA, then of the Port Arthur Historic Site Management Authority, told this parliament's 2019 firearms inquiry:

> 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.

We hold those Tasmanians in our heart today.

Twelve days after that day in April 1996, all Australian jurisdictions signed on to the National Firearms Agreement. It took a tragedy of the shocking scale of Port Arthur for a prime minister to act and for all governments to recognise the urgent need for reform and for, to the greatest extent possible, national uniformity.

The National Firearms Agreement contained 11 resolutions:

(1) Bans of specific types of firearms, predominantly high-powered automatic and semi-automatic weapons from public spaces.

(2) Nationwide registration of all firearms;

(3) The need for genuine reasons to own, possess or use a firearm;

(4) Licensing requirements;

(5) Training as a prerequisite for licensing;

(6) Grounds for licence refusal or the cancellation and seizure of firearms;

(7) Permits to acquire;

(8) Uniform standards for the security and storage of firearms;

(9) Recording of sales;

(10) Mail order sales restrictions; and

(11) A national gun buyback.

On Tasmania's history of firearms law reform, the Australian Gun Safety Alliance says:

> Tasmania has a unique place in Australia's firearm safety history with our world leading gun reforms having their roots in the tragedy of Port Arthur.
>
> The bipartisan support for the National Firearms Agreement and national gun buyback of semi and automatic firearms was the constructive legacy of such a dark tragedy in Tasmania and Australian history.

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> Those gun reforms have been recognised by experts as one of our defining public health successes and we have seen dramatic reductions in firearms deaths in Australia since 1996.

And why? Because we took the most dangerous weapons, semiautomatic and automatic firearms, out of the public arena and through the national gun buyback, removed hundreds of thousands of firearms from Australian society. Fewer firearms means less harm, and the evidence backs that in, which is an argument for caps on firearm ownership like Western Australia, New South Wales and the ACT have done, and which we have the opportunity here to do, with Labor's amendments, in the interests of community safety and in line with the newly proposed object in the *Firearms Act 1996*.

At the time that the National Firearms Agreement was negotiated, there was also broad agreement that children should not own or use guns, but that fell by the wayside and here in Tasmania, under the *Firearms Act 1996*, a 12-year-old can obtain a minor's permit to own, possess or use a firearm.

We don't allow kids to vote until they're 18, nor can they legally consume alcohol, and the federal government is legislating to ban under-16s from social media platforms, yet we allow 12-year-olds to have guns.

I refer this comment to the honourable member for Murchison in relation to how people who live in the city might think, or assumptions about how people who live in the city might think. Even though I live in Hobart, I've also lived in rural Tasmania at Lachlan, and we have a shack at Nubeena. I'm accustomed to hearing gunshots ringing across the valleys of nearby farmlands in the night. I acknowledge responsible firearm ownership and use, and do know there's an argument for teaching children about responsible gun storage, safety and use when you live on the land, but 12-year-olds, particularly in an age of AI, where kids are having their developing minds being twisted and bent by ChatGPT and the like?

In February of 2025, teenager Jesse Van Rootselaar carried out a suicidal mass shooting at Tumbler Ridge Secondary School in British Columbia in Canada, killing eight and injuring many more. Jesse had spent the previous eight months in deep conversation with ChatGPT about violence and how to evade Open AI's content moderators, who'd already shut down Jesse's first account because it discussed mass slaughter in vivid detail. Her second ChatGPT account advised: don't use real-world locations, you can still be twisted, just be clever about it. Then it encouraged her dark fantasies about building and using guns and homemade explosives, talked about her becoming a famous mass shooter, and helped her to learn about the real-world timing of mass school shootings. The result was both inevitable and utterly tragic. A young, clearly mentally unwell person with access to a dangerous technology and even more dangerous weapon.

We aren't in the United States, thank heavens, with its constitutional Second Amendment and fascination with high-powered weapons, and its terrible, utterly tragic, almost weekly updated history of mass shootings. There are, however, still too many guns in our community, and we rightly demand those who own and use them be fit and proper persons.

Science tells us that children's and teenagers' brains aren't fully developed. Their impulse control, understanding of action and consequence is still evolving. So, it is fair to ask why we would allow 12-year-olds to have and use firearms. I ask the Leader for Government, therefore,

to please advise how many current minor's permits have been issued in Tasmania and whether, in retaining clauses 68 to 73A in relation to minor's permits in the act, the government has received any advice from Tasmania Police about the potential impact of AI and other social media platforms on Tasmanian teenagers who are permitted to use firearms. If not, will the minister commit to seeking some advice on that question and bringing that advice back to this place?

We've heard throughout the second reading debate that there are many law-abiding, responsible firearm owners on this island and that includes people I love and respect. As the Australian Gun Safety Alliance said in its submission to the original bill:

> We have always acknowledged that the vast majority of licensed firearm owners are law abiding citizens. However, the social licence that enables the privilege of using deadly weapons for recreation and sport come with significant regulation that puts public safety first.
>
> …
>
> The convenience or commercial interests of firearm owners, manufacturers, importers and retailers should never take precedent over community safety.

As my colleague, member for Lyons, Tabatha Badger MP, reminded the House in her second reading contribution, owning a gun is a privilege, it's not a right. If you have a firearm or access to one for employment or recreation, that privilege comes with great responsibility.

Until 1996, Tasmania was lined up with Queensland as having the weakest gun laws in the country. There was a time about 40 years ago when anyone in Tasmania over the age of 16 could own and legally use a military-style semiautomatic rifle. Before the state's now repealed *Guns Act 1991* took effect on 1 January 1993, there was no licensing or registration of any firearm except pistols. And back in 1989, when I was a young journalist at TasTV WIN, I had my first interactions with Roland Browne SC who, as a young lawyer at the time - this was well before Port Arthur - had already established Gun Control Australia. He was a relentless, passionate advocate for gun law reform, as he remains to this day. On behalf of the community I represent, I want to thank Roland Browne for all his hard work over nearly 40 years to keep Tasmanians safer.

From 1993 all gun owners had to be licensed, but only pistols and fully automatic weapons had to be registered. Semiautomatics weren't declared a prohibited gun until nine days after the Port Arthur tragedy. And I'm certain, Mr President, at the time, that the minister who had that power under the *Guns Act* and hadn't used it, wished very much he'd exercised it earlier. But, and it's been reinforced in the wake of Bondi, such is the power of the gun lobby. The scare campaign around the provisions in this bill has been quite something. For law-abiding firearm users, as we've heard a number of times in this debate, there is nothing to fear. The bill inserts an object of the act, which prioritises community safety. It says, 'The object of this Act is to ensure that public health and public safety is the paramount consideration in relation to the regulation, registration and control of firearms within Tasmania.' I would have thought that new object is a very good argument for caps on firearm ownership.

The bill also provides a specific classification and registration process for antique firearms, and establishes our place in the architecture of the yet to be formalised National

Firearms Register. It reclassifies certain highly dangerous firearms; tightens offences and penalty provisions; addresses to a greater extent family violence risk in the issuing of licences, particularly after the Greens amendments in the other place; it expands the fit and proper person test, which was improved by member for Clark, Ms Johnston's amendments in the other place; establishes new disqualifying factors relating to fraud, deception and threats, also improved by amendments from the other place; and empowers Tasmania Police and the police commissioner to act on firearms concerns before harm occurs.

The justifications for opposing reasonable caps on firearms have been very thin. Just as we did in the other place, we support Labor's amendments. I sometimes hear members in this place say that they pride themselves on making evidence-based decisions. Well, here is some evidence. You can hear it and accept it if you choose to, or you can not hear it and accept it if it doesn't suit your position, but here is the evidence and this is from the Alannah & Madeline Foundation, whom I also want to thank for their relentless advocacy for a safer Australia. They say:

> It is an unimpeachable fact that firearms are harmful, and that increased firearm prevalence invariably leads to increased harm. Reducing the number of firearms in the community directly limits the means by which an individual may cause injury or death to themselves and/or to others.

There is clear evidence that the status quo is unsafe. If we are truly evidence based, we have to accept that the evidence shows that the current status quo in Tasmania is unsafe. We have the largest firearm deaths being self-harm. Tasmania has the highest firearm theft rate in Australia. The Police Commissioner shows that the number of firearm offenders has increased by 47 per cent since 2021-22. The number of firearm licences cancelled or suspended since 2021 has increased by 200 per cent. I pause here to note that is probably a case of the system actually working. Firearms are used in approximately 11 per cent of family violence deaths. The number of threats made by firearm owners to partners is unreported but well documented by domestic and family violence agencies.

The Foundation notes that in her submission, the Police Commissioner provided evidence of the link between reducing firearms in the community and reduction of harm is well evidenced.'

The Foundation says:

> The relevant question, therefore, is not whether fewer firearms enhance safety - the evidence overwhelmingly affirms that. Rather, it is whether allowing individuals to possess 10, 20, 50, or an unrestricted number of firearms enhances public safety.

They cite a number of studies. A 2013 study of 27 developed countries found a significant positive correlation between guns per capita per country and the rate of firearm-related deaths. In 2025, a study of over 100 countries found a clear and strong relationship between gun ownership and gun homicide. In a cohort of 26.3 million residents of California, they found the risk of suicide by firearm among handgun owners peaked immediately after the first acquisition, and that 52 per cent of all suicides by firearm among handgun owners occurred more than a year after acquisition. Authors of the US study of adolescents estimated that adolescents' risk of suicide was increased threefold to fourfold if they'd lived in homes with a

firearm, compared with if they had not. Of course, we are not the United States, but the principle here remains the same: where there are firearms in a home, according to the evidence, there is increased risk to young people, and according to the evidence, there is increased risk to women and children in domestic and family violence situations.

We also have information provided to us by Gun Control Australia's, Roland Browne, calling on us to support the introduction of caps. 'There is important', they say, 'and very recent evidence of firearm misuse in Tasmania'. The *Mercury* on 18 September 2026 carried a report of police seizing a large quantity of shotgun ammunition, an imitation Glock pistol and methamphetamine.

Also reported was that on 17 December 2026, police seized a loaded rifle, ammunition and methamphetamine.

On 30 September in the *Mercury*, there was a report of a shot being fired in a street in Rokeby. The Tasmania Police Special Operations Group were called out and a crime scene established.

On 16 September this year there was a report of a decision of the Supreme Court in *Purton v. Clarke* that that case referred to a licensed shooter, a recreational shooter, in Launceston who had 32 guns in 2024. Police executed a warrant and found 1000 rounds of ammunition that was not secured, a high-powered rifle in a bag in a wardrobe and two silencers, and six guns that were not properly stored as they should have been.

In July of this year there were reports of 15 guns being stolen from a property in Coles Bay which was then burnt down. The homeowner was assaulted and hospitalised and none of those 15 guns that were stolen have been recovered. They're out there in our community somewhere in the hands of criminals.

The *Mercury* has also reported in February this year about a Right to Information request showing 44 people had more than 50 firearms and that one gun owner in Tasmania had 309 firearms. Well, that's a small militia force capacity there, and very troubling. Why would anyone need to own 309 firearms?

Also in September this year, the *Mercury* carried a report of the theft of six guns from a property in the southern Midlands. The keys to the gun safe had been left on top of the safe.

Roland Browne also says:

> In the lower House we were told that shooters need one gun for rabbits, one for deer, one for wallabies and one for something else. The need for different guns for different uses was argued by a number of members, but nothing was put forward to show why five guns for recreational shooters would be insufficient and 10 guns for agricultural purposes and animal population control would be insufficient.

It's certainly the case where the commissioner has the power to allow more guns above the limit when the circumstances justify the situation.

There's some evidence from Gun Control Australia, but we also have a brief sent to us by the Alannah & Madeline Foundation from the Medics for Gun Control which lists an extensive body of global research on the link between the number of guns, access to guns and community harm, and they say:

> The core proposition is that more firearms equal more risk.

They say:

> The evidence for caps operates through a well-established causal chain. More firearms accessible to an individual means greater lethality when misused, whether in a suicide attempt, a domestic violence incident, or a mass casualty event.

They say the Bondi massacre illustrates this directly:

> a licensed father and son - the father holding six legally accumulated firearms with no cap in place - participated in an attack killing so many people.

They cite evidence across 27 developed countries: a significant positive correlation between guns per capita and firearm death rates - one of the strongest correlations in public health research. Gun ownership was a strong and independent predictor of firearm mortality on linear regression. Mental illness showed no significant correlation with national crime rates; gun ownership was a far stronger and more consistent predictor of firearm deaths than mental illness - directly refuting the 'mental health, not guns' argument used by opponents of caps.

They also cite a systematic review of 130 case studies across 10 countries between 1950 and 2014, which found that in certain nations, the simultaneous implementation of laws targeting multiple firearms restrictions is associated with reductions in firearm deaths. Laws restricting purchase, including, for example, background checks and access regarding safe storage, were associated with lower rates of intimate partner homicides and unintentional firearm deaths in children.

The authors noted in that study that comprehensive legislative overhaul produces the most consistent results. They also cite the Australian evidence underpinning the National Firearms Agreement. A landmark 20-year study on the National Firearms Agreement had key findings: no fatal mass shootings in the 20 years following the NFA versus 13 in the prior 18 years. The average rate of gun-related deaths fell from 3.6 per 100,000 in 1979 to 1996, to 1.2 per 100,000 in 1997 to 2013 - a significant downward trend in firearm-related suicides.

In another study on mass shootings published in 2018, the authors estimated that the NFA averted approximately 16 mass shootings that would otherwise have been expected had the pre-1996 rate continued. They point to the broader Tasmanian evidence context. Tasmania has the highest per-capita firearm ownership rate of any Australian state. Tasmania is Australia's most decentralised state with the lowest proportion of its population living in its capital city. This rural and remote profile directly correlates with elevated firearm suicide risk. Tasmania has the highest rate of firearm theft of any Australian state. Almost 9000 Tasmanian licence holders own six or more firearms. Over 87 per cent of firearm-related deaths in Tasmania are suicide, according to the coroner's statistics from Tasmania Police firearm safety data.

Their key point - their takeaway message to us - is that the correlation between firearm availability and firearm deaths is among the strongest in public health research.

If you pride yourself on making evidence-based decisions in this place, the evidence is there if you look for it - or if you even look at the evidence that's been sent through to us and really take it on board. From Stephen Bendle at the Alannah & Madeline Foundation, I quote:

> We understand that this seems a complex issue. However, at its heart it's a simple proposition. Should governments allow a relatively few people to hold an unlimited number of firearms in the Tasmanian community? The amendment to introduce limits to private ownership does not prevent a single firearm owner from pursuing their hobby, their sport, or from managing their farm. It considers that the average firearm owner has just over four firearms each and suggests a limit of five. This is a particularly important issue for the Foundation and obviously for Tasmania. We will never forget the tragedy that brought such trauma to Port Arthur and all the victims, survivors and responders. It will forever be said that the only silver lining was Australia's bipartisan agreement to strengthen our gun laws for the benefit of the entire community. It has undoubtedly achieved that aim.
>
> The Bondi shooting last year has again raised the issue of firearm reform, and the community has spoken loudly that they expect their governments to respond. What we see, however, is the commercial interests of small groups expecting to assert their demands upon the rest of the community. The gun lobby has called for 'evidence'.
>
> The evidence is all around us that when there are more firearms in a community, there is more associated harm. If we are truly evidence-based, we have to accept that the evidence shows that the current status quo in Tasmania is unsafe. The largest cause of firearm deaths is self-harm.
>
> Tasmania has the highest firearm theft rate in Australia. The Police Commissioner shows that the number of firearm offenders has increased by 47 per cent in just five years.
>
> The number of firearm licences cancelled or suspended in Tasmania since 2021 has increased by 200 per cent.

As I said earlier.

> Firearms are used in 11 per cent of family violence deaths.
>
> And so, the Foundation respectfully asks that you -

And that is we -

> - consider the issue of firearm caps on behalf of the entire Tasmanian community, and not just those gun owners that have coordinated an effort to influence members for personal and commercial gain.

On the question of caps, all members will have seen the letter from Tasmania Police Commissioner Donna Adams to minister Ellis of 6 February this year. Reading this letter, I'm very thankful that we have a police commissioner of the quality and integrity of Donna Adams and indeed the courage, but it does make me sad that this letter was ignored by the minister.

Commissioner Adams says, in reference to the National Firearm Agreement and subsequent enactment of the *Firearms Act of 1996*:

> … [The] impact of these reforms has diminished over time. The total number of firearms in circulation nationally now exceeds pre-1996 levels.
>
> This moment provides a renewed opportunity to consider how we meet community expectations regarding the management and oversight of firearms. Many Australians remain unaware of the sheer number and types of firearms that can be legally owned and used in this country.
>
> As Commissioner of Police, I take very seriously my dual responsibility: ensuring the safety of the Tasmanian community and safeguarding every police officer who places themselves in harm's way each day. Firearms present a real and increasing threat to both the public and our officers. The murder of Constable Keith Smith on 16 June 2025 was a confronting reminder that the presence of a firearm can change the outcome of even the most routine policing task.

She acknowledges that the Police minister had played a vital role in supporting Tasmania Police through the budget process, but she says to the minister on behalf of Tasmania Police -

> They are now looking to you once again to demonstrate continued commitment to their safety. You stood with us in the aftermath of the tragic murder of Constable Smith, and we now seek your support as we confront the growing risks posed by firearms in our community.

And she goes on to say -

> Public safety must take precedence over the privilege of firearms ownership.
>
> ...
>
> In terms of policy and legislative change, I reiterate my support for the national firearms reform agenda, including a proposed firearms cap.

She goes on to thank him for his leadership and for the serious consideration he and his government is giving this issue. Regrettably, we know how unserious in many ways this Police minister is, and on this issue particularly.

Before I close, I'll talk briefly about some of the amendments in the other place. We're very proud of our successful amendments to this bill in the House of Assembly. I commend the government for bringing this bill forward, but it was some way off making all the necessary changes to ensure Tasmania is the safest place it can be. We had a rogue Minister for Police, Fire and Emergency Management playing what I and many others consider to be a contemptible

role in undermining the evidence for caps and the Commonwealth buyback offer. He pandered to base politics, sacked his newly minted firearms consultative committee after just two meetings, attacked a journalist asking reasonable questions about his actions and most egregiously, he ignored his own police commissioner.

Anyway, so much of that is history now. We worked with health, family violence, and public safety advocates and members across the parliament to make changes to the legislation to improve community safety. We successfully removed the contentious grandfathering provisions to firearms reclassifications, which would have rendered them ineffectual and counter to the intent of the updated National Firearms Agreement. There are now instead fair transitional provisions. This is such an important measure to reduce the number of firearms in our community.

We secured significant family violence safety measures that mean family violence offenders will be excluded from holding a firearm for 10 years. In their submission to the draft of the bill we debate today, the Tasmanian Family and Sexual Violence Alliance points out:

> … for women and children experiencing family and sexual violence, the reality is markedly different.
>
> Tasmania records some of the highest rates of family and sexual violence in Australia, including the nation's highest rates of intimate partner violence, emotional abuse, economic abuse, stalking and child maltreatment notifications. …
>
> At the same time, Tasmania has one of Australia's largest registered civilian firearm populations relative to its size. As at May 2026, there were 152,186 registered firearms and 37,960 individual firearms licence holders across the state. …
>
> The Alliance does not suggest that lawful firearm ownership causes family violence, nor that all responsible firearms owners contribute to violence against women and children. However, effective public policy requires governments to consider where known risk factors intersect and to ensure appropriate safeguards are in place.

Other Greens amendments to the bill would exclude a person from holding a firearm licence if they've been convicted of fraud relating to acquiring a firearm or a licence, threatened to use a firearm for violence or unlawful purposes, or have a prohibition order against them in another state. The parliament also voted against the proposed new unjustified and unjustifiable ministerial power to prescribe additional reasons for holding a gun. We strongly supported that being struck out in the other place.

Having spoken out about the need for firearms caps for months, the Greens were proud to stand behind Labor's amendments to limit firearm ownership to five for recreational shooters and 10 for producers and feral animal control and the like, with the power for the police commissioner to approve additional firearms on the basis of genuine reasons. Honestly, who needs more than 10 guns? Anyway, if someone thinks they do, Labor's amendment provides for that. It was very disappointing to see these changes fail in the other place.

Amendments from the crossbench and the Greens significantly improved the bill's ability to reduce the threat of firearms to the community. I want to give the final word to the Alannah & Madeline Foundation. This was a message to us.

> Good morning,
>
> On behalf of the Alannah & Madeline Foundation, I wish you well in your deliberations on the firearm bill today.
>
> I hope you can see through the belligerent self-interest of the gun lobby and consider the issue of firearm limits in the context of public safety for the entire population of Tasmania, the vast majority who don't use guns but yet may have their safety influenced by those who do.
>
> The evidence provided by medical, health, family violence, first responders and the Police Commissioner herself is overwhelmingly in support of limits.
>
> Only a small, but disproportionately loud, number of people will be affected by limits. No-one will be prevented from owning or using a gun. The government has already limited who can have a gun and what type of gun they can have. It's only reasonable for you, your Chamber, to also limit the ability for individuals to have as many guns as they want.
>
> The Foundation was born from firearm violence at Port Arthur. I'm sure all members have their own links to that tragedy. We hope you take this once in a lifetime opportunity to further strengthen gun laws. I look forward with anticipation to your debate.
>
> Regards
> Stephen Bendell

And with those words, again, I can indicate we strongly support this bill, but we do want to see this Chamber acknowledge the evidence and support Labor's amendment to introduce caps.

[12.40 p.m.]

Ms WEBB (Nelson) - Mr President, I rise to make a contribution on the Firearms Amendment (Strengthening Firearm Security) Bill 2026. I have very much appreciated the opportunity to listen to the contributions of other members so far and will continue to listen to any yet to come. It's clear that this is a significant piece of legislative reform, and members have been diligent in grappling with the range of views and concerns and issues raised with us by community stakeholders from all sides of this issue.

I know we are all mindful here of the fact that this will be a difficult and distressing topic for many who have a personal experience or connection to a firearm-related heartbreak, whether that is the many Tasmanians impacted by the Port Arthur tragedy or other losses experienced in families throughout our state. Of course, it also includes those who are currently living with the threat of violence from firearms as an aspect of family violence, coercion and control, and so often, those living with that threat are women and children. I acknowledge that

that's the context in which this may be difficult for people either here in this place or those who are engaging with this debate through online or later measures.

So, mindful of those sensitivities, I will start by saying that I'm concerned that the bill, as it stands now, is a missed opportunity, although it does have many things of merit. It's a worrying and significant missed opportunity, despite some key positive features. I welcome that there were further positive adjustments made in the other place and passed there, and I'll mention some of those as we go. Let me also say at the outset that, as a broad principle, I do not regard access to, or ownership of, firearms to be a presumptive right or entitlement of any kind. It is, in my view, at most a privilege, and it does not outweigh the primacy of public safety when I give consideration to matters relating to firearms and their regulation.

As others have referenced, following the Bondi atrocity of 14 December 2025, National Cabinet agreed to an updated 2026 National Firearms Agreement on 26 August this year and, along with other national jurisdictions, Tasmania is bringing in amending legislation to reflect elements of that national agreement that was made in August. At the outset, the principles and intent of the National Firearms Agreement will serve as a key benchmark and criteria to my consideration of this bill and of any amendments we may debate at a later stage in relation to the bill. I note the opening statement of the Firearms Agreement includes the following, and I quote:

> The Agreement affirms that firearm possession and use is a privilege that is conditional on the overriding need to ensure public safety, and that public safety is improved by the safe and responsible possession, carriage, use, registration, storage and transfer of firearms.

That is a significant statement. It is a clear and upfront statement that reinforces my personal view that the ownership and use of firearms is a privilege. It's conditional on public safety, and that should be a sound foundation upon which to build solid and meaningful reform with public safety front and centre, especially considering the context in our state, with Tasmania continuing to hold a disproportionate number of firearms per capita compared to the rest of Australia and a corresponding, concerningly high, rate of firearm theft.

As this is played out this year with the new national agreement coming subsequent to the Bondi tragedy, we've unfortunately also seen positioning begin early. By February this year, in some sense, the fix was in on some elements of what I think are reforms that merit inclusion. On 26 February, a full six months before the Premier signed the national agreement document at the end of August, a joint media release by the Premier and minister Ellis stated:

> There will be no caps imposed on individual firearm owners.

A critical element during the public discourse that had been just dismissed out of hand via a pre-emptive media release from the Premier and the minister. That deliberate and dismissive positioning by government is even further disturbing in light of what we now know, which is that on 6 February, 20 days prior to the government media release, the minister had received a direct letter from the Tasmanian police commissioner reiterating her support for the national firearms reform agenda, including a proposed firearms cap.

This position presented by the police commissioner was informed by and based upon the principle underpinning the National Firearms Agreement: that public safety must take precedence over the privilege of firearms ownership.

In contrast to dismissing such measures out of hand, the public health and safety lens is core to informing my assessment of this bill, along with the provisions of the National Firearm Agreement. It serves as my core criterion when considering any amendments which may be moved during this Chamber's debate.

I'm sure all members have received numerous emails from firearm owners, whether they be recreational shooters, members of sporting and shooting clubs, professional shooters or those working in our primary industries. I do acknowledge that we have received a great deal of correspondence in that vein, and they have put their cases clearly, providing written submissions and advocacy and also personal briefings. That's a great deal of effort that has been put in, and I do acknowledge people articulating and advocating for their positions.

However, equally important in consideration here is the lived experience and expertise of those advocating for a stronger public health approach to these reforms. I think it's very telling to note that many of the community, the legal and the health professional stakeholders who either made submissions to the draft consultation bill or to members of this place in the lead-up to the debate on the tabled bill emphasised, for example, the need for caps on the number of firearms owned.

Another significant perspective, I think, which must be taken into consideration during this debate is that put forward by the Commissioner of Tasmania Police. As we have heard, the commissioner placed her positions very clearly before the minister via correspondence dated 6 February this year. However, it's worth also noting subsequent statements, including the written feedback provided to the consultation draft bill in August this year from the commissioner. In correspondence dated 6 August and in response to the consultation version of the bill we're considering today, the commissioner clearly does not resile from her earlier stated position and emphasises:

> As you are aware, I have publicly expressed my support for further reforms than what is currently proposed, including the introduction of limits to the number of firearms that a person may own, aligned with national reform discussions and legislation that has been passed in Western Australia and New South Wales. Reducing the total number of firearms in the community, while continuing to permit the lawful use of firearms by people who can demonstrate a genuine reason and need, will enhance officer and community safety. (TBC)

This is an important, clear and unequivocal statement articulating the fundamental criteria of public interest and public safety as the key determinant. Now, I may not agree with all other policy statements put forward by the department of Tasmania Police or the commissioner specifically; however, I do think and I do listen to them when we are discussing factors which may increase or conversely harm the safety of police officers. The introduction of caps by virtue of reducing and limiting the number of guns within the community has clearly been identified as a very real consideration for the safety of our police officers. So often we hear much of the danger our police officers face or put themselves before in the line of duty. I know many of us attend annual memorial services for those who have paid the ultimate price

in the line of duty. And of course, while not all those causes will be linked to firearms, it is notable that some are. This is not an insignificant consideration here.

Reducing this very real and present threat to those going about their job on a daily basis should be a prime consideration, I contend, along with serious consideration of the broader public safety. Again, I refer to the 6th of August document of the police commissioner:

> One of the key policy positions arising from the national reform discussions post-Bondi is the introduction of a limit on the number of firearms that a person may own.

As I stated earlier, one of my key criteria informing examination and consideration of this bill is the degree to which it's compatible in word, in spirit and intent with that revised National Firearms Agreement. Clearly, the commissioner's view was that the implementation of a cap on the number of firearms which someone can own is consistent with that agreement. The correspondence from the commissioner goes on to state the intent of caps is 'to address the concentration of large numbers of firearms within a comparatively small proportion of licence holders'.

The range of people affected by decisions we make in this place is a significant consideration and it's a responsibility that we bear when we are giving consideration to legislation as it goes through. I acknowledge that. While it is extremely useful to consider the point made so succinctly by the commissioner that the proposed caps will actually impact directly a comparatively small proportion of firearm licence holders - not even the total number of firearm owners, but a slightly smaller subgroup of those licence holders - as not every Tasmanian with a firearm licence holds more than one firearm or multiple to the point of exceeding the proposed capped number, we are talking about a limited prescribed group.

It's also worth pointing out that of course the other cohort of Tasmanians affected by the decision to introduce a cap or not is the entire remainder of the Tasmanian population, whether police officers on duty or family members or other members of the community. Our decision here today to introduce or not a cap on the number of firearms any one individual can own will also present major ramifications for the broader community. The public health lens tells us that, and as pointed out by the police commissioner's correspondence, 'The link between reducing firearms in the community and reduction of harm is well evidenced'.

We have also heard from a range of other stakeholders providing their perspectives on a public health lens-informed approach here, including briefings we had from Gun Reform Australia. I want to recognise Gun Reform Australia for the advocacy over many decades on this matter and particularly here locally, Roland Browne and his leadership in that group. Also, we had briefings from Medics for Gun Reform. Dr Phil Pullinger provided briefings for us and follow-up information, along with a very compelling briefing presentation and follow-up information from Dr Michael Carr-Gregg AO.

I think it's particularly interesting to hear more nuanced reflection on a public health lens approach to this issue. I did find it quite informative to contemplate the follow-up notes sent through to us from Dr Michael Carr-Gregg in September following the online briefing provided by him. I'm going to quote a couple of paragraphs out of his correspondence to us, which I think are important perspectives on the fact that a public health lens is about preventative action, it's about reducing risk, it's about addressing things at a population level, and it's often

misconstrued or mischaracterised by people criticising the measures that are proposed under that approach. I'm just going to quote a couple of paragraphs from Dr Carr-Gregg's correspondence:

> The government's argument, faithfully echoed by the gun lobby, is that a cap would not have stopped Port Arthur, or Bondi, or the next one, because the perpetrators did not own more than ten guns. This is the oldest trick in the book: pick the one intervention, demand that it alone would have prevented the worst case, and when it wouldn't have, declare it useless. No one who works in public health thinks like that. Seatbelts don't stop every road death. Pool fences don't stop every drowning. We put them in anyway, because they shift the odds across a whole population, and because the cost of being wrong is measured in children. Walter can tell you their names.
>
> Here is what a cap actually does. It reduces the size of the arsenal that can be stolen from a house. It limits the stockpile available to someone whose licence is later revoked, or whose mental state deteriorates, or whose family is trying to keep him alive through a bad winter. It puts a modest, sensible ceiling on private accumulation of lethal force, and it tells the community what the Parliament thinks the reasonable limit is. That is not an attack on farmers or sports shooters.

I'm going to end the quote there, Mr President. I found that quite compelling. It's a good explanation and we should never expect anyone measure to have prevented, as Dr Carr-Gregg said, the worst case. It is a matrix and this was explained to us in the briefings. Public health approach is a matrix of measures aimed to reduce risk and aimed to bring down the outcomes that we do not want to be seeing in our community. The public health approach works; we know that from the other areas of policy where we implement such an approach.

We also heard from the AMA about the importance of a preventative health and public health approach, and that's the stakeholder group which I also think should have a compelling voice in this space because they are certainly on the front line of the impact of the harm and lethality of firearms. They know that reducing risk is the main game and to quote from the AMA correspondence to us:

> Preventative health is often associated with reducing chronic disease, but its purpose is broader: to identify foreseeable risks and intervene before they result in illness, injury or death.
>
> Firearms regulation is a clear example of this principle in practice. Where access to a highly lethal means can be reasonably limited during periods of acute distress, family violence or other heightened risk, the law has an important opportunity to prevent otherwise avoidable harm.

Further, the AMA submission said:

> The bill provides an important opportunity to translate Tasmania's commitment to preventative health into practical action. Preventing suicide, reducing the risk and consequence of domestic and family violence, and limiting availability of firearms for theft or diversion are not secondary

> considerations. They are central public health and community safety objectives.

I think this is crucial and we have to remember that caps are being proposed here, and I hope we have a chance to consider them in relation to this bill via amendment. Caps are being considered here with still the availability, where warranted, for people to be putting forward to exceed those caps to make the case that that's necessary. I know that there can be a lot of bother about the sense of restriction that some people feel is going to be put on them with the introduction of caps. But when it comes down to it, if there is a genuine reason that they need to exceed the caps, there's an avenue provided for that to be sought.

I think it's entirely reasonable to set what this parliament thinks is a reasonable cap, and for the impetus then to be on people to make a case for exceeding those caps rather than a baseline assumption that people can have as many guns as they like. We would have to, in some other way, find ways to restrict and bring down what could then end up being a huge body of firearms available out in the community, which then are at risk of theft, of course. It doesn't really matter how much we might praise lawful gun owners and legally held guns. They are, of course, just a theft away from becoming illegally -

Sitting suspended from 1 p.m. to 2.30 p.m.

QUESTIONS

King Island - Sharp Airlines - Impact of Cancelled Services

Ms FORREST question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.30 p.m.]

Thank you, Mr President. I appreciate the minister's prompt attention to the question regarding Sharp Airlines and King Island. I want to ask a further question in relation to the answer provided to question 14, which is: what assistance is available to King Island residents whose medical appointments or treatment are disrupted by cancelled services, including help with rebooking, extra accommodational or travel costs? And you responded:

> Any rebooking of cancelled services, including help with rebooking, extra accommodation or travel costs, is an operational matter for Sharp Airlines.

Can I take it from that, that patients who have disrupted travel can go to Sharp and seek funding support for having to rebook or extend their accommodation bookings and other travel-related costs?

ANSWER

Thank you, Mr President, I will seek some further advice.

I certainly can't get involved with the individual situations on that, but if somebody is travelling under medical care for State Service, they are quite able to go back through to the Health department to arrange for other things, but otherwise the initial thing sits with Sharp.

Supplementary Question

Ms FORREST - Maybe this is not something the minister can answer; I do appreciate that if he's unable to do so. King Islanders can't just get in the car and drive home, and so they will need to often book another night's accommodation, have to perhaps book other travel arrangements. Because a lot of these will be travelling under Patient Travel Assistance Scheme (PTAS) arrangements, should they first approach Sharp for recompense? Or should they try to do it through PTAS and hope the PTAS will pay?

Mr VINCENT - Thank you. Because of the different natures of that, I will take that on advice, so we get it done right and accurate. We will do that as quickly as we can, but it might not be for this afternoon.

Trevallyn Primary School End-of-Year Celebration - Future Policy on Naming

Ms O'CONNOR question to MINISTER for EDUCATION, Ms PALMER

[2.33 p.m.]

Following on from the Premier's unfortunate intervention in the end-of-year celebrations of a northern school, I ask the minister whether the department has been instructed or asked to develop any policy around end-of-year or Christmas celebrations, or whether schools would be required to include Christmas in the naming of end-of-year events. Also, does the government have any plans to try to direct school communities or school associations as separate statutory bodies on the naming and content of events they organise or whether any direction applies only to schools, if that direction exists?

ANSWER

Thank you very much, Mr President. There certainly has been no instruction for me as Minister for Education -

Ms O'Connor - From the department?

Ms PALMER - and I'm certainly not aware of anything from the department. I'm happy to ask that question, but certainly not aware of anything.

Trevallyn Primary School End-of-Year Celebration - Cost to School

Ms WEBB question to MINISTER for EDUCATION, Ms PALMER

[2.35 p.m.]

Minister, this is also in relation to the easily foreseeable vitriol of harassment directed at school leaders, staff and community of the northern primary school which was the readily identifiable subject of the Premier's reckless social media posts which incorrectly allege that it had removed all references to Christmas, which triggered heightened security concerns at the school. The questions are these. Could you:

(1) please provide details of the costs to the school's resources, staffing and otherwise, expended to respond to and manage the actions targeted at the school as a direct result of the Premier's misleading social media post? For example, to manage abusive phone calls, emails, social media management, security, communications, et cetera.

(2) confirm whether the school is expected to bear these unnecessary and politically driven costs within its limited resources, or will those costs be reimbursed by the department or, perhaps more appropriately, by the Premier?

ANSWER

Thank you very much. I would have to take that question on notice.

Ms Webb - Thank you.

Tasmanian Institute of Sport - Proposed Staffing Cuts

Ms THOMAS question to MINISTER for SPORT, Mr DUIGAN

[2.36 p.m.]

Minister, I've been advised of proposals to remove four positions from the Tasmanian Institute of Sport, including the manager of athlete wellbeing, and reduce Active Tasmania staffing from 21 staff to just 12. Minister, can you confirm the current proposed staffing reductions in each organisation, identify what positions will be effective, and identify what services currently provided by Active Tasmania to community clubs and state sporting organisations would cease, be reduced or delivered differently under the proposed staffing cuts?

ANSWER

Thank you, Mr President. I will seek some advice.

I note there has been some reporting around Active Tasmania and I would say at the outset that that reporting is not accurate. However, what I would also say is that agencies are actively reviewing organisational structures, vacancies, business processes and service delivery arrangements to identify efficiencies while protecting frontline services.

I understand that the Community and Public Sector Union has submitted a formal request to the Tasmanian Industrial Commission seeking additional information on the proposed machinery-of-government changes and an extension of the consultation period. While this matter progresses through the commission's process, consultation with staff on proposed structural and staffing changes was extended. Consultation on proposed changes has now closed. Each piece of feedback received is now being considered closely and no decisions have been, at this time, finalised.

Supplementary Question

Ms THOMAS - Minister, my question is a supplementary to you as Minister for Sport. It's pleasing to hear that no decisions have been finalised in relation to cuts to the Tasmanian Institute of Sport or Active Tasmania. You mentioned that reporting in relation to proposed cuts has not been accurate. If that's the case and the proposal is not as reported to cut Active Tasmania from 21 to 12 staff and to cut four positions from the Tasmanian Institute of Sport, what is your understanding of what the proposal is? If that's not accurate, what is accurate?

Mr DUIGAN - No decisions have been made at this time.

Tasmanian Institute of Sport - Proposed Staffing Cuts - Ministerial Understanding

Ms THOMAS question to MINISTER for SPORT, Mr DUIGAN

[2.39 p.m.]

My question is, minister, what is your understanding of the proposal then? Clearly, if there is consultation being undertaken on proposed cuts - understanding that all agencies are being asked to find savings - what is your understanding of what the proposal is that is being consulted on? Do you, as minister, know what that proposal looks like and what does it look like if you do?

ANSWER

Thanks, Mr President. Obviously, secretaries are handling these negotiations, and, as I say, no decisions have been made.

Tasmanian Institute of Sport - Proposed Staffing Cuts - Ministerial Understanding

Ms THOMAS question to MINISTER for SPORT, Mr DUIGAN

[2.40 p.m.]

Minister, secretaries are making these decisions. Have you asked your secretary what that proposal looks like, given there is reporting about it, given concerns are being raised about what those cuts mean for public service employees in those outputs and for community organisations serviced by them? Do you actually know, as minister, what the proposal is that is being consulted on and if you don't, will you undertake to find out?

ANSWER

What I would say is that we have asked for efficiencies to be found in the public service. That's nothing new. We've been talking about that for the last two years. This is what it looks like where we are looking for those efficiencies. Our secretaries are handling those things, but it's very important to recognise that these are discussions that have impacts for people, so we're having those as respectfully as we possibly can.

I'm not going to get involved in speculation on outcomes at this stage. As I say, no decisions have been made.

State Government Redundancies - Taxation Treatment

Ms FORREST question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY

[2.41 p.m.]

Honourable Leader, I sent a question to your office on 9 October, three weeks ago. The question was: with regard to the matters related to the taxation treatment of state government redundancies.

(1) Did Treasury run the redundancy program, and if not, which department did?

(2) Did the relevant departments seek or obtain tax advice/opinion prior to progressing this process?

(3) Has legal advice or opinion been sought on this matter in the last five years, and if so, from whom?

(4) Is the recently proposed top-up payment legally permitted? Has legal advice been sought on this proposed process, and if so, from whom?

(5) Has legal and financial advice been sought regarding any potential impacts on members of the defined benefit scheme who have taken redundancies? If so, what will be an impact, and what will the impact result in? If not, will the advice be sought?

My question to you is, when can I expect a question and answer to that? In all good faith, this was sent three weeks ago.

ANSWER

I just received some advice as the honourable member was restating that question or stating that question, and unfortunately that hasn't been received, but it had been followed up this week by the Leader's office. I'll give an undertaking that someone's listening right now and they're following it up and will get the answer to you outside of this session today, and then you can still put it through the process when we come back. Apologies.

Youth Justice Blueprint Action Plan 2025-2026 - Status of Progress Report

Ms THOMAS question to MINISTER for EDUCATION, Ms PALMER

[2.43 p.m.]

Minister, the government released its Youth Justice Blueprint 2024-2034 in December 2023, followed by an action plan for 2024-2025 and a progress report in July 2025. Fifteen months later, the Department's Youth Justice Reform webpage still lists no subsequent progress report or action plan for 2025-2026. However, a new action plan for 2026-2027 has

appeared, which I discovered while searching for updates on the review of the *Youth Justice Act 1997*.

My questions, minister, are: why has the government not published a further dedicated progress report since July 2025? Was an action plan prepared for 2025-2026? If so, why is it not publicly available, and if not, why not?

ANSWER

Thank you very much, Mr President. I'll just seek some advice.

I don't have information with me about why there may or may not be a delay with regard to the action plan, so I'll seek some advice about that and get back to you.

Parole Board of Tasmania - Use of Artificial Intelligence

Ms WEBB question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY

[2.45 p.m.]

Following revelations the Tasmanian Parole Board used unverified artificial intelligence when presenting case law, arguing for an excessive gag order to be applied to Sue Neill-Fraser and noting the Attorney General's subsequent announcement that KordaMentha has been engaged to undertake an independent review into the Parole Board's use of AI, can the government please:

(1) Advise:

(a) When the independent review's terms of reference will be released publicly;

(b) The timeline of that review;

(c) The expected costs associated with that review;

(d) Whether the review scope will include examination of the adequacy of the Parole Board's professional standards, policy and implementation; and

(2) Detail what the government has done more broadly to assess the adequacy of current guardrails and policies regarding the use of AI across the state's judiciary and legal fraternity to ensure current practices do not risk impeding access to justice, procedural fairness or erode public confidence, and finally

(3) Detail the outcomes of any such systemic examination, including any identified areas for reform.

ANSWER

(1) (a) The terms of reference are available on the Department of Justice's website.

(b) KordaMentha has advised that it expects that the review can be completed by the end of 2026. The government expects the review to be completed promptly while allowing sufficient time for a thorough and independent examination of the matters within its terms of reference and ensuring procedural fairness for those affected.

The Deputy Premier has requested that KordaMentha prioritise the review of whether inaccurate AI-generated material has been used in any other matter and that KordaMentha deliver its findings on this element of the terms of reference as soon as possible.

(c) The review has an initial cost cap of $100,000. Any proposed increase would be subject to approval by the Secretary of the Department of Justice. Details of the contract will be published on the Department of Treasury and Finance's website.

(d) The review will specifically consider whether there have been any other instances of inaccurate or unreliable material generated by artificial intelligence being presented to the board in relation to matters before the board; the governance and accountability arrangements applying to the board, including the respective roles and responsibilities of the board, its chairperson and deputy chairperson, members and deputy members and support staff.

The board's decision-making processes and practices, including how it considers and scrutinises information provided to it, including any processes that support the development of documents by members of the board or the secretary to inform decisions, draws on the particular qualification, skills and experience of its members and reaches and records its decisions and whether any deficiencies identified in the arrangements and processes examined under paragraphs 1, 2 and 3 create a material risk to the integrity, fairness or soundness of the board's consideration of matters or its decision-making processes and, within the context of the above matters, any legislative, governance, policy, procedural or training reforms required to strengthen the board's operations and maintain public confidence in parole decision making.

(2) Tasmania's judiciary and courts are independent of government. The Supreme Court of Tasmania has published the guidelines for the use of generative artificial intelligence, which commenced on 26 October 2026 and applied to all Supreme Court proceedings. The guidelines apply to all court users, including legal practitioners, litigants, witnesses and other third parties who produce documents for the court and are intended to ensure the responsible use of generative AI in the administration of justice.

The court has advised that this approach will be reviewed regularly in recognition of the rapid pace of technological development. Practitioners are expected to familiarise themselves with the guidelines and continue to comply with their existing professional and ethical obligations to the court and other parties.

Within the Department of Justice, the secretary has reiterated to all employees, including departmental lawyers their obligation to comply with the department's How to Use Artificial Intelligence Safety Interim Guidelines, and those guidelines address the use of approved AI tools, protection of personal and confidential information, transparency, verification of AI-generated material, and human oversight and accountability for advice and decisions. The guidelines are publicly available on the department's website.

Through its office, the Chief Information Officer of the department has actively contributed to the development of the whole-of-government AI policy. The department's current guidance is consistent with the direction and requirements that policy is expected to establish and will be updated once the whole-of-government policy is finalised.

The secretary has also directed that the department publish the AI transparency statement required under the whole-of-government policy once it is finalised, to strengthen transparency and public assurance. The final whole-of-government policy, together with any relevant findings and recommendations from the independent review, will inform consideration of further changes to departmental guidance and practices.

RA Rodda Museum - Support and Compensation for Families

Ms WEBB question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY

[2.52 p.m.]

Thank you, Mr President. I have another set of questions I have an answer to, apparently from the Leader for the Government.

Noting the September 2025 Tasmanian coronial findings report in relation to human remains retained following coronial autopsies between 1966 and 1991 at the RA Rodda Museum, and noting the formal parliamentary apology provided on 19 May 2026, can the government please:

(1) Confirm whether ongoing support, counselling, mediation or any other ongoing discussions surrounding support needed are occurring between the government and affected family members of those whose remains have been part of the R.A. Rodda Museum illegal body parts collection?

(2) Detail whether the government -

(a) is considering any financial redress or other reparation for affected family members, and if not, why not;

(b) has undertaken any modelling or costing of any potential appropriate financial redress or other reparation, and if not, why not?

(3) Detail whether a form of appropriate memorial is being actively considered, and if so, what consultation with affected family members is being planned or is underway?

ANSWER

Thank you, Mr President.

(1) Following the parliamentary apology, the government established a voluntary trauma-informed direct personal response process. This provides an opportunity for affected individuals and families to explain the impact of what occurred, have their experiences personally acknowledged, receive a personal acknowledgement or apology, and ask questions and receive answers where these can be properly provided.

Participants may involve a support person and the Department of Health can discuss how the process might be adapted to their individual needs, and there is no obligation to participate before they feel ready.

Engagement with affected families is continuing, including responding to requests for further information and discussing the support available and arrangements for direct personal responses.

(2) (a) The government's response has focused on acknowledging the harm through the parliamentary apology providing ongoing counselling and psychological support, offering direct personal responses and referring relevant information to be appropriate independent authorities for consideration. The government is not considering establishing a specific redress scheme in response to these events.

(b) No modelling or costing of financial compensation, redress or other reparations has been undertaken as a specific redress scheme is not being considered.

(3) The Tasmanian government is sensitive to the needs and wishes of families affected by this matter and recognises that there are differing, deeply held views about the establishment of a memorial. Some families have expressed strong support for a memorial to acknowledge their loved ones. Other families have expressed strong opposition, making clear that they do not wish their loved ones to be remembered in connection with the unlawful retention of remains. The government continues to work with affected families on an individual basis, and any consideration of a memorial must be approached with care and sensitivity, respecting the diversity of family views and their wishes about how their loved ones are remembered.

DRAFT

Tasmanian Sand Enduro Race - Reserve Activity Assessment

Ms O'CONNOR question to MINISTER for PARKS and HERITAGE, Mr DUIGAN

[2.56 p.m.]

My question relates to the Tasmanian Sand Enduro race, which has been held at the Peron Dunes since 1972. Minister, as you probably know, on 9 September last year my colleague Tabatha Badger asked you a constituent question about whether or not it was true that no Reserve Activity Assessment had been completed by Parks before the new licence was granted to the Enduro. You responded to that question by saying that the Parks and Wildlife Service was currently undertaking a Reserve Activity Assessment to assess potential impacts ahead of the November event. We now know, through RTI documents, that Parks and Wildlife Service did not commence the RAA until 10 September, one day after Ms Badger asked the question. They also show the decision to initiate this process, and the associated consideration of environmental and cultural heritage values, was only triggered by the fact that the matter was raised in parliament.

Minister, this retrospective RAA found that there were Aboriginal heritage issues and there was direction to organisers to reroute the planned track for the race. There was also advice from Parks' conservation assessment team that four-wheel drive activities during breeding season were a high risk to shorebirds in the area and it was recommended that such activities in this area take place outside the shorebird breeding season. Well, we know that hasn't happened.

Minister, are you able to advise whether there are any other events or developments or activities being progressed by Parks and Wildlife Service absent Reserve Activity Assessment? If so, how many, and where are they relating to?

ANSWER

I'll just quickly go and seek some advice. I thank the member for the question and I'm happy to ask that question of the department and come back to you. I will take it on notice.

Answer to Question - TasTAFE Laboratory Course Cuts - DECYP Statement of Duties

[2.59 p.m.]

Ms PALMER (Rosevears - Minister for Education) - Mr President, I have an answer to a question that I took on notice yesterday for the honourable member for Elwick about the Department for Education, Children and Young People changing the statement of duties for school laboratory technicians. There were a number of questions in there, in particular asking for a guarantee that the changes will not result in less-qualified staff being appointed to work independently in school laboratories. Mr President, on indulgence, I can answer that now.

I am advised that the essential requirements detailed in this statement of duties was updated last month as the existing wording was outdated and open to inconsistent interpretation. The department's formally approved qualifications dated back to 1996 and no longer clearly reflected contemporary qualifications. In particular, there were instances where candidates with relevant higher-level qualifications, such as a Bachelor of Science, did not technically meet the requirement, although they were clearly capable of doing the work. As

such, the department chose to update requirements to clarify the qualifications that can be recognised and support consistent recruitment decisions.

According to the updated statement of duties, the essential requirements for school laboratory technicians are one of the following:

- A Certificate III or IV in Laboratory Techniques;
- A diploma or advanced diploma;
- An associate degree, bachelor's degree or higher qualification in a discipline relevant to the duties of the position; or
- Demonstrated equivalent skills, knowledge and experience relevant to the role.

As already stated, this update was a modernisation and clarification of the requirement, it was not a reduction in the qualification standard.

FIREARMS AMENDMENT (STRENGTHENING FIREARMS SECURITY) BILL 2026 (No. 30)

Second Reading

Resumed from above (page 33).

[3.01 p.m.]

Ms WEBB (Nelson) - Mr President, before the break, I believe I was speaking about the fact that legally held firearms are all well and good, but they are also just a theft away from becoming illegally held firearms, so we have to be very mindful that the complete suite of measures that we propose are going to lessen risk across the whole community, even if that does impinge on or affect people who regard themselves as people who are legally owning firearms and responsibly managing and keeping them.

I want to say that this is especially important in family violence situations. We've heard from stakeholders who support people, especially women and children, who are being impacted by family violence situations, coercion and control situations, that these situations can involve legally owned and stored firearms but are still part of a pattern of behaviour, so we need to take into account all of these matters. I don't believe that we can mitigate the community-wide risk of firearms and their lethality and the injury they cause by targeting people who are not law-abiding or are illegally in possession of firearms or utilising firearms in criminal ways. I think we have to think about it from that public health perspective. We know that measures like a cap on the number of guns that can be owned, with reasonable exceptions, mean that the number of guns that are there to potentially end up in the wrong hands at the wrong moment is lessened, which is the outcome we want. We also know that the number of legal guns in the general community matters as a quantum because every additional gun in a household increases the availability of lethal force in that household. Large collections of firearms are harder to store correctly, to account for correctly, and to manage correctly and legally. Family violence provisions, especially the additional ones we're putting in this bill, which are very laudable, but they will work best if we are also moderating the number of firearms in general that are available and present in the community. Every stolen gun has the capacity for harm, and a gun

stolen from a legal owner becomes an illegal firearm, so we need to be thoughtful about the quantum of legal firearms, not just addressing the illegal end of things.

Others have gone into detail on the statistics of gun ownership and firearm theft in our state. I don't think I'm going to go into detail in those areas because I think they've been well covered by others, but I am going to note here that we know there is a high rate of firearm theft in this state, and we know that few of them really are recovered. Therefore, legally owned firearms are a pipeline for illegal firearms, eventually, when they are stolen. This is absolutely a consideration, in my mind, that should be taken into account, particularly when we're contemplating the matter of caps.

It was interesting, too; I found the communications from the AMA to us in their submission. What was interesting on this point about not necessarily getting lost in detail over the proposition of caps and not necessarily quibbling over details such as what might be the right number of guns to set as a cap for ownership; the AMA submission points to the need to hold the concept of preventative health policy at the core of this proposition rather than getting lost in quibbling over numbers.

They said:

> Our submission acknowledges that there is no single clearly established optimal numerical limit. However, preventative health policy frequently requires proportionate action in the face of foreseeable risk. The absence of a universally agreed number should not prevent parliament from adopting a reasonable precautionary limit supported by review and evaluation.

I would also add there: especially when there are reasonable exemptions available, so that this is not an absolute cap in that sense when a case can be made for the requirement for more by the identified groups who may need that. That's available under what I believe is proposed to be put forward as an amendment here. I have heard the rationale provided by the Labor Party for where they have landed with their proposed amendments around caps, and I believe personally that that's a sound rationale and a good starting point.

Another common theme amongst stakeholders who advocate for the strengthening of this bill by including firearm ownership caps is the need to also have those appropriate exemptions that I've mentioned already. I absolutely would state on the record my support for appropriate exemptions. Those, of course, as many others have identified, are for primary producers, for legitimate competitive shooting activities, for collectors and firearm dealers.

The privilege of gun ownership, especially ownership of a large number of firearms, in my view does warrant a requirement to demonstrate specific and credible necessity and purpose for that large number, rather than a default that any number is allowable until it becomes problematic and perhaps we then see an impact in our community.

There are a couple of other points I will make. There's lots of detail in this bill and certainly my contribution isn't going to all elements of the bill. Many of them I support. One I want to point to, though, that I am not in support of regards the element that introduces mandatory sentencing right near the end of the bill. It's not going to surprise anyone here in this place that I am consistent in my view on this, and I do not support mandatory sentencing in principle.

It is completely discredited as an approach by all evidence from all legal experts. In fact, it risks adverse outcomes, and as clearly expressed, and I'm going to put it on the record here, by the Law Society in its submission to the consultation bill. They said this:

> The Society reiterates its opposition to mandatory sentencing provisions. The comments of the Tasmanian Sentencing Advisory Council's 2016 final report on mandatory sentencing for serious sex offences against children remains apposite.
>
> - Mandatory minimum sentences provide an incomplete guidance system to the court;
> - Mandatory minimum sentences may lead to unrealistic expectations in the community that changes to sentencing policy will deter potential offenders when there is no evidence to suggest that increased penalty levels act as a deterrent;
> - Mandatory minimum sentences may reduce the incentive to enter a plea of guilty;
> - Mandatory minimum sentences reduce transparency and consistency as discretion is transferred from Judges who are the appropriate persons to impose sentences, to prosecutors; and
> - Mandatory minimum sentences will result in significant financial costs.

I note that on this topic, it's quite common for people to construct strawman arguments about it and suggest that if somehow we are against mandatory minimum sentencing, that means we're against accountability and consequences entirely, and of course that's not the case. It's out of respect for the separation of powers between the courts and the parliament; it's not the parliament's role to set mandatory minimums. It's up to the court and the judicial officers in their discretion to apply the sentencing provisions that are in bills and in legislation. It's a nonsense to suggest that it's mandatory minimums or apparently a free-for-all lack of accountability. I reject that out of hand.

It is quite strange, I think, in this bill, the way that this suggestion for mandatory sentencing has been put forward. It does appear to then build back in a bunch of situations in which discretion can be applied without any particular rationale for why not just leave it as the normal and workable situation where there is judicial discretion to apply sentencing rules in each and every individual case as is warranted. It seems quite bizarre.

Certainly, even with the equivocation that's there in the bill, applying mandatory sentences and then also not-a-bit applying them, I still will not be supporting that aspect of the bill, categorically.

There are numerous positive aspects, of course, to this bill. I won't be covering all of them, but I'll just note a couple that I am particularly pleased to see. The National Firearms Register, of course, is a wonderful step forward. It will address the concerns that have been there about limitations in information sharing across jurisdictions, which have been a real

barrier and problem. It's a very positive development to be bringing forward and it's excellent to see progress made on that.

Also positive in the bill, and also in amendments made in the other place, is the strengthening around a range of matters to do with access to firearms and the fit and proper person test, the circumstances in which the commissioner may not grant a licence, and especially the putting into this a much stronger recognition of family violence as a grounds for exclusion and for restricting access to firearms. That's all incredibly positive to see in the bill and will make Tasmanians safer. It's really positive.

To conclude, the bill in its current format places me in a dilemma. As the police commissioner's correspondence of that 6 August said, and I quote:

> The Bill represents an important step in modernising Tasmania's firearms regulatory framework and implementing agreed national reforms.

I agree. Clearly there are some constructive components of the bill and I support them.

Also, in those statements provided to members by Roland Browne of Gun Control Australia, he said:

> Gun Control Australia generally supports the Firearms Amendment (Strengthening Firearm Security) Bill 2026 and also the amendments made to it in the lower House which included deletion of the provision allowing the minister to create a new category of genuine reason for holding a firearm licence, and also, the deletion of the grandfathering provisions that allowed the new recategorisation laws to come into effect whenever convenient to the licence holder with no time limit. We also support the rejection by the lower House of the provision to introduce silencers/sound suppressors.

I agree. I was also pleased to see all those positive adjustments made in the other place. I also welcome amendments secured, particularly the assertion of a new objective, the act, stating public health and public safety are the primary considerations for the regulation, registration and control of firearms within Tasmania. That's really important and fundamental to have right at the outset of the piece of legislation.

However, I do not consider the matter of regulated caps upon firearm ownership to be a mere added extra; for me, it is an absolutely clear missing piece in this bill. When we're applying a public health lens, it's clear that legislative caps are in fact an important component of any meaningful gun law reform matrix. I'm aware that there are proposed amendments. We've all discussed that to some degree or other in our contributions. We're aware of the proposed amendments on the matter of caps, and should the bill progress through to the Committee stage, which I would support it to do, I look forward to the debate that we may have around those matters. Until then, I'll just leave my position on the bill in reserve for what we see come out the other end of potentially that Committee stage.

As a final word in my contribution, I note the correspondence we received from the Alannah & Madeline Foundation just recently, which highlighted a quote. Again, I think I'm going to be alongside some other colleagues here, probably surprised to find myself quoting something from John Howard, but the Alannah & Madeline Foundation pointed us to this. The

foundation highlighted a quote from a 1996 speech by the then prime minister, John Howard, in Sale, Victoria. In the speech, he acknowledged the challenge of making difficult decisions which involve balancing competing interests. The then prime minister, John Howard, said this in that speech:

> But there come occasions for any Government to take decisions which can only be effectively implemented in the interests of the overall national good if they involve some disproportionate inconvenience and some disproportionate deprivation for one section of the community. I'm sorry about that but there is no other way that we can achieve the objectives. And it is always, my friends, it is always the responsibility of a … Government to weigh up the gains and to set them against the losses.

So, with that, Mr President, I'll conclude my contribution on the bill and look forward to hearing further.

[3.16 p.m.]

Mr GAFFNEY (Mersey) - I rise to speak to the Firearms Amendment (Strengthening Firearm Security) Bill. I acknowledge the range and diversity of the material presented in the speeches already in this place, and I thank members for the respectful way those different speeches have been accepted.

From the outset, I would also like to highlight some concerns with the debate that has been had on this law and the proposed amendments to it. I've heard from considerate and thoughtful Tasmanians who will be affected by the bill, both within and outside of my electorate, who are worried that the firearms discourse has all too often been involved with misuse or misrepresentation of data, the sounding of sensationalist talking points, and wholly inappropriate framing of the truth of the matter.

Firearms regulation is a significant issue with serious ramifications for public safety, community and industry outcomes. As such, there is a specific onus on those who drive public discourse, including lawmakers, to do so honestly, properly and in good faith. I have faith that we will do so in this place but it would be remiss of me not to note that, having heard concerns from a considerable number of Tasmanians regarding the nature of the debate and the quality and propriety of a few members' contributions in the other place, it is a privilege for parliamentarians to hold their position, a privilege to uphold our democratic representative process as much as it is a privilege to participate and represent our electorates in debate that will undoubtedly shape the future of Tasmania.

We, as parliamentarians, must be careful with what we say in debate and outside the Chamber. It is a far greater burden than one of simply talking with your mates in the pub or with friends at a function. We are directly accountable to our community for everything we say and do. Indeed, failure to respect the duties which come with this responsibility can further erode public trust. It also erodes perception of fairness and unbiased judgement, and engagement with the regulatory process.

In this place we can have differences of opinion. With that said, I was also very pleased to see the level of community engagement with the firearms proposals, both the original Firearm Amendment (Antique Firearms) Bill 2025 and the Firearms Amendment (Miscellaneous) Bill 2026. I also appreciate the discussions in the Committee stage in the other

place and acknowledge the amendments which were debated, as has been outlined. Some were passed and some were not, but it is pleasing that the bill was debated in the Committee stage.

It's also pleasing to read that nearly 650 submissions were received through the Tasmania Police website. As I'm sure many others here will concur with, we have received many strong contributions on this matter from community members, both for and against legislation, regulation, amendments and the process itself. I've heard much by the way of concern for public safety and much by way of concern for over-regulation and overreach.

Mr President, open engagement with parliamentarians and governmental consultation processes is an integral part of our democracy, and a willing and responsive government has benefits beyond simply improving legislation. It encourages public participation in politics, increases trust and strengthens representative governance. In this sense, the ongoing goal for government and lawmakers to strive toward is proper facilitation of community engagement, and consultation is crucial in this debate. Publications of decisions and feedback in a timely manner, the addressing of concerns, the measured evolution of legislation and indeed strong communication are all factors. Each of these factors is as important as the last for every legislative proposal and every significant policy change.

As such, it was quite pleasing to read the consultation summary and response put forward on the Tasmania Police website in the interests of open transparency in decision making. It was however quite interesting, if perhaps unsurprising, to read the recommendations in the consultation summary document as 'greenlighting' the changes, despite a significant proportion of submissions strongly opposing the changes. At this point, I will highlight a quote from the document I thought quite pertinent:

> Any future consideration of ownership caps should be supported by a clear evidence base demonstrating a public safety benefit.

And we've heard from members today outlined those evidence-based instruments demonstrating public safety.

While this recommendation relates to the ownership caps issue, it applies to all measures regarding firearms. I highlight this comment because I believe it is crucial for firearms regulation to always ground itself in the principles of proportionality, objectivity and rationality. In all government actions, evidence-based decision making is the central basis for good governance that's free of subjective vitriol.

For me, the ongoing regulation of firearms is about identifying where sensible improvements can be considered and if necessary, where they can be successfully implemented without unfairly inhibiting the rights of what are naturally law-abiding and responsible registered firearm owners. Guns are, like any tool; they could be misused and do have the potential to do great harm in our communities, but tools nonetheless, an inanimate and lifeless object.

My childhood was on a farm. I was raised around rifles and shotguns, and I'm familiar with their role in day-to-day farm life. My dad has been a hunter and shooter all of his life, as most of my family, and growing up around hounds, guns and hunting wallabies and rabbits. Of course, rabbits and wallaby, and now deer, are a significant economic and ecological issue in Tasmania and hunters play a significant role in curbing the excess numbers.

That is not to disagree with the fact that public safety is a paramount concern in firearms regulation. The reality of firearms regulation is that it has a very real, sensitive and important role in ensuring that Australians are safe and feel safe. Recent tragic events illustrate this point.

To my mind, the ramifications of gun regulation are a two-sided coin. Regulation must be appropriate in substance and form. People must feel safe, view their communities as being safe and defend legal rights. But regulation must also be appropriate to best protect communities from the horror arising from gun violence. I'm sure that many will agree that Australia has a good, strong culture when it comes to the legal uses of guns of all kinds. Our general statistics and attitudes when it comes to guns are positive, especially when compared to other western counterparts. Of course, safety and perceived safety in the ownership, storage and use of firearms have significant benefits to societal cohesion. It's enough to say that strong regulation and a strong hand in this space is a robust statement of our intent to our wider community as much as it is a physical restriction on guns.

Mr President, strong regulation is a statement that says to the Australian public that the government has our back and has our safety in mind. With that in mind, it is also a reality that real and what one might call image-based gun regulation must not unnecessarily and unduly impede on the role of a firearm as a functional tool, an implement with a specific purpose. It's in the same way as any selection of tools in the back of a tradie's ute, like most tools, you can only use one at a time. Finding the balance of perceived and actual safety, and the regulatory environment that does not needlessly stifle or harm industry, is a major question for all governments facing the challenge of firearms regulations. It is a difficult problem and one with genuine arguments on either side. That is why it is not uncommon to see arguments and discussions on firearms regulation that oscillate between calling for better regulation and yet also for the protection of the industry.

In considering the bill, I've engaged with many community stakeholders, as have we all, and also those who supply and service the needs of registered firearms users. What I have found is a highly responsible and well-managed industry that employs a surprising number of Tasmanians, all of whom I found to be beyond reproach in being open and transparent with nothing to hide. Of course, this is part of the reason I opened by noting the wide range of community input on this legislation and the merits of gun regulation generally. It's very important to understand the perceived and real role of firearms and the impact of regulatory changes, as well as the inherent tension in finding the right balance.

I must admit that I am naturally cautious about bringing in new legislation as an attempt to satisfy the demands of single-issue groups. To avoid such a pitfall, there must be a measured approach that identifies exactly what the problems are and how they can best be resolved. As such, I was quite appreciative that the government took on the concern of firearm owners and industry did not go forward with any bans on caps on firearms.

It is a fair thing to say when someone proposed a ban on more than five firearms, those who were not familiar with their use would say, 'Okay, five sounds reasonable'. At face value, this possibly makes sense. Who needs more than five guns?

The problem arises when one looks a little deeper to the uses and practical effect that a firearms limit would have. I, and I'm sure many others in this place, and indeed the other, have heard recently from a range of firearm owners. The common theme across these owners is that

they use different guns for entirely different, non-transferable purposes. In the case of competition shooting, it is quite obvious. In the case of hunters, producers and those who use firearms in day-to-day life, it is a reality that some guns are better suited to different circumstances than others.

In March I received a lengthy and quite well-constructed letter from a concerned member of the public. I'll read it at length:

> I'm hearing the phrase 'uncapped and unlimited firearms' being used in the media time and time again. This is a fallacy. Every request for an additional firearm requires a genuine reason. True, there is no numerical limit to how many firearms a person can own. However, there is a deliberate and mandatory process for acquiring each individual firearm.
>
> Each Permit to Acquire a Firearm, a PTA, asks: please explain why you need this firearm and why firearms already owned, if applicable, are not suitable.
>
> If a genuine reason has been provided, how can we now say that that was genuine is now not genuine? A genuine reason may include varying calibres for different situations and environments, varying types for different sports or hunting or pest control, or even bearing ethical requirements; for example, current Tasmanian law requires a large-calibre firearm for deer and a shotgun for duck. The current animal welfare rules already demand the use of multiple types of firearms. The number of firearms an individual may own makes no difference to any negative situation.
>
> We need to look at the Bondi event itself. It's a public knowledge. We assume it to be true at this stage that the two perpetrators of that crime had access to six firearms yet only used four, but that's two each.
>
> I draw this point only to make it clear that even in the most serious and heinous of events, the availability of 5 or 10 or 100 firearms will not make any difference. However, restricting access for legal, law-abiding hunters, farmers and sportspersons will negatively impact all areas of the shooting sphere, including animal welfare, sporting disciplines, farming activities and, I'm not ashamed to say, also the simple joy of being able to own and use various firearms.
>
> The economic traffic that is currently generated through the community as farmers, hunters and sportspersons move about the region spending their hard-earned money on guns, ammunition, fuel, coffee, food, accommodation, game licence fees and more will also be negatively affected if further restrictions are put in place.
>
> Currently, Tasmania Police already have the ability to reject a PTA if they do not believe the genuine use for said firearm exists. Tasmania Police are under no obligation to approve ownership of additional firearms if they do not believe the possession is warranted. The powers to limit firearms possession already exist.

Of course, the government is not currently putting forward a cap proposal, for which I am thankful. Nonetheless, it is important to get these concerns on the record for the evolution and role firearms regulation plays.

Equally important is that this concern is illustrative of the concerns that arise from reactive, irrational legislating. The person went on to say:

> The arguments of firearms theft has been raised, but I ask why are upstanding members of society being threatened with restrictions and having more penalties placed on them, because they themselves may be a victim of crime. How can we blame the victim for the acts of the criminal element? In no other area of society is victim-blaming even allowed to enter the discussion and is not tolerated, and rightly so. But why are Tasmanian shooters considered a separate and lesser part of society? Legal firearms owners of Tasmania have long called for harsher penalties for firearms theft. The penalty for firearm theft should be great enough to deter theft in the first place.

It goes on to say:

> I'm a firearms owner and I enjoy the whole range of firearms-related activities with multiple licences, permits, and training courses to my name. I have followed every rule, every requirement, and invested tens of thousands of dollars in my sport and recreation. I'm not a criminal. My family, my peers, and my fellow Tasmanians are not criminals. We reject such treatment and accusations. I do not want myself, my family, and my shooting community to be looked upon as a second-class citizen.
>
> For nigh on 30 years, the Tasmanian shooting community has proven itself to be overwhelmingly trustworthy, safe, respectable, and reliably law-abiding. The gun is not the problem. The number of guns is not the problem. This type of gun is not the problem. We are not the problem. The proposed changes to the Tasmanian firearms laws will deeply and unjustly affect me, my family, and the entire Tasmanian shooting fraternity.

He then went on to finish with:

> The Tasmanian shooting community is among the most regulated in the world. We have abided by the rules and jumped through all the hoops. The failures at Bondi were system failures, not a failure of the current laws, not a failure of the shooting community.

Indeed, there is a very significant point to be made here. Notwithstanding recent tragic events and the failures in the systemic implementation of existing regulation that were part of it, Australia has broadly quite a constructive, positive attitude to gun regulation. When the tragic mass shooting happened at Port Arthur, many Australians embraced the following regulation, they accepted it as a necessary and essential change. Of course, some protested and had concerns, but it was a strong example of decisive, bipartisan leadership that had a majority support.

When the horrific events of the Sydney siege happened, state legislators in New South Wales acted, made reforms, and they were willingly accepted. Likewise, with the most recent despicable and horrible events at Bondi Beach. Following each of these tragic, horrific events, the groundswell of community support and solidarity expressed nationally and even internationally was incredible.

My point is that the culture of solidarity, support for proper regulatory frameworks and a participatory firearm system is not one which is born of legislation, it is born of Australian culture, positive attitudes and pragmatism.

Arising from this is a tolerance and respect for governmental decision-making when it comes to firearms. Importantly, though, such a culture will be negatively impacted by reactionary proposals put forward without suitable evidentiary or having a rational basis in practical functionality. We cannot waste nor erode this goodwill. What will happen if we as legislators do not strike a strong balance in regulating guns, gun safety and public safety is that such tragic events may well continue to happen, but we will almost certainly lose the public. We do not have divisive gun politics; we do not have political polarisation on this matter as some others do. That is because we have a narrative of strong, positive and rational regulation.

As I noted earlier, public safety and firearms regulation is reliant on both form and substance. However, when reforms prioritise form at cost of practicality, at the cost of substance, it is entirely unproductive. The very nature of the safe use of firearms predicates a rural or regional setting. We're mostly talking about people with a strong connection to rural and regional communities. These are people who may not necessarily align themselves with urban niceties or predilections. These are people who are the salt of the earth, full of common sense and practical thinking. If we overregulate, we risk further damage to what is an increasing rural-urban divide. Rural people lose faith, they come to begrudge any micromanagement, they will resent urban overreach, and most importantly, people will be significantly divided on the matter, largely due to a lack of understanding.

This is ever more important in an age of populist politics, disillusionment with the establishment, and concerns regarding political and ideological violence. We simply cannot afford to lose the wider public on this matter. Buybacks, compliance and proper use of firearms rely upon it. It has a very significant impact on gun safety in Australia. As such, I view the inclusion of a public health outcome as a primary goal of the principal legislation as a step in the correct direction. It's very common to put guiding principles in the purpose of legislation. It provides decision-making clarity and purposive clarity to everyone who interacts with the laws - the people making the decisions, those enforcing it, and those who a decision may be made about.

Entrenching public safety as a primary purpose of our firearms regulation is appropriate, and I'm in support of such a change. For all of my concerns with the inflammatory commentary or inappropriate amendments, I do support the legislation in its current form. I feel that the level of regulation is appropriate. Modernisation of regulation and the expansion of the discretionary power of the relevant decision-makers is appropriate. Lawmaking that is, and looks, tough on crime, gun violence and misuse needs to be balanced with an approach that respects and meets the need of the industry and law-abiding community members. It's not always an easy task. It is politically charged and no easy task for a government in the best of times.

Moreover, the sensitivity importance of good governmental response considering recent tragic events cannot be overlooked. As such, pragmatic amendments such as residency and citizenship restrictions, the National Firearms Register, and the changes to weapon classification are, to my mind, appropriate responses. Additionally, the government taking the opportunity to strengthen the decision-making powers and impose strict considerations regarding family violence, purpose, and fit and proper tests is well appreciated. Again, this has a mind to both actual and perceived community safety and is crucial in ensuring that firearm laws remain up to date and best reflect modern community standards.

I note that I've heard from a good number of concerned Tasmanians regarding the regulation of antique firearms and the potential that collectors of certain firearms will be significantly worse off than perhaps the bill intended. For example, a concerned Tasmanian wrote to me the following:

> Straight-pull firearms have a long history with the mechanism dating back to the late 1800s. These firearms represent important stages in the development of firearm design and engineering. They should not automatically be treated in the same manner as modern firearms simply because they share a particular operating mechanism. A blanket reclassification risk disregarding the age, design, intended purpose and historical significance of individual firearms could have serious concerns for collectors who have lawfully acquired and maintained these pieces for many years.

To go off script here a little bit, I was a bit amused - not amused, but I was interested in the comments about how can a person have over 300 guns or firearms? And I'm thinking, that person is a collector, a collector of something that they really enjoy.

Ms Forrest - They are and they are in my electorate, and they have guns that are really unique and rare in the world, and parts of the operating mechanism are stored separately. They are quite safe.

Mr GAFFNEY - I think I know quite a few people who, when they get into collecting something, the number of items they have is not that consequential. I think my wife collects perfume - she has thousands of bottles. However -

Members interjecting.

Mr GAFFNEY - The other thing I'll raise during the Committee stage is that the current bill says the antiques go back to 1900, and I'm thinking that's reflective of the 1996 situation that an antique is 100 years old. Now we've moved 30 years on, there could be a case put forward that it shouldn't go back to the 1900s, it should actually be a 1930 cut-off date because an antique is said to be around 100 years old and has a purpose. Any firearm that was used in World War I, could be an antique, but we've put it outside of that category just because we're picking up from 1900. It's now 130 years ago, or close to. The community member then went on to request an appropriate exemption be put in place. If the Leader could address these concerns in closing, that would be much appreciated.

Before I finish my contribution, I will outline another concern I have with the position of the amendment bill in the broader context. I'm sure many in this place will share the concern that while the key goal of entrenching public safety in this bill is well appreciated, it is not

simply a firearm-centric issue. Community safety is a multifaceted issue that begets an equally multifaceted response. For example, education rates, wealth and socioeconomic development are each linked to lower violence, and lower community disruption and antisocial behaviour. The government must take a holistic approach to community safety. As one example, we cannot simply look at reducing the number of guns alone as a key factor to reduce gun violence. These measures are important, of course; however, an adequate approach to community violence, safety and health is one which takes a holistic view of the health of a community and the mental health and wellbeing of those within it. For each move designed to prevent people from accessing guns to do violence with, an equally important one is to shift those people away from doing violence. I'm not making an Americanised pro-gun 'people kill people' argument; rather, I'm stating the fact that community cohesion, health and wellbeing are imperative considerations to achieving the outcomes ostensibly sought by the government in this law.

Prevention comes in many forms. It is not simply a matter of fewer guns, meaning less gun violence, nor stricter laws on family violence and any associated gun use or threats. Of course, I should also stress that regulation is pertinent and important. However, if the government wants to realise the objectives it is now legislating into the principal law, it should also equally invest in supporting our most vulnerable communities.

To people in rural and regional Tasmania, especially those connected with primary industries, firearms are simply tools to be used as necessary. As I mentioned earlier, they're often simply the tools of trade for people who manage our countryside and rural landscape. Tools are often used to humanely reduce the number of invasive and feral wildlife that causes so much damage to our primary industry, native flora and wild areas. We can rightly question the rigour in prosecution and sentencing deterrents to stop theft or misuse by criminal elements, but if malevolent intent can be proven and if violence was involved in the theft of a firearm, the sentence should reflect the seriousness of the crime or the potential harm of such behaviour.

It was a point emphasised in an email which came to us yesterday morning from Phillip Bigg, the Tasmanian state president of the Shooters Union of Australia. As I'm sure honourable members are aware, this is an organisation that fully supports stronger penalties for firearm theft and possession of stolen firearms. Union members also oppose other elements of the bill and will possibly call for it to go to an inquiry for those points to be considered in more detail. I'm not sure where I sit with that request, but it's important to note the sense of injustice that comes from a representative body for fully responsible and accountable firearm users. I quote an excerpt of his email as a reminder.

> The rest of the bill treats law-abiding owners as the problem. Extra paperwork, 24-hour storage notifications, tighter transfer windows, citizenship hurdles for new applicants and reclassification of common hunting firearms all land on people who already passed the tests.
>
> Targeting licensed owners is the easy political play. Going after the people who actually steal and traffic firearms is the job that should have been the whole package.

Making it even harder for perfectly compliant and legally registered users or firearms to have those tools to hand is, I think, a mistake. It is also a campaigning gift to those populist elements that love to peddle a grievance. Now, if we can give the police the real power to take down the criminal use of illegal guns, then we could be onto something.

The subject of improving legislation is always at the front of our minds - improvement that's often initiated by public concern. This bill is no different, as the heinous events in Bondi has brought deep firearms legislation into sharp relief. Since then, there has been a heated debate in all forms of media about the causes and what might stop it from happening again. I'm sure we have all read many articles and opinion pieces on the subject, together with submissions and reports with contradictory views.

For me, one of the most informed is one of the most recent. It's an editorial by Mr Rod Holden published in the *Tasmanian Times* on 23 October. It's more than an editorial and reads as a very well researched feature article entitled, 'The Tasmanian Gun Debate'. As a principled investigative journalist, he opened the article with this statement:

> As journalism academic Jonathan Foster of Sheffield University used to tell his students. 'If someone tells you it's raining and another tells you it's dry, it's not your job to quote them both. It's your job to look out the … window and find out which is true.'
>
> In relation to the Tasmanian gun debate and Tasmanian media coverage, this has not happened … until now.

Mr Holden went on to fully explore the history and rationale for gun control in the context of public safety, gun-related deaths and mass shootings. He also explored the ownership rates of legal and illegal guns, together with the impact of state and national legislation. A pressing publishing deadline meant that he ran out of time to research gun-related domestic violence and intends to update the article this week, which no doubt will be equally thorough in its approach. What I found most striking was his conclusion and one that perhaps comes as a surprise for what some might consider to be a publication with more of a social conscience than many mainstream media outlets. I'd like to share an excerpt of that with you. He says:

> After this exercise, I have learnt a lot about Australian gun laws and have somewhat changed my mind on the current changes that are about to be debated in the Upper House in Tasmania. Previously I thought they were reasonable in relation to gun deaths and gun related crime, although I struggle to see how introducing caps are logical once one gets past the argument stated in the first line of this conclusion. Now I simply struggle to see how **any** of the changes will have a marked impact on the current state of play related to gun deaths, violence and crime. Significant reductions have already been achieved in Tasmania after the introduction of the *Gun Act 1991*. Those gains were further consolidated between 1996 and 2004. We are now in a situation of diminishing (or zero) returns from ever increasing laws. Yes, of course we should always look to improve laws and it seems logical that increased penalties could help slow theft and unlicensed possession. But the rest …
>
> The key question is: Will the new Bill help to decrease gun related deaths that the gun control, health and family violence advocates in Tasmania aim for? Will adding caps make a difference?
>
> Both seem very unlikely, based on the facts outlined above.

Only time will tell.

In closing, Mr President, when it comes down to numbers of guns, I think we need to take them on board with the different populations we have now, both now in our state and this country that we had 30 years ago. There has been a significant number increase in Tasmania in our population, and that hasn't really been impacted that much by the increased number of guns.

To finish my contribution, I'll reiterate my thanks to the government for its engagement with the community in Tasmania in drafting this bill. I also thank the many community members, industry members and all who have been so vocal and forthright with their feedback, concerns and needs in the making of this legislative amendment. I will support the bill.

[3.47 p.m.]

Ms THOMAS (Elwick) - Thank you, Mr President. I thank other members for their contributions. I've enjoyed listening to the different perspectives on offer and as has been acknowledged by a couple of other members, the respectful way with which this debate is being conducted. It's not a necessarily an easy topic. It is emotive and I'm really grateful for the way that everyone's conducted this debate.

I rise to contribute to the debate on the Firearms Amendment (Strengthening Firearms Security) Bill 2026. The terrorist attack at Bondi was an appalling act of anti-Semitic violence. I acknowledge those who lost their lives, those who were injured, their families, the first responders, the Jewish community and everyone whose life has been changed by that attack. I acknowledge the courage of people who intervened and the work of emergency services and health professionals. Of course, for Tasmanians, any debate about firearms also carries the enduring pain of Port Arthur. We approach these questions knowing the devastation that firearms can cause and my thoughts are with everyone affected by that tragedy as we go through this debate as well.

Our responsibility is to reduce the risk of further harm and to examine whether the measures proposed here will achieve that purpose. I broadly support the direction of this bill. Better information sharing, secure storage, effective licensing, stronger responses to family violence and meaningful consequences for firearm theft are legitimate public safety objectives. I support work towards a National Firearms Register.

However, my support for these objectives does not mean every provision is justified or every practical consequence has been resolved. As I've informed members, I'll move three targeted amendments addressing the issues of eligibility for permanent residents to hold a licence to participate in sport shooting, temporary storage reporting during lawful use and lending during organised shooting activities.

I thank everyone who has engaged with me and with the consultation process on this bill, victim/survivors, medical and public health advocates, shooting and hunting organisations, farmers, collectors, dealers, sporting clubs and individual licence holders. I also thank Tasmania Police and the Leader and the minister's office for responding to my questions and Parliamentary Counsel for preparing my amendments.

The concerns raised during consultation deserve to be considered on their merits. I've heard from people for whom firearms are connected with trauma and with fear, and from people for whom they are tools of work, competitive sporting equipment or part of their

family's history. None of these experiences should be dismissed. The departmental consultation summary reports 646 submissions across the main and antique firearms consultation processes. That volume demonstrates the interest in this legislation. But it does not turn consultation into a referendum. It's our task to examine the quality of the arguments and the consequences of the law proposed.

The Commissioner of Police, AMA Tasmania, the Alannah & Madeline Foundation and gun safety advocates have emphasised prevention, firearm capability, secure custody and reducing opportunities for diversion. The Tasmanian Family and Sexual Violence Alliance and Tasmania Legal Aid have raised the importance of coercive control, threatening behaviour and access through other people. SSAA Tasmania, the Shooting Industry Foundation of Australia, the Australian Deer Association, TasFarmers and individual owners have raised questions about evidence, practical compliance, sporting and occupational needs, compensation and discretionary exemptions.

The submissions are not interchangeable, nor do all supporters of stronger regulation support every element of this bill. The Law Society and the AMA, for example, raised concerns about minimum sentencing provisions. Biathlon Australia explained the consequences of classification and ownership rules for specialist sporting rifles, athletes, parents and spare equipment. Collectors raised different issues about historical firearms and secure display.

I believe I've shown during my time in parliament that I thoroughly scrutinise legislation, I listen to feedback and consider all views before deciding whether to propose amendments and ultimately how I will vote. The responsibility of this privileged role that we're in weighs heavily on me sometimes, and gun reform has been another issue I've agonised over.

The case for better firearms information is reinforced by the answers I received from the department to the many questions I sent in advance of our briefings. I asked how many reported incidents involved stolen firearms, how many involved firearms that are registered to the offender, and what proportion of firearms in entering Tasmania's illicit market come from theft rather than other sources. The answers explain that these matters cannot reliably be identified through standard reporting. In many cases, the firearm must be recovered and checked. Police cannot quantify the relative contribution of theft compared with unlawful transfers and illicit manufacture of firearms outside contemporary registration systems.

That is an important limitation. It doesn't mean that theft is unimportant. Of course, every stolen firearm presents a risk. But it does mean we should be careful about asserting that a particular source accounts for most illicit firearms in Tasmania when police cannot provide that breakdown.

The proposed register offers an opportunity to improve tracing, interstate information sharing and verification of authority. I asked the government, what reporting improvements does it expect, when will these improvements be available and how will the parliament be able to evaluate these reforms? Stakeholders also ask about the privacy of data stored in the register, access controls, correction of errors, and outages. A database containing firearm locations must be protected against misuse and its operation must accommodate unreliable internet access.

I'm broadly supportive of the stronger family violence and suitability provisions. Behaviour that reveals danger does not always first appear as a conviction. Coercion, intimidation, property damage, escalating conduct and access to another household member's

firearms can all be harmful, so I welcome recognition of these circumstances. But I ask: how will the provisions operate for existing holders and renewals? How will urgent information be assessed and how will victim/survivors be protected when they do report risk? The legal power and the operational capacity to use it must work together.

In relation to the reclassification provisions, I asked specifically whether there was evidence of increased misuse or safety risk among the straight-pull and button or lever-release centrefire firearms already lawfully held in Tasmania. The response was direct. I was advised that the proposed reclassification is not based on evidence in Tasmania of any misuse of these firearms or associated safety risks. It arises from national reform discussions following the Bondi incident and concerns about firearm capability.

I also asked whether police could identify incidents involving these particular actions. The answer was that current reporting cannot reliably provide that count without manual review where the firearm type is known. Those answers must be read together. We have not been given evidence of increased misuse. We also have a reporting system that cannot readily answer this question.

I acknowledge that it would be wrong to convert that limitation into proof that no risk exists. Prevention need not wait for a local tragedy. But parliament should still see the technical basis for grouping particular designs together. A manually cycled straight-pull action and an assisted-release mechanism should be assessed carefully. I am interested to understand what comparative testing supports the classification and what alternative regulatory measures were considered.

The response to my question about alternatives explains the capability concern but does not give a complete assessment of other regulatory options and why they were rejected. I ask the government, if possible, to address that in reply.

The figures supplied to me, extracted on 30 September, identify 1913 active licence holders, with 2364 firearms proposed for reclassification. Excluding dealers, the response identifies 2043 affected firearms, of which 1984 are held by people who do not currently have a category C licence. That does not mean all those owners will be ineligible. Police say it cannot yet estimate how many will establish the necessary genuine reason. There are 487 affected holders with sport or target shooting recorded as a genuine reason. Some have another reason as well. Police confirmed that ordinary sport or target shooting does not provide category C eligibility apart from the stated physical mobility exception.

Reclassification changes the lawful use of equipment bought legally. TasFarmers' concerns about workers and family members also need practical answers. I acknowledge that rimfire rifles remain outside the proposed classification, and this is particularly important for sports such as biathlon. We should debate the actual scope of the bill rather than assume every straight-pull rifle is captured, so I am conscious of this.

The department also clarified that the proposed ongoing grandfathering of reclassified firearms was removed in the other place. Retention while a category C application is decided is a transition, not a permanent entitlement after refusal. I therefore ask: what happens after refusal? What disposal period applies and how does any review interact with that timetable?

People need a clear account of their obligations, and parliament ought to know this detail in making these decisions. We have not been provided with a comprehensive implementation plan explaining the timetable, the costs, the staffing, the systems, and administrative arrangements needed to give effect to the reforms proposed by the government in this bill. The government is asking parliament to approve reclassification without a settled buyback scheme, explaining who will receive compensation, how firearms will be valued, how disputes will be resolved or what the scheme will cost. These are foreseeable consequences of this legislation. Owners who acquired firearms lawfully deserve to understand what will happen to their property. Police need the capacity to administer these changes, and taxpayers deserve to know the financial commitment.

I recognise that some operational detail will follow passage and that negotiations with the Commonwealth are continuing, but right now owners and businesses are uncertain about eligibility, valuation, accessories, dealer stock and dispute resolution. The parliament does not have a reliable account of the financial commitment associated with the laws we are being asked to pass here today.

I ask the Leader to explain how the government expects commencement will be coordinated with a funded and published scheme. People who have acquired firearms lawfully should receive clear notice, a workable transition and fair treatment when rules change.

I turn to citizenship now. In my view, imposing an additional barrier on otherwise suitable permanent residents is discriminatory. I'm opposed to using citizenship as a proxy for individual suitability. I recognise that the proposal comes from a national reform process and that explains its origin, but it does not discharge our responsibility to examine its justification and exceptions in Tasmania.

Of course, gaps in overseas background information on gun licence applicants are a legitimate concern. They should be addressed through identity checks, intelligence and a satisfactory background history check, and if gaps remain, someone should not be considered a fit and proper person. Simple. That test already applies to every gun licence applicant, so I cannot see what additional layer of protection citizenship provides over and above satisfying a fit and proper person test. Citizenship does not establish that a person is safe, and non-citizenship does not establish that a person is unsafe. A recently naturalised citizen may have an overseas history requiring investigation while a permanent resident may have decades of residence and compliance here. There is a range of reasons why people do not become citizens or do not choose to apply to become citizens. Some are waiting to satisfy eligibility requirements or to complete the process. Some retain citizenship of a country that does not permit dual citizenship. Renouncing it may affect family connections, the ability to return or reside there, or property and financial affairs. Their suitability should still be assessed rigorously as individuals.

My question to the government on the matter of citizenship was specific: What information or security gap cannot be addressed through enhanced background checks and the fit and proper person test that is satisfied by citizenship? Why is citizenship the appropriate distinction, and why permit occupational use by a permanent resident but impose a barrier to sport?

The written response restates the national policy and explains the exceptions. It does not identify the distinct safety benefit of that difference in treatment. It also says Tasmania Police

does not currently maintain citizenship information in the registry and national discussions about verification are continuing. Again, there's an absence of detail on how these laws we are being asked to make will be implemented, even if they can be.

The bill provides permanent resident pathways for primary production, animal population control, animal welfare, business and employment. A vet needing a firearm for animal welfare may, therefore, qualify. I do not suggest that all non-citizen vets, for example, would be ineligible to hold a gun licence, and I acknowledge existing licence holders also have citizenship savings arrangements. My understanding is the grandfathering provisions mean non-citizens who currently hold a licence will be able to continue to do so. I ask the government to confirm this. Regardless, those protections do not answer the position of future sporting applicants, or what happens when a licence is due for renewal and someone is not a citizen. Do the grandfathering provisions continue? What happens if their licence expires?

As the bill is drafted, the same person may satisfy the checks for occupational use of a firearm yet face a citizenship barrier to target shooting. My amendment to clause 19 would add sport or target shooting to the genuine reasons available through the permanent resident pathway. It is narrower than removing the citizenship provisions entirely; we did not think there would be appetite to do that.

It does not add recreational hunting to that pathway or extend it to temporary visa holders. All other applicable suitability, background checking, approved organisation membership and category requirements remain. The additional family violence safeguards in the bill remain. This is a statutory pathway for an ordinary regulated sporting activity rather than reliance on an individual discretionary waiver, but we can discuss this further should we get to the Committee stage.

My other two amendments aim to provide greater clarity for lawful activities. In both cases, the government and stakeholders broadly agree about the intended outcome, but the uncertainty is about whether the wording secures it.

My proposed new clause after clause 24 inserts section 46A dealing with temporary storage away from a nominated location for more than 24 hours. The licensee must have notified the commissioner of the primary storage address, removed the firearm so it can be used for an authorised genuine reason, and return it to its nominated storage location once it has been used for that reason.

This amendment distinguishes relocation for the purpose of things like a hunting or competition trip from an actual relocation. It accommodates temporary secure safekeeping during the trip. There is no fixed limit of two days, three days or a week. The exception turns on purpose and actual return.

Proposed subsection (2) expressly preserves other storage, transport and use requirements and licence conditions. I know the government says that ordinary trips are not intended to trigger notification, and I welcome that assurance, but an express provision as I am proposing gives licence holders and police a clearer basis for applying that distinction.

The clause 51 amendment I'm proposing concerns lending and on-lending during organised shooting activities at approved galleries, clubs and ranges. A firearm may be registered to an individual, entrusted to an authorised range officer or custodian and used by

several authorised participants. They may include licensed members, permit-holding minors or adults covered by existing exemptions. The government says supervised use is unaffected where the range officer retains custody or control; however, SSAA remains concerned about the interaction with the proposed 'on-lending' definition. My amendment seeks to provide a conditional exception to proposed section 121A(2) and (3).

Turning to another important element of the bill that goes to the real problem that we are trying to address here, criminal activity and consequences for serious firearm offences. I support the insertion of section 16C into the *Sentencing Act 1997*, establishing a presumption of mandatory imprisonment for certain firearms offences. The offences covered include stealing a firearm or firearm part, possession of a stolen firearm and unlawful trafficking in firearms. These offences can put lethal weapons into criminal circulation and expose the wider community to serious danger. Their consequences can extend well beyond the immediate theft or transaction. I acknowledge the concerns raised through consultation about sentencing discretion, judicial independence and the separation of powers. I have considered those concerns, but I do not accept that they justify rejecting this provision.

Parliament has a responsibility to determine offences and prescribe the framework within which courts sentence offenders. Setting a clear statutory expectation about imprisonment for specified offences is a legitimate exercise of that responsibility. Judicial independence does not mean parliament must refrain from making choices about sentencing policy. We are not determining the guilt of a particular person nor directing the outcome of an individual case. We are setting a rule for the courts to apply, including the exceptions parliament has expressly provided. We also have a responsibility to be a voice for the community. People are saying enough is enough. They want serious offending to attract consequences that reflect the harm done to victims and the danger imposed on others. I share concern that judicial consequences are too often not meeting community expectations and parliament should respond through clear, considered legislation, in my opinion.

Fundamentally, this provision retains a significant judicial safeguard. Subsection (3) states and I quote:

> (3) Despite subsection (2), the court must not impose a term of imprisonment, in accordance with that subsection, on an offender if -
>
> (c) in the opinion of the court, the imposition of such a sentence would be unjust when considering the circumstances of the relevant firearms offence or the offender.

These words clearly are important, particularly for people who are concerned about parliament overreach and impinging on the separation of powers and judicial independence, because what this says is the court must consider the circumstances of the offence and the offender. If it forms the opinion that imposing the sentence under subsection (2) would be unjust, the statutory discretion is that it must not impose that term in accordance with that subsection. That directly addresses the concern that the presumption could require an unjust result regardless of individual circumstances. The court retains a substantive role in deciding whether this safeguard applies. Circumstances such as coercion must be capable of being put before it and properly assessed and I support this balance.

Parliament sets a clear expectation that these specified firearms offences warrant imprisonment, while the court applies the law to the individual case and gives effect to the express protection against injustice. I do not regard these responsibilities as incompatible, so I support proposed section 16C.

Moving on to Labor's proposed caps, the same scrutiny applies to Labor's proposed caps as it does to the broader provisions of this bill. What Labor is proposing is significant reform in and of itself. I've agonised and will continue to agonise over this decision as we go into Committee. As it stands, I don't feel the information that has been presented to us for consideration to date is sufficient to enable a well-informed decision to be made on such a significant reform. Labor's answers to questions I asked on receiving the amendments provide no estimate of the number of firearms that would be surrendered or transferred after exemptions, no assessment of application volumes and no costing of police staffing, registry changes or court resources. We're being asked to create obligations without an adequate account of how they will be administered.

It's worth noting, Labor commissioned economic modelling for its Easter Sunday public holiday legislation. Or, sorry, I think I may need to stand corrected there, I'm not sure Labor actually commissioned it, but Labor did provide economic modelling for its Easter Sunday public holiday legislation. This demonstrates that opposition status does not prevent it from obtaining analysis of a proposal's consequences. We've had a recent example where it did. Why has comparable work not been presented for these amendments? I realise these are questions to be asked at the Committee stage when these amendments are presented, but I thought it may be helpful for me to flag them now.

Labor proposes an aggregate limit of 10 firearms across ordinary licences, with a sublimit of five firearms for recreational hunting or vermin control, subject to commissioner authorisation. These are not separate allowances that accumulate for each genuine reason. I can understand why caps appeal to people concerned about firearm harm. I also understand why responsible owners feel stigmatised when restrictions are proposed without clear explanation of their benefits or consequences. Neither concern should be dismissed. Lawful ownership does not eliminate risk.

The Tasmanian suicide research cited by Medics for Gun Control found that 54 per cent of suicide deaths by firearm in the study were by licensed owners. Theft can take firearms from lawful possession into illicit circulation. Enforcement against criminals and prevention of diversion can both contribute to safety. Reducing holdings could reduce opportunities for theft or the number of firearms stolen. The question is what additional benefits these particular limits would deliver compared with other measures, and whether their consequences are justified. I asked Labor detailed questions; and I acknowledge its written response and appreciate that coming to me ahead of time. Labor expressly accepts that no study has yet isolated the effects of caps. Its evidence concerns broader reforms, firearm availability, and associations between holding size and theft. That is relevant evidence, but it does not settle the design of this proposal, not for me anyway.

Labor relies on a United States study by Hemenway, Azrael and Miller comparing theft experience among owners with fewer than six firearms and those with six or more. That grouping does not demonstrate a sudden change in risk at the sixth firearm or established that five and 10 are the optimal Tasmanian limits. It is an observational survey, not an evaluation of caps under our licensing and storage rules. Similarly, firearms surrendered during a package

of reforms and a buyback do not by themselves establish the separate effect of a numerical cap. Let me be clear, I'm not demanding certainty or suggesting we must wait for a local tragedy. I am asking for a reasonable account of expected benefit, cost and practical operation.

Labor reports 1541 holders with 11 or more firearms and 7449 with six to 10 but has no breakdown by genuine reason. These figures do not tell us how many people would need an authorisation for disposal, particularly after exemptions and the different licence regimes are considered. Labor cannot estimate how many firearms would be surrendered or transferred after authorisations. It cannot model the expected reduction in theft, diversion or other harm, and it provides no estimate of fees, processing times, police staffing systems, costs or Magistrates Court resources, saying that these are matters for government. These are substantial gaps. An authorisation process may accommodate legitimate needs, but each application requires assessment. Review rights are a worthwhile safeguard, but reviews also require resources. Without likely volumes and processing capacity, parliament cannot assess the burden or the risk of delays. Labor also leaves retention during applications and reviews, disposal periods and processing backlogs to future regulations. These matters determine whether existing owners can retain lawfully acquired property while complying with the new process. They deserve attention before legislation is passed.

Questions about ordinary activities remain unanswered. Can a holder at the cap borrow a replacement during repairs? How does temporary custody count? Can someone use six sporting firearms for hunting? Labor says answering some of these would constitute legal advice. Members are entitled to an explanation of the intended operation of amendments that we are asked to enact, in my view.

On compensation, Labor relies on future Commonwealth and state negotiations and commencement by proclamation. Leaving commencement open does not create an express legal guarantee that a funded scheme and transition protections will be ready. I'm particularly concerned by Labor's response to my question on whether it consulted with Tasmania Police on its amendments. Surprisingly to me, Labor says it would not be appropriate for it to consult with police because it is not in government. I acknowledge that access to departmental advice may require arrangements through the Leader's office or through the minister, but to me that does not explain why an operational assessment should be omitted. I myself sent concept information about my proposed amendments to the Leader to seek Tasmania Police advice on, so I'm not sure why Labor thought it would be inappropriate for it to do so.

SSAA explained differing equipment requirements across sporting disciplines. Those examples do not establish a universal minimum holding, but they explain why needs vary. Farmers and collectors raise other practical circumstances. I say this to demonstrate that a workable scheme needs consistent criteria and a properly resourced process.

I'll continue to listen carefully to the debate, particularly in the Committee stage, but as I've said, on the material provided, I remain unlikely to support caps. The eventual costs of the proposed caps may be justified by the benefits, but we cannot properly assess that balance when neither the likely cost nor the expected additional benefits have been adequately established. Supporting the objective of community safety does not relieve any proponent of the responsibility to explain how amendments will work and how its implementation will be funded.

While I am unlikely to support the caps, I would support further inquiry into that proposal. I believe that is absolutely appropriate and warranted. I would support further inquiry into the evidence base for caps and the associated costs. I'd really like to see a plan for implementation.

The reality is, even if caps were supported in this place, the amendments will need to go back to the other place, where they've already been voted down, for reconsideration. I see that there is a risk that us approving Labor amendments in this place could result in us playing yo-yo with this bill - back to the other place, voted down again, back to us to reconsider. If we reach a stalemate scenario, none of the provisions of this bill are enacted and the work we need to undertake to contribute to national reform, as outlined by the member for Murchison at the beginning of the day, is not able to proceed in accordance with the agreed timeframes. We may say that is unlikely to occur, but anything can happen in this place.

In closing, I again thank stakeholders for their engagement, and the government and Labor for their responses to the many questions I've asked in advance of the debate. Some answers have clarified information I was seeking, and others have identified matters that I still feel we need more information on to resolve. I thank all those people who have worked on this bill. I acknowledge that it has not been an easy task. It is complex and emotive, and I acknowledge the impact of the public debate and the debate in this place on those who work behind the scenes on bills like this. It cannot be easy. I thank them for their efforts and composure.

I approach the Committee stage broadly supportive of stronger firearms security and better protection against harm, but disappointed about the lack of clarity on implementation of many of the provisions we're being asked to consider here.

As flagged, I will move amendments providing a permanent resident sporting pathway, clarifying notification requirements about temporary storage during lawful use, and accommodating authorised lending during organised shooting activities. I remain concerned about the justification and implementation of the proposed caps but would support further inquiry into that proposal.

We can respect the objective of fewer firearm injuries and deaths, while also asking whether a particular proposal is sufficiently developed to become law. Our obligations are to make laws that work, to explain why burdens are justified, and to ensure the benefits we seek can be delivered. This is the standard that I'm applying to this bill.

[4.20 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Thank you very much, Mr President. I want to share with honourable members before I make a start on the lengthy response, and there are still a number of responses to come in, that I'm intending to move that the debate stand adjourned after I finish what I have here. This is in order to address a couple of matters that are still outstanding and also a process matter for the House.

I'll make a start. All members have provided some very well-considered contributions to this debate and on behalf of the government. It's certainly appreciated and acknowledged. While there are differing views on particular provisions, there is broad agreement on the need

to keep firearms out of the hands of criminals, strengthen public safety, and ensure Tasmania's firearms laws remain fit for purpose.

The bill focuses on risk, who can hold a licence, what firearms can be assessed, how theft and trafficking are addressed, and how information is shared through the National Firearms Register. It is a practical package of reforms aimed at reducing firearm offending while recognising the legitimate needs of primary producers, sporting shooters, collectors and other lawful firearm owners.

Much has been made during this debate about the so-called unlimited firearm ownership in Tasmania, but that is simply not an accurate characterisation of the current system. As a number of members have acknowledged, the Commissioner of Police is the person best placed to assess firearms risk in this state and under the existing framework, every permit to acquire is individually considered. Every firearm lawfully held by a licensed owner has been acquired with the express approval of the commissioner through her delegate.

These firearms are not accumulated without oversight or scrutiny. It's important that we are transparent when quoting figures in this place. A number of members have cited the case of a firearms owner with 309 firearms recorded on their licence. I can advise that this person is a firearms collector and also holds firearms licences in other categories with firearms held in accordance with the relevant licence conditions, including the strict provisions regarding collection which include the disabling of all collection firearms. As such, this holding is not evidence of the genuine reason provision under the act not working or an individual being entitled to an unlimited number of firearms. If we are to have an evidence-based debate, then we should ensure the full context accompanies the figures being relied upon.

The honourable member for Launceston talked about the evidence-based reform in her focus on whether these measures will make the community safer and, in my view, that is the correct test. The bill targets the areas of greater risk and improves the tools available to prevent firearms entering the illicit market. The available evidence indicates that serious firearm offending is overwhelmingly associated with unlicensed persons or unregistered firearms, and the National Firearms Register will improve intelligence and reporting into the future.

Also, I acknowledge the concerns regarding straight-pull and button-release firearms, and this was raised a number of times through members' contributions. The reclassification is a precautionary measure based on rate of fire and their similarity to firearms already restricted under category C.

Tasmania Police has not identified widespread misuse by lawful owners, but the bill responds to the nationally identified risks while limiting the change to centrefire firearms and shotguns.

The types of firearms being reclassified were used in the terrible Bondi terror attack and have a higher rate of fire than firearms that have traditionally been available under category A and category B firearms licences. Due to the higher rate of cycling ammunition and the potential for increased community harm, as seen in Bondi, it was agreed that these types of firearms be recategorised to the more restricted category C licence. The overwhelming majority of firearm owners are law-abiding people who comply with the law, but not all do. Police do occasionally identify licensed firearm owners committing offences beyond minor storage breaches, including through routine compliance and storage inspections.

It's also important to recognise that many of the more serious firearm offences identified by police involve people who do not hold a firearms licence and firearms that have been stolen or otherwise obtained unlawfully. In other words, a significant proportion of serious offending occurs outside the licensed firearms community.

As to the numbers, police have informed that the information is not readily available. The way firearms licence records are maintained and the way offences are recorded in police systems do not allow for the simple extraction of data showing how many serious firearms offences were committed by someone who also held a firearms licence. As a result, there is no reliable figure that can be readily provided.

The member for Montgomery raised concerns held by many firearms owners on the proposed buyback. Negotiations with the Commonwealth remain ongoing and cannot be finalised until parliament settles the bill. As of 30 September 2026, 2364 firearms held by 1913 licence holders are affected. The government has committed an initial $5 million and has stated its position of 1.5 times market value for reclassified firearms.

On sentencing, the presumptive minimum provisions are designed to ensure serious firearm offences attract appropriately serious consequences while preserving judicial discretion. Courts may depart from the minimum where the offender was under 18, has an impaired mental functioning linked to the offence, or where imposing the minimum would be unjust. Even so, offenders who steal firearms, traffic firearms or possess firearms can expect stronger penalties than currently apply.

The member for Montgomery also asked about the commissioner's proposed new ability to consider a broader range of intelligence when assessing licence applications, questioning where the line is drawn, how privacy is protected and what safeguards exist to ensure the power is used appropriately. The current act at section 29(3)(e) only allows the commissioner to consider criminal intelligence or other criminal information when assessing whether a person poses a risk to public safety. The amendment broadens that provision, so the commissioner may consider any relevant intelligence or information, but only where it relates to public safety. It does not create a new power to seek unrelated information or to consider matters that have no connection to firearms licensing or community safety. A practical example is where a person is regularly associating with members of a group that promotes or advocates violence. Tasmania Police or other agencies may hold information about these associations and behaviours. Even though it does not establish that the person intends to commit a specific offence, under this amendment the commissioner could take that information into account when assessing whether granting a firearms licence would present a risk to public safety.

Political affiliation, advocacy and participation in public discourse does not activate this section. However, if there is intelligence provided to the commissioner that would indicate potential risk to public safety, then the commissioner should be empowered to consider the information and, if the person is a risk to public safety, refuse the licence application. If the commissioner relies on such information to refuse a licence, that decision remains subject to appeal under section 141 of the act.

The honourable member for Rumney, in her contribution, certainly talked about her commitment to community safety, and the government shares the same objective but differs on firearm caps. The evidence before us does not establish a clear relationship between the number

of firearms lawfully owned and levels of harm. Tasmania has seen firearms registration increase over time while firearm deaths have fallen. Every firearm owner must still satisfy the fit and proper person test and obtain approval for each acquisition.

National Cabinet agreed on a range of reforms following Bondi, but jurisdictions have implemented those reforms differently. Tasmania is leading on key measures including the National Firearms Register, citizenship requirements and firearm reclassification. Several jurisdictions continue to operate without firearms caps. The government does not support caps and certainly acknowledges that there will be further debate on this matter through the course of the Committee stage.

In Tasmania, a person cannot simply accumulate firearms without scrutiny. To obtain a firearms licence they must satisfy the Commissioner of Police that they are a fit and proper person. They must then apply for and justify every firearm they wish to acquire. Each application is assessed on its merit, and the commissioner has the power to refuse both licences and permits to acquire. A cap would not strengthen those safeguards; it would simply replace an individual assessment of risk with an arbitrary number. The Bondi offender used three firearms, meaning a numerical cap would not have prevented those events.

This bill instead focuses on measures that may have made a difference, including broader intelligence sharing, licensing safeguards and the reclassification of higher-risk firearms. Rather than imposing caps, the bill directly addresses the risk posed to the community by theft and diversion of firearms through the creation of new offences, stronger penalties and tighter controls on lending and possession of stolen firearms. These measures target criminal behaviour rather than imposing limits that do not clearly align with the sources of illicit firearms identified by law enforcement agencies.

I'd also like to flag at this stage, while the member for Rumney advised the Labor-proposed caps would not impact on dealers, museums or collectors, the amendment as currently drafted does not provide any specific carve-out for these usage cases. That's my advice. As I said earlier, there will be further debate on caps in the Committee stage, and so I'll hold my substantive contribution on the matter until then.

The honourable member for Huon highlighted the importance of keeping firearms away from terrorists and criminals and talked about how Australia's firearms framework remains fundamentally different from the United States model. Firearm ownership in Tasmania continues to depend on a genuine reason, ongoing suitability and compliance with strict licensing requirements. Firearms ownership in Australia is a privilege that comes with responsibilities, and this is reflected in the measures contained in the bill.

On theft, Tasmania's data does not establish a clear link between the overall number of lawfully held firearms and theft rates. What does matter is secure storage, compliance activity and strong penalties, and that's why the bill strengthens theft offences, increases penalties and supports police efforts to disrupt illegal markets.

The member for Murchison delivered her thoughtful contribution, and her focus on Tasmania's unique circumstances, and a lot of that, as an aside, resonated with the member for McIntyre through the course of that. This bill recognises the importance of firearms in a decentralised state with a strong primary production sector. Primary producers, family members and employees engaged in legitimate pest control remain an important part of the

firearms licensing framework, and there's also a clear need to progress these reforms. Commonwealth funding milestones for the National Firearms Register depend on legislative progress, the system build requires certainty about the final legislative framework and the buyback arrangements cannot be finalised until parliament settles the bill. At the same time, provisions dependent on the National Firearms Register will not commence until the necessary systems are operational. I thank the member for Murchison for reading out advice similar to that in her contribution earlier today.

The member for Murchison queried the difference in figures cited by the minister for police in the other place and those used by the Commissioner of Police. The explanation is that they relate to different time periods. The minister was referring to longer-term historical trends identified through research by Dr Samara McPhedran using Tasmania Police data, which showed firearm thefts were substantially higher in earlier years. The commissioner's submission examined a more recent five-year period during which theft incidents increased from 37 to 40 and firearms stolen increased from 121 to 149. The two sets of figures are therefore not inconsistent, they are measuring different periods and telling different parts of the story.

The member for Murchison raised concerns that the trafficking offence could accidentally catch ordinary firearms owners who are borrowing, lending or transporting firearms for legitimate reasons. It is important to remember that the government is not expanding the offence. Section 110A is aimed at serious criminal activity and the Director of Public Prosecutions' guidelines already make clear that it should be reserved for cases involving more than minor regulatory breaches, including circumstances where firearms are being moved for criminal purposes, and that is why someone transporting a firearm for a family member, neighbour or shooting club is highly unlikely to face a trafficking charge unless there is actual criminal activity involved.

There's also a risk that narrowing the offence could make it easier for genuine traffickers to avoid prosecution. Illegal firearms do not always change hands through straightforward sales. They are often passed on through favours, debts, swaps or other informal arrangements. If police had to prove a sale or commercial transaction every time, some serious offending could become much harder to prosecute. For that reason, the government believes the current approach strikes the right balance and it preserves a broad offence that can target the many ways firearms enter the illicit market, while the DPP's guidelines provide an important safeguard to ensure ordinary law-abiding firearm owners are not the target of these provisions.

Also raised was the concern that these provisions could affect the use of club firearms at approved shooting ranges, and I can advise this will not be the case. The amendment is aimed at preventing a person who has borrowed a firearm from then passing it on to a third person without maintaining custody or control. It is not aimed at normal range activities. Importantly, the act defines possession as including custody or control at an approved shooting range. A range officer retains custody or control of the firearm while it is being used under supervision, including by junior shooters and people using club firearms. In those circumstances, the firearm is not being on-lent and the restriction does not apply. The government's view is that shooting clubs and ranges can continue to operate as they do now; because the range officer retains custody or control of the firearm, no further amendment is required, and the provision will not affect ordinary lawful club activities.

The member for Hobart asked how many minor's permits were currently issued in Tasmania and whether the government is retaining firearms permits for young people.

Ms O'Connor - There were other questions too, Leader.

Ms RATTRAY - Well, can I get to those?

Ms O'Connor - Okay, yes.

Ms RATTRAY - Because I have quite a few here. Thank you.

The bill retains the existing minor's permit framework. Tasmania Police has advised that there are currently 357 active minor's permits in Tasmania, comprising 41 active permits for children aged 12 to 14 and 316 active permits for young people aged 14 to 18, and there are also 11 current applicants aged 12 to 14 and 117 applicants aged 14 to 18. Importantly, children aged 12 to 14 years can only participate in shooting activities at an approved shooting range under supervision. They cannot own a firearm. The permit allows them to use a firearm only, not to own one.

The minor's permit system is intended to support the safe and responsible introduction of young people to legitimate sporting and recreational shooting activities within a regulated environment. A person aged 14 to 17 years may apply for a permit that allows them to use a firearm in the field and on a firearms range. Before any minor can shoot in the field, they must complete a course in firearms safety. It is also a requirement of a minor's permit for in-field shooting that the young person must be supervised by a full firearms licence-holder who has held a licence continuously for a period of at least one year. The bill does not remove the ability for young Tasmanians to participate in supervised shooting through the existing minor's permit framework, and these arrangements will continue to operate with appropriate safeguards and oversight.

The member for Hobart also raised the potential influence of artificial intelligence, social media and online content on young people seeking firearms licences. This is an emerging issue that law enforcement agencies around Australia are increasingly considering, Mr President. As technology evolves it is appropriate that Tasmania Police continue to monitor these risks and assess whether future policy or operational responses are required.

The member for Hobart also spoke to the broader evidence linking firearm availability to firearm harm, particularly suicide. While reasonable people may differ on the policy response, there is a substantial body of research identifying a relationship between firearm access and firearm death. Firearm suicide remains the largest cause of firearm deaths in Australia, and reducing access to firearms during periods of crisis remains an important public safety objective. The bill and the amendments in the other place mean that health, including mental health, can be taken into account when making the decision whether to grant a licence. The act already accounts for harm to self at 29(2)(a)(ii) and mental or physical condition at 29(2)(b).

The bill allows the commissioner to use any intelligence in that decision-making process, not just criminal intelligence which, again, allows concerns of family and friends and medical professionals to be further taken into account. It's also important to recognise the significant work Tasmania Police has already done in consultation with the medical community to

introduce new screening checks in licence applications and encourage the ongoing reporting of concerns.

It's acknowledged the concerns raised by health organisations, family violence services and community groups alongside the evidence provided by Tasmania Police and others during the consultation process. These views deserve careful consideration. The bill seeks to respond through strength and family violence protections, improved suitability assessments and enhanced mechanisms to suspend access to firearms where risks emerge, while continuing to recognise the legitimate use of firearms by responsible licence holders.

Ultimately, parliament must balance the interests of lawful firearm owners with the responsibility to protect public safety, and having listened carefully to all sides of the debate the government remains of the view that the bill represents a measured and balanced attempt to achieve that objective.

The honourable member for Nelson spoke in regard as well to firearms caps as well as the measures related to minimum sentences for serious firearm offences, and regarding these sentencing provisions the rationale advanced by the government is straightforward. The government's view is that the community expects serious firearm offenders to be held to account, and that strong penalties can contribute to deterring future offending involving firearms.

Ms Webb - No evidence for that.

Ms RATTRAY - There'll be an opportunity through Committee. These measures are directed at criminal activity and the illicit firearms market, not at law-abiding firearms owners. The bill forms part of a broader package of reforms aimed at reducing the risk of firearms falling into criminal hands.

The second reading speech points in particular to offences involving stolen and illegally manufactured firearms and the need to disrupt the pathways through which firearms move from lawful possession into the illicit market.

Mechanically, the bill amends the *Sentencing Act 1997* to create a category of relevant firearms offences. For those offences, the court will generally be required to impose a minimum term of three months' imprisonment unless a statutory exception applies. It is important to note that this is not an absolute mandatory sentence; rather, it is a presumptive minimum sentence model under which judicial discretion is retained in specified circumstances. The offences captured by the provision include stealing a firearm or firearm part, possession of a stolen firearm, unlawful trafficking in firearms, and the new summary offence of stealing a firearm or a firearm part. The provisions also operate so that where a person is charged with trafficking but is ultimately convicted of possession of a stolen firearm under the alternative verdict provisions, the presumptive minimum may still apply.

In relation to judicial discretion, the model is consistent with existing presumptive minimum sentencing provisions already contained in the *Sentencing Act 1997.* The bill preserves the ability of courts to depart from the minimum sentence in appropriate cases. This includes circumstances where the offender is a youth, where mental impairment is relevant, or where imposing the minimum sentence would be unjust having regard to the circumstances of the offending or the offender.

The principle adopted by the government is that parliament may express the community's expectation regarding serious firearms crime, while courts retain the ability to ensure justice is done in individual cases. Members may ask what evidence exists that these provisions will deter offending, and it is important to be careful and accurate in answering that question. The broader research supports comprehensive firearm reform packages. International reviews have found that coordinated measures such as tightening licensing requirements, restrictions on access to higher-risk firearms, safe storage requirements, improved enforcement and stronger regulatory controls are associated with the reduction of firearms related to deaths and injuries. However, the available material does not provide the evidence that a three-month presumptive minimum sentence considered in isolation will instead produce a measurable deterrent effect.

Mr President, how much time is still left?

Mr PRESIDENT - You have 30 minutes left, honourable Leader.

Ms RATTRAY - Thank you. In summary, the mandatory sentencing provisions are better understood as presumptive minimum sentences rather than absolute mandatory penalties. They are targeted at serious firearms offending, preserving important judicial discretion, and form a wider firearms reform package aimed at reducing the movement of firearms into the illicit market and strengthening community safety. While the broader evidence supports comprehensive firearms reform measures, the government's case for these provisions rests on their contribution to the broader package, rather than on any claim that minimum sentencing alone is a complete solution to firearms crime.

The honourable member for Mersey spoke about the need for strong firearms regulation but that it must be evidence-based and pragmatic, and on this the government is in agreement. This bill is an important contribution to firearms safety, and it is the most significant reform to the *Firearms Act 1996* since its inception.

I believe that members are unanimous in their support for the act and its intent, and I appreciate all the contributions of members to the debate. I do have some summing up, but I have a couple of other questions that need answers, so in light of that and my initial advice to the Chamber about taking a break, I move -

That the debate stand adjourned.

Motion agreed to; debate adjourned.

SUSPENSION OF SITTING

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

That the sitting be suspended until the ringing of the division bells.

This will happen about 5.04 p.m.

Sitting suspended from 4.52 p.m. to 5.13 p.m.

LEAVE OF ABSENCE

Member for Pembroke - Mr Edmunds

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) (by leave) - Mr President, I move -

> That the honorable member for Pembroke, Mr Edmunds, be granted leave of absence from the service of the Council for this day's sitting.

Motion agreed to.

FIREARMS AMENDMENT (STRENGTHENING FIREARMS SECURITY) BILL 2026 (No. 30)

Second Reading

Resumed from above (page 71).

[5.14 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, we're getting to the end. From the honourable member for Elwick, again a considered contribution. Noting her intent to move three specific amendments in the Committee stage, I am able to indicate to the Council that the government is supportive of these amendments. Regarding the member's questions about the grandfathering clause for citizenship provisions, I'm advised that if a grandfathered licence expires, then the grandfathering provisions lapse. The individual would not therefore be eligible for a new licence to be issued under the grandfathering provisions.

The member also raised concerns about licence suspensions, and it is important to be clear that the bill does not extend suspension periods across the board. Existing arrangements remain in place for ordinary suspensions. The only change relates to circumstances involving physical or mental health concerns, recognising that specialist medical assessments and treatment can take time. This ensures those matters can be properly considered before a final decision is made.

Also, the member questioned the process in family violence matters. If police attend an incident and determine it is a family violence offence, any firearms registered to the alleged perpetrator or held at the relevant address are seized immediately. Police do not wait for the commissioner to formally suspend a licence. If firearms are stored elsewhere, police will attend that location and recover them. A person will not be granted bail while firearms remain outstanding. If necessary, they are detained to appear before court because of the risk involved. In many cases, the notice of suspension arrives after police have already seized the firearms. More broadly, Tasmania Police maintains dedicated resources for investigating firearms offences, and information relating to firearms offending is treated as a priority. There are also established processes to ensure that when a court makes an order affecting a person's suitability to hold a firearms licence, that information is communicated to Firearms Services.

There were also concerns raised with the citizenship requirements. These provisions are consistent with the direction being taken nationally following recent reforms. New South Wales has already passed legislation introducing citizenship requirements through its post-Bondi firearms reforms and sections 33 to 35 of the 2026 National Firearms Agreement relate specifically to citizenship requirements. Tasmania will not be acting alone. In fact, all jurisdictions have indicated that citizenship requirements will form part of their firearms licensing frameworks as the National Firearms Agreement is implemented. Importantly, these provisions are not as rigid as some have suggested. Permanent residents who have a genuine reason for possessing a firearm, such as primary production, pest control, animal welfare, or employment, can still apply for a licence. Outside those recognised circumstances, a permanent resident may seek an exemption. The commissioner retains discretion to consider individual cases and existing rights of review remain available.

On that point, questions have also been asked around review rights. The review period is not prescribed by the *Firearms Act* itself but arises through the ordinary administrative review process. When the commissioner refuses, suspends or cancels a licence, reasons must be provided. Once those reasons are issued, an affected person has 28 days to seek review in the Magistrates Court.

It was also raised around the perceived lack of detail regarding the proposed buyback arrangements, including the timing, scope and cost. The reality is that those matters cannot be finalised until this legislation has passed the parliament, which I've already indicated, and there is certainty about exactly what will be captured by the final law. It would be premature to settle the details of a buyback while parliament is still considering the legislation itself. Negotiations with the Commonwealth are continuing and will help inform the final design of any scheme. The government's position remains that compensation should be around one and a half times the assessed value of affected firearms, as occurred following Port Arthur. It is anticipated the valuations would be undertaken by independent valuers appointed by government to ensure a fair and transparent process for firearm owners. Importantly, the government has already allocated the $5 million to commence this work.

The member for Montgomery - and apologies for not getting those questions in my first iteration - raised some questions regarding the operation and implementation of the bill. I think you also acknowledged the member for Launceston, who keeps an eye on proclamation. One of the questions of commencement - the bill provides for commencement by proclamation because not all reforms can commence at the same time. Some provisions are dependent on national systems and national processes that are not yet operational. In particular, those provisions linked to the National Firearms Register, such as licence verification and reporting storage location changes, cannot commence until that capability is delivered, which is currently anticipated to be mid-2028. Other provisions may require supporting arrangements to be established, including Commonwealth processes relating to citizenship verification. The government intends to implement the reforms in a staged and practical way based on the operational readiness and advice from Tasmania Police.

In relation to whether specific commencement dates could be inserted into the bill, there are certainly some administrative reforms that could be implemented relatively quickly. However, a number of more significant reforms depend on matters beyond the control of Tasmania, including the National Firearms Register, Commonwealth systems and ongoing negotiations regarding any future buyback arrangements. For that reason, it's not possible to

provide firm commencement dates for every component of the legislation at this stage, but once parliament settles the final form of the bill, detailed implementation planning can commence.

The member also asked about reclassification, buyback costs and the impact on sporting shooters. The simple reality is that the final cost of any buyback cannot be determined until the legislation is settled and discussions with the Commonwealth are complete. What is clear is that the category C firearms are not available for the genuine reason of sport and target shooting except in limited circumstances involving approved physical mobility exemptions, and that means sporting shooters who possess firearms that are reclassified into category C, will not be able to continue using those firearms for sport and target shooting purposes. While some licence holders may qualify for a category C licence for another genuine reason, such as primary production or collecting, those firearms could only be possessed and used for those approved purposes. For those who do not qualify, the firearms would be subject to any buyback arrangements that are ultimately established. At present, there are 487 sport and target shooters with firearms proposed for reclassification, 271 of whom also hold an additional genuine reason on their licence, although none currently hold a category C licence.

Questions were also raised regarding antique firearms. The historical treatment of antique firearms has differed from that of other jurisdictions. Following legal advice and the withdrawal of the previous exemption arrangements, the government's policy position is that antique firearms should be registered and recorded, and that information will ultimately form part of the National Firearms Register. Under the proposed arrangements, antique firearms will be treated in the same way as other firearms for the purpose of transfer and trade. Transactions within Tasmania will occur through licensed firearms dealers. Permit to acquire requirements will continue to apply and interstate transactions will be governed by the laws of the receiving jurisdiction. Existing restrictions on mailing firearms will also continue to apply - no Australia Post.

The member for Montgomery asked very sensible questions, it says here, regarding firearm lending and what occurs if a borrower later becomes unlicensed. The bill does not create an obligation for firearm owners to continually monitor the licence status of a person to whom they have lawfully loaned a firearm, nor does it require that person to personally recover the firearm if a licence is subsequently suspended or revoked. Those circumstances are matters for Tasmania Police. The intent of the National Firearms Register is to provide near real time information regarding the lawful possession and storage, allowing police to appropriately manage these situations. If a lender becomes aware of unlawful conduct or significant safety concerns involving the borrower, there would obviously be an expectation that Tasmania Police would be notified.

A related question concerned lending arrangements at shooting clubs. The proposed prohibition on lending is not directed at ordinary supervised range activities. I've already answered that question to the honourable member for Elwick, I believe.

Regarding the consequence of incorrect storage of firearms versus firearms theft, I can advise the maximum penalties for theft are higher and the bill introduces the minimum sentence for theft, further strengthening consequences for this activity.

In summing up - and I think everyone will be pleased not to have to listen to me anymore - the bill adopts a balanced approach. It strengthens family violence exclusions, improves health-based suspension arrangements, modernises information sharing, supports

police safety, creates new theft and trafficking offences and introduces stronger sentencing responses for the most serious firearms crimes, and it targets higher-risk firearm types while recognising the legitimate role firearms play in farming, sport and recreation across Tasmania.

Having considered the debate and the amendments proposed through the parliamentary process, the government remains satisfied that this bill represents a measured and evidence-based package of reforms, it improves public safety, strengthens Tasmania's firearms framework and supports national efforts to prevent firearms entering the illicit market. Therefore, Mr President, I commend the bill to the Council. Again, I acknowledge that all contributions were very considered and it is certainly appreciated, and the opportunity to respond to those questions as they were posed through the second reading was again very much appreciated.

Bill read the second time.

FIREARMS AMENDMENT (STRENGTHENING FIREARMS SECURITY) BILL 2026 (No. 30)

In Committee

[5.31 p.m.]

Madam CHAIR - I might just ask members to be really cognisant of the complexities of some of the timekeeping arrangements here. If people are interjecting, it just interferes with the timing of that. So, I ask people not to do that and listen to the question being posed, the response from the Leader, and try to do it that way. If you interject and there is engagement, it cuts into that person's time, and we've only got 10 minutes to reply on each speak to an amendment. And these are pretty complex amendments, so we need to be a bit cognisant of that, if you get that far. The other thing, too, is I'm not sure what the government's intention is here and maybe that's a matter for the Leader to respond to here, but if there needs to be a break, then any member can move that we report progress, not just the Leader. Just to be really clear on that.

Mr GAFFNEY - Can I ask a question?

Madam CHAIR - A point of clarification you're seeking?

Mr GAFFNEY - Thank you. We've just received some more amendments and some of those I haven't had a chance to actually get my head around and test those and where they've come from. Whilst we may be given a position on the Floor of that, this is a really important bill and I'm really concerned that I'm going to be put in a position to vote on something that I am not comfortable because I don't have the full information. I don't know how other people feel, but I'd just like to put that out there. I'm really uncomfortable about continuing or where this is going when I get to a stage where I don't understand an amendment, and that's not good legislation.

Madam CHAIR - I'll take that as a point of personal explanation. I'll ask the Leader to respond to give us some indication of the progress of this, in light of the comments that she provided to me earlier that I read out in my contribution.

Ms RATTRAY - Madam Chair, I did indicate that the government would like to progress this, but that's up to members to continue on with this. I acknowledge what the honourable member for Mersey has said in regard to amendments. Again, there is some urgency around the progress of this piece of legislation.

Madam CHAIR - Urgency to be done by next year.

Ms Webb - We have three weeks left of sitting.

Mr GAFFNEY - Okay, that's fine. I would appreciate - sometimes in the Chamber, it's difficult to ask some of the questions we want to ask because of the time restraints we have now. In briefings, I have more time to ask those questions of the government or whoever's moving the amendments as well. Here we can't do that because we're now constrained by time. That's another consideration.

Madam CHAIR - Can I just repeat that anyone who feels they need more time, more information, a briefing or time to consider a matter more fully, can make a request that the progress be reported, and that is a matter for the House, obviously. I do accept and I'm responsible for one of the amendments only just being tabled and I haven't had time or the capacity or capability to prepare speaking notes to that as yet. I was working on it but then we're here and we all need to be focused on what we're doing at the time here. If anyone wants to make the case that we report progress, that's up to them, and the Council can decide that.

Ms Thomas - At the time we get to that amendment?

Madam CHAIR - At the time when anyone feels it's necessary. It is a matter for the House at that point.

I urge people to be conscious of the fact that there are differing views on this. It's a contentious issue. There are a lot of people watching this debate who are feeling very vulnerable right now on both sides, so let's please keep that in mind as we are going through this process, both for the members in the Chamber and our wellbeing, but also for the wellbeing of those people who are watching.

Clause 1 agreed to.

Clause 2 -
Commencement

Mr HISCUTT - Regarding this proclamation situation, I'd just like some advice. In particular, like you said, a lot of people are watching this, and have read what's in the media on this legislation. They're going to say the reclassified types of guns are going to be reclassified to a different category. They won't be able to use them. I feel like it's reasonable to give them some level of expectation of when that may occur. Is it going to happen in the next six months? Is it going to happen in the next three years?

I also want to know how the government is going to manage the fact that they've already made a commitment that the national buyback will be at 1.5 times the rifle price. This act isn't enacted yet, therefore, as a primary producer or even as a recreational hunter, at the moment I don't currently have one of those guns, but I could easily justify getting one of those guns

before this proclamation happens. I could go out and buy one and then have a reasonable expectation that I'll be paid back 1.5 times for that. How is the government going to manage that situation?

Ms RATTRAY - I'll take some advice with regard to that, thank you, Madam Chair.

I have advice that you can only apply for the 1.5 if you owned that firearm when the policy was released in February of this year, so if you purchased something after February, then -

Mr HISCUTT - Will you still receive the one?

Ms RATTRAY - Yes, you would just receive the one, the independent valuation, so you will get the same money back as what was initially paid for the firearm. With regard to proclaiming, that's not able to be done until the legislation passes.

Mr HISCUTT - The first part of the question was also, when do you expect that to happen? When should firearm owners expect that they will have to either rid themselves of those firearms or get a C class to get them? Just so that I don't have to use my third speak now, the same question for citizenship. When should people who are currently non-citizens who can apply and know that they can't apply for them? So, the timeframes for particularly the reclassifications and the citizenship clauses.

Ms RATTRAY - Thanks, Madam Chair. In relation to the citizenship aspect, the proclamation can only occur when the process with the Commonwealth is confirmed. This all has to happen first around the citizenship part. In regard to the buyback, we don't even know, to be perfectly honest. We've got amendments on foot, so nobody really knows what that might look like and when that might come into play because we're not that far down the track yet. So, really this will have to wait until this happens.

Mr HISCUTT - What about the government's own bill? If the amendments didn't pass, you'd have to have tracked - sorry, with your indulgence.

Ms RATTRAY - I actually didn't quite hear that. You've got a very soft voice when you're sitting down.

Mr HISCUTT - Chair, I guess the government would have a position on its own bill without the amendments and would have an expectation of what their own bill was going to do. Have they considered what they would look like? And I guess the other question here is: if this is now dependent on all these other national things that need to fall into place to happen, what happens to this bill that we now - I guess it doesn't get proclaimed if those things don't happen - how is that managed?

Ms RATTRAY - Again, I'm seeking advice. Thanks, Madam Chair. I'll have another attempt at making it very clear that obviously the government's bill, when it went to the House of Assembly, didn't come out as the government had presented. It came out with obviously no grandfathering. That's made a difference. This piece of legislation that we're dealing with here, it's unknown because there are also amendments and the government doesn't know what it will look like at the other end. There is no point doing any of that work until we actually know what

is here and what passes through the parliament, because it still has to go to the other place as well for whatever amendments might be made.

Once the bill has been passed, all impacted firearm owners will be sent advice regarding process and timeframes; and, correct, relevant parts of the bill won't be proclaimed until the required elements are in place. It's not a definite timeframe that I can offer you - whether it's six months or 12 months - I sadly can't offer you that, but I have been able to provide that.

Clause 2 agreed to.

Clauses 3 to 5 agreed to.

Clause 6 -
Section 3 amended (Interpretation)

Mr GAFFNEY - Thank you, Madam Chair. I did flag this in my second reading speech. It's to do with the definition of 'antique firearm'. An antique is officially classified or defined as an item that is at least 100 years old. The bill itself says 1900. We're now going into 2027, so that's 127 years. An antique is 100 years or older. A vintage is between 20 and 99, and then there's retro. And antiquity is actually 300 plus.

But what makes something an antique? The age must meet or exceed the century mark, craftsmanship - usually handmade or built using historical techniques no longer common today - and there's value and rarity for its historical significance. I'm thinking of a firearm that was in the First World War, 1915 or thereabouts. That wouldn't, under our act, be classified as an antique firearm because it's not before 1900. Yes, it qualifies as an age classification. One, you could make it 1927 as the cutoff date, so it would classify as 100; it would classify with craftsmanship built from the First World War, and it would be rare and valuable, and yet we're not including it in this. I'm wondering why the government hasn't - I went back to the *Firearms Act 1996* and it actually said something like there was a 'firearms heirloom' licence. They were recognising something of value that may not have been antique, but it might have been passed down from generation to generation, and we would have had some people from Tasmania who would have come back with perhaps a firearm or part thereof, a firearm that would be part of their heirloom. But it doesn't satisfy it. I'm just wondering why it doesn't.

I went to the National Firearms Agreement 1996 and it talked about 'collectors'. It would actually qualify as a collector's item, and it would wouldn't need a licence as such. I'm just wondering why that has been chosen, the 'manufactured before 1 January 1900', when that's actually nearly 130 years old?

Ms RATTRAY - Thank you, Madam Chair. The reason 1900 was chosen was because there was an exemption number 4 when the *Firearms Act 1996* was enacted. This was to keep it consistent. If the act made it 100 years, it would need to be updated every year, and so would the firearms register to capture what is an antique firearm in year X and then an antique in the year Y. The cutoff date had to be established somewhere and having a moving date isn't considered workable. In 1996, that wasn't 100 years previously and the exemption number for originally exempted firearms pre-1900 still doesn't require a licence.

Mr GAFFNEY - Thank you for that explanation. I actually think when we are coming up with another piece of legislation, that is the new legislation as of today, and it says an antique

is 100, then you change the original legislation and make it 1925 or 1927, which would be the 100 years, which would mean it would confirm. You update it, you don't hold it back another 30 years and will end up being an antiquity, not just an antique. I don't think it makes sense not to change the bill because there are going to be amendments to make it reflect what is considered an antique. It may not mean much to us, but there are some collectors and some families out there who think, 'Gosh, this is my antique from my great-great-grandparent'.

Ms RATTRAY - Thank you, Madam Chair. In regard to the World War I firearm, it's also likely to be able to be capable of discharging commercial cartridge ammunition, and it could be a collector's item but not covered by antique provisions as will need to be licensed to be owned. Also, a rare, valuable firearm manufactured after 1 January 1900 can still be registered against a licence like a collector or another licence.

Clause 6 agreed to.

Clauses 7 to 9 agreed to.

Clauses 10 to 12 agreed to.

Clauses 13 to 15 agreed to.

Clauses 16 and 17 agreed to.

Clause 18 -
Section 25 substituted

Mr GAFFNEY - Madam Chair, this is where I'm asking for some advice and some clarification where you said earlier that somebody could stand up and want to report progress or request progress and the debate stand adjourned. The reason I'm standing up now is that our first amendment starts at 19 and that's quite clear because we've had that information. Then we've got a new clause to follow clause 21, which is a new piece of information we haven't seen. I'm asking: when and how is it a proper thing for me to report progress?

Madam CHAIR - Just to be clear on that, new clauses come after all of the bill has been considered.

Mr GAFFNEY - Yes, I'm aware of that, but the new clause is to follow clause 21, so if we do the new clause at the end, that one's been inserted into the legislation after clause 21, which means that I don't really understand what impact that new clause would have on the rest of the bill because I haven't had a chance to work out whether it actually fits. I know that OPC would say, yes, this is fine, but our role is to do that. Therefore, I would find it a very difficult process to get to the end, pass a clause that goes in back in 21, and not understand how that would impact the rest of the bill. I don't know how other people see that, but that would be my concern.

Madam CHAIR - Just before the member might do that, could I get some advice from the Clerk?

I just wanted to be clear that if you sought leave now, it didn't prevent you from doing it later, should this not proceed. I didn't want to limit you in your opportunities here. So, you can, if the House doesn't agree now, that doesn't mean you can't try again later.

Mr GAFFNEY - Thank you. I seek leave to report progress. The reason is that from now on in, we're looking at quite a number of amendments, a couple that we've just received in our inbox, there's even more. Therefore, not only haven't we had the chance to go through this, I also haven't had a chance to speak to the people who actually moved the amendment. There'd be people out there saying this is time sensitive, but it's not from the passage of legislation, and I'm not comfortable having to go through the amendments if I don't have the full picture, and so I am seeking leave to report progress because of those reasons.

Madam CHAIR - The member for Mersey is seeking leave to report progress. Other members can speak to that question, but you have no right of reply.

Mr GAFFNEY - That's fine.

Ms LOVELL - Madam Chair, I understand where the member for Mersey is coming from and I'm undecided yet as to whether or not I think that's a concern that we need to be worried about at this point. My preference would be to keep working through and get as much done as we can, frankly, but I understand that it's been a long week already and there's a lot still to consider. My question is, in terms of those amendments that we've received later in the piece, so the ones that we've had from the member for Murchison this afternoon -

Ms Webb - Just now, too.

Ms LOVELL - Yes, I know. Whether the member - and I appreciate the member is in the chair and I don't know if the member can do this from the chair - but whether perhaps there could be some advice given to the councillors as to whether those amendments would impact any other clauses of the bill or they're something that doesn't have flow-on effects necessarily to other clauses. Whether those clauses could be considered, we can continue to work through without there being something that we might have to come back to once that new clause is inserted. I don't know if that would be helpful to other members, but that would be helpful to me, so that would be the question I would ask.

Madam CHAIR - Does anyone else want to take the call?

Ms WEBB - Do we just get one speak for this?

Madam CHAIR - One speak.

Ms WEBB - It's unfortunate then because I've taken to my feet and I've got my one call, but if there is further information provided, I won't have a chance to say more about that, which is a shame. Even if the member for Murchison, who has sent round amendments just very recently, including one that's just come into our inboxes, gets on her feet now and explains to us and says, from her point of view, that it doesn't impact on any other aspects of the bill, that's fine, and of course in some sense we trust the member for Murchison, I'm not suggesting we don't. But we are also trying to do our job responsibly here, and I think most of us would at least like the chance to read through and check for ourselves. So, because of that, I'm inclined to support the member for Mersey's attempt to report progress here, just because it is a complex

bill, and there are a lot of amendments, with moving pieces in these amendments. I think people would like to at least have read through everything once we've got the full set of proposed amendments together and just check for ourselves about any interplay between them, because there might be some things that the person moving them might think aren't related to other things, but that actually give rise to thoughts in members about how they might interplay with other things.

So, really, I'm going to suggest that we do report progress and give ourselves the time. It is just a two-week period until we're back here again, or thereabouts I believe. We also may wish to speak to other stakeholders about the amendments that would have just arrived to us as well, and we might want to do that in relation to other amendments put forward. I feel quite uncomfortable about proceeding now and think that we can come back to this in our next sitting week. I suspect we'll be pretty efficient getting through it when we do actually, especially if we've had some time to give it proper thought, and members can provide extra notes or whatever. I know the member for Murchison hasn't had a chance to give us any information about her proposed amendments; she'll have time to do that. That could make it a quicker process once we do come to do it in Committee. That's my view on this. There might be other points that arise now from other people's points that I can't respond to or comment on, but I think my view on it won't change. So, I support the member for Mersey's motion.

Ms FORREST - Madam Deputy Chair, I apologise that members don't haven't more detail on how this, particularly the first amendment, was circulated. I think the second one has been.

Ms Webb - Just now.

Ms FORREST - That's much simpler. It relates to amending the amendment to the caps as proposed. They are two separate matters, but this amendment that I've just circulated does amend section 40 of the act. It's about enabling primary producers to still engage recreational hunters to conduct vermin control. It intersects in the bill, obviously, because it's part of it - it can't not intersect with the bill - but it's a standalone thing. It interacts with section 40 of the principal act - with the change of categories of straight-pull centrefire firearms to category C and others, but that one in particular - to enable recreational hunters to continue to provide that vermin control using that firearm on particular properties. It's narrowing it right down, but I appreciate that members will take some time to understand what it actually does. So, I do appreciate that. And of course, if we do get to that, if this is not successful, then I will have to work really hard to get some notes together for you and at least be able to read them into the *Hansard*, but I do appreciate that.

I also haven't consulted with TasFarmers on this. I know they're watching, and I have had some feedback - not so much about this, but this is not their ideal. Their ideal is that we don't change it. Their preference would be that straight pull, centrefire firearms would not be category C. That's their preference. That's not what I'm suggesting in this amendment. It's a narrow redefinement of what a primary producer can do. It would interact with various parts of the bill, but it does sort of stand alone in its own right too, so it's a matter for members.

Mr HISCUTT - Thank you. I won't be supporting the move that we adjourn now. I certainly have to contemplate it at another time. Just because this bill here says it's to follow clause 21, it just as easily could have affected clauses 3, 4 and 5 of the bill. It could still have interactions, if we are worried that it interacts with the current bill we're debating - this

amendment could have affected the clauses we've already talked about plus the clauses that we are going to talk about still to come. Just because it's in the spot 21 doesn't necessarily mean this is the spot to stop. In my opinion, I'd like to see it continue further through to get as much scrutiny.

The other thing about this - this is a different debate. I understand that this is a different debate. However, in two weeks' time we could be back here and all of a sudden, another person brings on an amendment while we're sitting here. Are we going to stop every debate when someone brings it? We've done it many times before where we've sat here late at night with someone bringing a handwritten amendment to us and we've still debated it. Whether that's good practice or not, I'm happy to debate that another time, but it just does not necessarily mean that we should. So, at this occasion, for this clause, I'm not supporting the decision put forward by the member for Mersey.

Ms RATTRAY - Thanks, Madam Chair. I'm just interested, the member who sought leave, is it for a period this evening or is it for another time to come back in the two weeks? I think the member for Nelson said 'in two weeks' time', but I don't know that the member for Mersey who put forward the motion actually indicated whether it is a couple of hours tonight or it is for coming back, as 'tomorrow', we call it, but it'll be two weeks. Just some clarification.

Ms Webb - He can't get up and speak.

Ms ARMITAGE - Thank you, Madam Chair. I'm happy to support the member for Mersey, whether it comes back tonight or whether it's back in two weeks' time. I think if members have a concern, they should have the opportunity to have their concerns allayed. Obviously if it's two weeks' time, well, we can't get third reading until two weeks' time, so I don't see any great delay, or if we come back tonight. So, I will support it; as I said, I don't know whether it's delayed for a while or delayed for two weeks, but I'm happy to support the move.

Motion negatived.

Clause 18 agreed to.

Clause 19 -
Section 28 amended (Applications for licences)

Ms THOMAS - Thank you, Madam Chair. I rise on clause 19 to move an amendment standing in my name. I move the following amendment -

> Page 28, paragraph (b), proposed new paragraph (d), subparagraph (ii), after sub-subparagraph (A).
>
> *Insert* the following subparagraph:
>
> (X) sport or target shooting; or

I move this amendment to add sport or target shooting to the genuine reasons for which an Australian permanent resident can satisfy the bill's citizenship-related eligibility requirements. The bill already recognises that permanent residents may have legitimate reasons

to possess firearms for primary production, animal population control, animal welfare, business and employment. I'm asking members to extend that recognition to participation in an established regulated sport. These applicants would still have to satisfy every other applicable licensing requirement, identity and background checks, the fit and proper person test, the genuine reason requirements, approved organisation membership and the restrictions applying to the relevant category of firearm. The bill's additional public safety safeguards would continue to apply.

I remain concerned about using citizenship as a proxy for individual suitability. People may be permanent residents without becoming citizens for a range of personal and family reasons, and that status alone does not tell us whether a person is responsible, compliant or suitable to hold a firearms licence, but this is a targeted amendment. It gives eligible permanent residents a clear statutory pathway for sport or target shooting, rather than requiring a discretionary citizenship waiver for an ordinary sporting activity. It does not extend that additional pathway to recreational hunting or temporary visa holders. The related citizenship provisions refer back to section 28(1)(d)(ii), so this insertion gives effect to the change across that framework.

Members can support this amendment while retaining the bill's broader citizenship framework, so I ask members to assess permanent resident sporting applicants against the same substantive safety and suitability requirements that protect the community. I commend the amendment to the Committee.

Ms RATTRAY - The government supports the amendment and believes that it's sensible. It removes uncertainty and it improves the functionality, while at the same time ensuring community safety is not compromised, so with that, we have nothing further to add.

Ms WEBB - I'm trying to get my head around it a bit. Is there a formal definition of sport or target shooting that sits somewhere that we refer to in relation to this? The other question I have is in relation to the licence that they will be allowed to hold then as a permanent resident in relation to this category being inserted. Is it only for that category that they might hold the licence specifically for those purposes? It's not a licence that can be applied more generally then in any sense? It's very constrained, is it, to the purpose of sport or target shooting? I'm just double checking how specifically constrained that is if we add this into the list.

Those are my two clarifying questions. I'm trying to get my head around what it is. Is there a definition and are they constrained to just have a licence for those particular purposes but no others?

Madam CHAIR - Do any other members have questions? You only have two calls left, otherwise I'll call the member for Elwick.

Ms THOMAS - Thank you, I appreciate the question. Sport or target shooting is listed as one of the genuine reasons for holding a firearms licence, alongside the other categories of recreational hunting or vermin control, primary production, animal population control, animal welfare and business or employment as a firearms dealer, security agent or security guard, firearms collection or show or exhibition museum, so there are eight genuine reasons under the act for which someone can apply for a firearms licence.

Ms Webb - But it's not defined somewhere.

Ms THOMAS - Well, it's a genuine reason under the *Firearms Act*, and my understanding is there are requirements for people who are applying under that genuine reason category to demonstrate their membership of a sporting club. That's my understanding, under section 37 of the act, which outlines:

> …genuine reason to possess or use a firearm is any of the following:
>
> (a) sport or target shooting;

And then in Section 38 is:

> **Requirements relating to sport or target shooting**
>
> An applicant whose genuine reason for possessing or using a firearm is sport or target shooting must be a current member of an approved shooting organisation that conducts competitions or activities involving the use of that firearm.

My understanding is when people join a sports shooting club, they sign a form that also provides permission for that club to share information about that person with Tasmania Police.

Amendment agreed to.

Clause 19 as amended agreed to.

Clause 20 -
Section 29 amended (General restrictions on granting licence)

Ms RATTRAY - I move as the Leader for the Government -

First amendment

Page 31, paragraph (e), proposed new paragraph (da), after 'whether a'.

Leave out 'relative'.

Insert instead 'partner'.

Second amendment

Page 32, paragraph (g), proposed new subsection (2A).

Leave out that subsection.

Insert instead the following subsection.

> For the purposes of subsection (2)(da), a partner of a person includes -
>
> (a) a spouse of that person; or

(b) a person who is in a significant relationship, within the meaning of the *Relationships Act 2003*, with that person.

Third amendment

Same page, paragraph (h).

Leave out that paragraph.

Insert instead the following paragraph.

(h) by omitting paragraph (a) from subsection (3) and substituting the following paragraph:

(a) within the period of 10 years before the application was made, has been convicted of -

(i) a crime involving violence to another person, whether or not -

(A) that crime was committed in Tasmania or elsewhere; or

(B) the crime is a crime under a law of Tasmania; or

(ii) a family violence offence, within the meaning of the *Family Violence Act 2004*; or

(iii) an offence in another jurisdiction which, if committed in Tasmania, would be a family violence offence within the meaning of the *Family Violence Act 2004*; or

In speaking to those proposed amendments, clause 20 of the bill amends section 29 of the act in relation to general restrictions on granting a licence, and the bill as amended in the other place provides that a fit and proper person test must be undertaken for all relatives of the applicant. This would involve extensive administration and cost for little, if any, additional public safety benefit, and it is proposed to amend this clause to limit the amendment to fit and proper person testing to a significant relationship, spouse or partner and individuals who live in the same household.

Screening relatives who are not household members will require fit and proper person testing of extended family members and increase the workload for Firearms Services and cause delays in licence processing without any guaranteed increase in community safety. Section 29(4) of the act already requires that the commissioner not grant a licence if the commissioner has reasonable cause to believe that a person is not a fit and proper person and is likely to gain possession of any firearm in the possession of the applicant.

Furthermore, amendments to the bill made in the other place amend section 29(4) such that the threshold for this test is lowered to: the commissioner must not grant an application for

a licence if, in the commissioner's opinion, there is a foreseeable risk that is not insignificant that a person who is not a fit and proper person is likely to gain possession of any firearm in the possession of the applicant.

These amendments already consider and provide adequate authority to the commissioner to refuse to grant a licence where there is a risk that is not insignificant. This authority would apply regardless to whether or not the person who is not a fit and proper person is a relative of the applicant.

Ms O'CONNOR - I hope honourable members will reject this proposed amendment. The House broadened this for good reason to incorporate relatives, and when you look at the *Relationships Act 2003* interpretation, a significant relationship is effectively a couple of some sort. I ask honourable members to think about, for example, a person who is applying for a firearms licence and they share a household with a live-in father-in-law who has anger management issues; or a very unwell, mentally unwell adult son who lives in the home of the person who's applying for the firearms licence. The issue here is if you don't enable proper checks of relatives who are close associates of people who might be applying for a firearms licence, I think you create avoidable risk.

I note in the government's rationale here, it talks about there not being any 'guaranteed increase' in community safety. I think it's a bit cynical to use that language in the context of firearms legislation and regulation. Of course, there's no guarantee in any of it. It's about best endeavours towards public safety. I don't think a potential delay in processing a licence application because there's a thorough check being done of the relatives of that person is a good enough reason not to leave the clause the way that it is.

We've been asked also by Gun Control Australia, of all the government's amendments, this is the one that Gun Control Australia is - from the information they sent through to us on Monday - this one is particularly opposed. There's another one that will come that is also opposed, but they say this:

> This amendment aims to restrict the consideration of the fit and proper person test to persons in a significant relationship to the applicant rather than consideration of the broader concept of a relative.

It is said in the speaking points from government that this amendment expends resources with little or no utility. The government says, and we heard from the Leader for the Government what the rationale is, it relates to no guaranteed increase in community safety. As Roland Browne points out, first, the licensed applicant may be a loner and not have a partner, but certainly have some relatives with questionable history - and sorry, for the purposes of the *Hansard*, that's me editorialising Roland's advice to us. She or he may not live with other people, but there are people who are relatives of the applicant who might be worth having a look at in terms of determining whether, because of their relatives, that they are indeed a fit and proper person.

And he says, second:

> The criterion of guaranteed increase in community safety has never been a criterion for a public safety reform or for managing risk to public health setting or in a work health or safety context.

If the reform stops one person misusing a firearm, it has justified any cost and the government is arguing that there's a cost issue here and any delays in licence processing.

He says:

> The so-called delays in licence processing are in fact police ensuring the highest standards of public safety.

Further, Roland says:

> No person should be in a rush to obtain a firearm licence. If they are, it should immediately sound as a red flag to Firearm Services.

What the government is seeking to do here is to unreasonably and unjustifiably narrow the scope of this provision, and the Greens would argue that there is a foreseeable risk that someone's relative who has a criminal history or a history of domestic and family violence should be examined in considering whether the applicant is a fit and proper person to give a firearms licence to. They may not be because of their relatives, their close associates, so I hope members don't allow the government to weaken this provision. Overwhelmingly, the House supported this amendment.

Ms RATTRAY - The examples by the member are already covered by the bill and not diminished by this proposed amendment. As a person in the same household, regardless of the relationship, is still included in the check, and furthermore, the case of checking on all family members not living in the household means undertaking a fit and proper person test on relatives at the other end of the state, relatives who do not live in the state and the number of persons captured, by including relatives who do not live in the household, is so wide it's not possible to effectively manage. These amendments were actually proposed by Tas Police so that they could be workable. The government just didn't decide this on its own, it was worked out with Tas Police so that they could be more efficient and workable.

Mr HISCUTT - I chose this first because it's perhaps something that the member for Hobart might like to respond to.

Madam CHAIR - Would you mind speaking up because I just simply can't hear you and I have a hearing impairment on that side.

Mr HISCUTT - Apparently I am softly spoken. I'll speak much louder. As the bill stands, without this amendment, and perhaps the government or the member for Hobart may want to answer this, if I'm 80 years old and I decide I want to go and get my licence and I'm a fit and proper person, I've had four kids; they've had four kids each, and they've all had four kids each and they're all now 14 and capable of owning a gun licence, as it's currently written, does the government or the member for Hobart understand this, that would mean that a fit proper person test would have to be done on all 128 of those potential progeny? Thank you, if I could get clarification on that.

Ms RATTRAY - I want to say for a start, the 14-year-old cannot have a licence because they can only shoot on a range where they're supervised but, yes, every one of those relatives

would need to have that assessment done. This is about the practical application of what had been put forward in the other place in conjunction with Tas Police.

Ms WEBB - I am of a similar mind to the member for Hobart to not support this amendment. I think we can pick the most extreme example, as the member for Montgomery has just done, pick an 80-year-old who might have numerous grandchildren or great-grandchildren who would be captured by the way it is in the bill now. Good, because that's a lot of grandchildren and potentially great-grandchildren visiting a very old grandfather, potentially with a gun in the house, and actually, that might be quite warranted then that we have a fit and proper person test in place for the family members who might be regularly there in the vicinity of the firearm.

By including 'relative' instead of just 'partner', essentially, what we're recognising is that there might be close familial bonds, and I'm thinking particularly siblings, for example, who were captured with the way it is currently in the bill but wouldn't be if they weren't living in the household, under the government's amendment, siblings who might be of concern who aren't now going to be checked if the government's amendment went through, for example, under this amendment, so I think it's warranted to say 'relative'. 'Relative' means the person who's in the significant relationship. It means the lineal relative, so parents, grandparents; it means children, grandchildren, and it means brother and sister; and I think that those relationships are significant to be checked, actually, particularly because they may not be in the household but they might be regularly connected with the household and regularly interacting with the person who's seeking to get the licence. I think we should be erring on the side of greater checking rather than less. I don't think the matter of resourcing comes into it, quite frankly, on this particular matter.

It is absolutely abhorrent for the government to suggest that there has to be some quantified, demonstrable safety delivered by this measure. That's not the threshold they're putting on their own things like mandatory minimum sentencing. I don't see the guaranteed quantified safety delivered by that presented in the government's information. So, if they're not applying that same requirement of demonstrating a quantum of safety delivered for their own measures in other parts of the bill, why are they expecting that that's what should be provided here, I wonder.

So, that's my view on it. That's my first speak on it. I'm not inclined to support the amendment. I do believe that the change that was made in the other place in order to have 'relative' as the wording is appropriate. I don't believe that the arguments against it stack up or trying to use an extreme example undermines it the slightest bit, because most of the time what we're talking about here are very straightforward situations where, when someone's going for a licence, the fit and proper person test is going to be applying to their relatives, as it is now in the bill. That will include their siblings who don't live in the house with them but may well be close associates with them, may well interact with them a lot and may well be not people who we want to have in proximity to firearms or that need to be taken into account when thinking about licensing that particular person for a firearm. So, that's my view on it.

Ms THOMAS - I'm just trying to get my head around this because I wonder, it might be all well and good if people have a family in the ideal sense of the word 'family', but what happens if you have family members who are estranged or who can't be located or identified? It's my read of the bill, as amended in the other place in this section, that it's casting a pretty wide net. If someone's brother whom they hadn't seen for 10 years couldn't be located, is that

going to preclude them from being able to be properly assessed and granted a licence because we're going to send police off looking for them all over Australia or the world so they can do this fit and proper person test so they can get a licence? I just don't see how that's workable. I think we're taking a pretty middle-class, idealistic view of 'relative' with what's proposed here. I appreciate the intent, absolutely I do, but I think it takes a pretty idealistic view of the world and is probably quite unworkable, actually.

Ms O'CONNOR - I'm interested in some interpretive assistance here because to me it says 'whether a relative of the person'. I'm not sure that that would require Tasmania Police to conduct fit and proper person tests on all relatives of someone who's applying for a firearms licence, and I foresee a situation here potentially where a person is known to Tasmania Police who is a relative of someone who is applying for a firearms licence but I don't know if Tasmania Police or their legal counsel's advice is that this would require Tasmania Police to conduct, effectively, fit and proper person tests on everyone's relatives. I would have thought more that it provided for the capacity of Tasmania Police to identify someone who is related to a firearms licence applicant and assess whether that person and their history and their connection through their familial relations to the applicant creates risk in the approval of the licence to the person who's applying. I don't believe that this clause says Tasmania Police would have to check every relative of a person who's applying for a licence.

Ms RATTRAY - Thanks, Madam Chair. From the outset, I want to indicate to the Council that as the bill is written now, all relatives will have to undergo a fit and proper person test even if they do not live with the applicant or do not have active contact. To the suggestion that all persons who are a relative and may visit are a risk, the act already allows the commissioner to consider information about a person who is not a fit and proper person accessing a firearm. The test has been lowered, and it's supported by the government.

The commissioner has adequate powers, and they'll be improved by the bill. This amendment does not undermine the intention of the bill unless it is intended to be required to check even relatives who have no association with the applicant. Furthermore, it's worth noting that this is why there are safe storage requirements and a program by police of undertaking storage inspections to ensure firearms are stored safely.

Ms O'CONNOR - Thank you, Madam Chair. If you thread the amended clause into the principal act, it says, and this is under general restrictions on granting a licence, it says in subclause (2):

> In deciding whether a person is a fit and proper person, the Commissioner is to take into account the following:
>
> (a) Any likelihood of the person using a firearm -
>
> (i) for an unlawful purpose; or,
>
> (ii) to harm himself or herself.

Then, as a result of the Greens' amendments, there'll be a provision in there 'to threaten or cause unlawful harm'. There are the family violence provisions in there. Then, it would be up to the commissioner to take into account whether a relative of the person or a member of the person's household is not a fit and proper person. I still cannot see that that mandates a

Tasmania Police firearms regulatory branch requirement to check every relative of a person who's applying for a firearms licence.

Mr GAFFNEY - Thank you. I want to get this right. Does that mean that, for example, every person who may be in Risdon, in jail, who has a relative that applies for a gun licence, the person applying for the gun licence won't be able to get it because they have a person who is a relative who's in jail and who's not a fit and proper person?

Ms O'Connor - No, because the commissioner can take it into account.

Mr GAFFNEY - Yes, but the police would have to act on all of those. The police can't say, 'Oh, we'll do those three because I think that's right and not do those two relatives.' If those two relatives then do something wrong, the police would be at fault because they haven't carried out what's requested in the legislation. I don't think it's practical. I don't think it's workable. But I'm happy to hear other opinions.

Ms WEBB - Thank you, Madam Chair. I'm just wanting to be super clear from the Leader, knowing that this is on our parliamentary record, because when I read it through, as the member for Hobart just did in the context of the principal act, and when I read what's proposed here, where under the broad subsection (2):

> In deciding whether a person is a fit and proper person, the Commissioner is to take into account the following -

and this would be one of the lists of the following:

> … whether a relative of the person or a member of the person's household is not a fit or proper person.

And now it would say with this amendment, whether a partner, essentially of the person or a member of the person's household is not a fit or proper person.

The way it's written in the act, in the bill before us currently, I don't see that mandate that an investigation be done into every single relative. Can you explicitly say that the legal advice that the government has on this is that that means a fit and proper person test of some sort has to be enacted on all relatives if it stands as it is in the bill before us?

Ms RATTRAY - Thanks, Madam Chair. This requires a check on every parent, grandparent, lineal ancestor, child, grandchild and other lineal descendant, brother or sister. The commissioner can still grant a licence, but they must undertake that assessment. It's not a 'may', it's a 'must'. So, that's why it's so broad.

Ms O'Connor - It's not a 'must', it's an 'is to', actually. But anyway, here we are.

Ms WEBB - It's an 'is to'.

Madam CHAIR - Order.

Ms RATTRAY - Well, it says 'must undertake the assessment'.

Ms LOVELL - Thank you, Madam Chair. To be honest, I don't think I'm going to add much to the debate here because I've been listening to both sides and I can see arguments on both sides. If I take at face value what the government is saying, then yes, it would seem that this bill as it was amended in the other place and supported by Labor - by the way, we did support this amendment in the other place - would be unworkable. But having said that, I'm not convinced that is how it would work when I read it with the principal act.

My other concern is that by restricting it back to 'partner' and 'member of the household', that's going too far the other way and narrowing it too far, because I think there is merit in saying that there are potentially adult, and even young people, visitors to homes where firearms are stored and where licence holders live. We talk about the risk, and one of our arguments around caps on ownership is about reducing the risk, and that is a risk, as far as I can see. That's a risk that we're letting people come into a home where firearms are stored, even though they might be stored securely and all the right things have been done. That seems to me quite a big risk if you've got someone in your family who might choose to do the wrong thing. They're likely to have more knowledge of how you're storing your firearms and how to access them.

I feel really torn on it. I feel potentially it could be really unworkable if it's exactly as the Leader is describing, but I feel like the government's amendment brings it back too far the other way. I'm inclined at this stage to stay consistent with our position in the House of Assembly and not support the government's amendment.

If it is discovered that this is an enormous problem, and it is completely unworkable, we can always come back to this. The government can always bring in a further amendment to the House, and to the House of Assembly.

I'll keep listening to the debate, but I think at this stage I'm inclined not to support the amendment and stay with the position we took in the House of Assembly.

Ms THOMAS - I've listened to what the Leader's response is and the points raised by the member for Hobart and the member for Nelson. I still come back to, and it does say, the commissioner 'must not' grant an application at the start of that clause. There is a 'must' in there in the principal act, but I think also if it is an 'is to' - if we're making a law here that says the commissioner is to consider relatives of the applicant, and I'm the commissioner, I'm going to want to make sure I do a proper job because if I don't and if I miss a relative and something happens, it's going to be on me, isn't it? So, we might think that it's not going to be an onerous, unworkable provision because it doesn't mean the commissioner has to check every single one of those relatives as defined within the meaning of 'relative' there, but thinking about it in practical terms and the job that the commissioner would want to do in implementing that and how the commissioner would interpret that, I think they would probably want to err on the side of caution and do their absolute best to make sure no-one's missed, for if someone was and something happened, then that comes back onto them. I still maintain I feel like it is unworkable. I hear the concerns raised by the member for Rumney and I agree it is somewhat of a dilemma.

We also have to think about the fact that the majority of licensed gun owners are responsible owners and when they have people coming into their house, they use their judgement on that as well. I think we have to acknowledge that responsibility on gun owners too. I know there can be situations where pressure, family violence occurs and it's not just

limited to partner violence. I hear that and I understand the rationale behind that. But I think I've said enough.

Mr HISCUTT - Madam Chair, in a similar vein, the commissioner must confirm that the person is a fit and proper person. To do that, they 'are to' take into consideration these things. They can't take them into consideration if they haven't looked into them, so the onus is clearly there. Maybe the 80-year-old with four children each, but it could also be the 40-year-old with a set of children and two sets of grandparents and six siblings, if all of them need to be checked, one's in Sydney, one's in the UK. The flipside of this is that, as stated, the commissioner already has the ability to look into whether some of those people are dangerous; if they are associated with dangerous people, they have that provision already there because old Grandpa Joe is a bit of a crazy bloke. Well, I'm not, I'm okay. I have my guns securely locked, so does Joe's neighbour down the road; he's just as crazy as our Uncle Joe. What's the difference between that? But I understand this closely. I wish the government had perhaps brought on an amendment where it was slightly broader than just 'partner'. I think that would have been a lot more workable if we could have said something a little bit -

Ms O'Connor - It's kind of risky now.

Mr HISCUTT - Yes, but I think 'relative' was way too broad as it was described.

Ms RATTRAY - Madam Chair, I appreciate the contributions from members on this. Just a point of clarification. It's not a 'may', it is an 'is to' and that is equivalent to a 'must'.

Mr Hiscutt - The *Acts Interpretation Act* says it's not.

Ms O'Connor - No, it's not. One is mandatory, one is directive. That's what we've been told.

Members interjecting.

Madam CHAIR - Order, the Leader has the call.

Ms RATTRAY - Thank you, I appreciate that, Madam Chair.

I want to restate that the government didn't just decide to do this. It was done with the advice of Tasmania Police, who have to actually implement this. It was done with their advice following what came from the other place. I can't say a lot more, Madam Chair, other than that.

Ms Webb - Was that an answer to my question?

Ms RATTRAY - I don't recall -

Ms Webb - Is that the absolute legal advice you have? Because that means they have to do a fit and proper person test on everyone who fits the definition.

Ms RATTRAY - Madam Chair, I don't have any direct legal advice, I have people sitting at the Table who acknowledge and understand it, and this is the advice that I've received.

Madam CHAIR (Ms Forrest) - The question is that the amendment be agreed to.

The Committee divided -

AYES 8	**NOES 4**
Ms Armitage	Ms Glade-Wright
Mr Duigan	Ms Lovell (Teller)
Ms Forrest	Ms O'Connor
Mr Gaffney	Ms Webb
Ms Palmer (Teller)	
Ms Rattray	
Ms Thomas	
Mr Vincent	

PAIRS

Mr Edmunds	Mr Hiscutt

Amendments agreed to.

Clause 20, as amended, agreed to.

Clauses 21 to 23 agreed to.

Clauses 24 to 27 agreed to.

Clause 28 -
Section 55 substituted

Ms RATTRAY - I move the amendment -

Page 42, proposed new section 55, after subsection (2).

Insert the following subsection.

(3) A person who is taken to hold a firearms licence by virtue of subsection (1) or (2) must notify the Commissioner of the location, within the State, where the person intends to store the firearm -

(a) in an approved form; and

(b) at least 24 hours before or, if 24 hours' notice is not practicable in the circumstances, as soon as practicable and not later than 24 hours after -

(i) the person brings a firearm into the State under the deemed licence; or

(ii) the person changes the storage location for the firearm while the firearm is in the State.

Penalty: Fine not exceeding 25 penalty units.

Speaking to that-

Madam CHAIR - Did you say penalty units?

Ms RATTRAY - Penalty units. Speaking to the proposed amendment, section 55 of the act provides for circumstances where an interstate visitor to Tasmania who has an interstate firearms licence is not required to obtain a Tasmanian firearms licence. The bill repeals section 55 and substitutes a new section 55 that makes clearer the recognition of interstate firearms licences in Tasmania and the purposes for which they are recognised.

Nationally agreed settings for maintenance or near real-time information on the National Firearms Register include a requirement to update the register when the storage location of the firearm changes. This imposes an obligation on other jurisdictions to implement legislation that imposes the same reporting conditions as what Tasmania proposes, and further obligates the other jurisdiction to tell Tasmania when their licence holder is travelling to Tasmania.

As yet, these legislative reforms have not been introduced in other jurisdictions, and it leaves a gap that interstate licence holders could travel to Tasmania with firearms and Tasmania would not be informed. The government proposes an amendment to the bill that would insert a requirement on an interstate visitor who is travelling to Tasmania with firearms to notify the commissioner, in an approved form, of any change in the licensee's storage location.

This proposed amendment removes the burden of relying on other jurisdictions to notify Tasmania Police of a travelling interstate firearms licence holder. Further, it applies more clearly to a firearms licence holder visiting and in Tasmania rather than information available prior to a person travelling to Tasmania. The proposed addition is a further measure to ensure the National Firearms Register is updated of changes in near real time for firearms that are in Tasmania.

Amendment agreed to.

Clause 28, as amended, agreed to.

Ms RATTRAY - Madam Chair, I move -

That the Committee report progress and seek leave to sit again.

By way of explanation, honourable members: we haven't made a lot of progress and it's unfair to not have a dinner break. The aim is to come back and progress. It's certainly not going to be completed without a dinner break, and the dining room has staff, so we have to be mindful of that staff, our staff and the people who support us here.

Madam Chair, the question is that I move to report progress and seek leave to sit again.

Madam CHAIR - Just to remind members, members can speak on the question of leave being granted. The Leader doesn't have a right of reply.

Ms LOVELL - Thanks, Madam Chair. I appreciate that it is getting to that time of the evening and I understand with regards to the staff. By way of explanation, I was intending to seek leave to report progress, if nobody had done it sooner, when we got to clause 57, which is the first clause where Labor has an amendment. The reason I was intending to do it there is that our amendment to clause 57 really is contingent on the caps amendment which comes under a new clause, so that would involve having that substantive debate at that point with those last-minute amendments that have come through our new clause. I understand there's a desire for more time from members to consider those amendments. I was assuming that when we got to the new clauses there would be no desire to proceed anyway. I thought it would be sensible to stop at clause 57 because that amendment depends on how people intend to approach our new clause amendment.

Again, it's obviously the will of the Chamber. We're at clause 31 now. My reluctance would be to go for an hour and have a dinner break and then come back and only work for another half an hour to get to clause 57. I know it's not ideal; it's never ideal.

What I'm suggesting, depending on how other people in the Chamber feel, my inclination is to either report progress now and call it for the night, or keep working through until either clause 57 or until people have reached a point where they don't want to continue any further. I wouldn't support reporting progress now for the purpose of a dinner break just to go away for an hour and to come back and then do all this again in half an hour.

If it's for a dinner break, I would not support it. If it's to seek leave and report progress to sit next time, I probably would support that if that's how people are feeling.

Mr HISCUTT - I think it's similar to the points that I made when the honourable member for Mersey sought leave originally. There's a lot of people who are waiting on a decision on the amendments posed on clause 57.

I'm happy to support leave for a dinner break, but not for that purpose. However, if it's the will of the House that we leave at clause 57, then certainly I appreciate what the honourable member for Rumney is saying. I don't think there are any amendments before then. Perhaps it is better to ask that question of the entire House at clause 57, if the government was agreeable to that. I'm happy to at least seek that question, foreshadowing that I don't support it.

Ms Webb - There are numerous amendments before then: 36, 51.

Mr HISCUTT - That's my statement.

Ms WEBB - Thank you, Madam Chair. I'm of a mind, as the member for Rumney has expressed, having flagged that the member for Rumney would be seeking to report progress at clause 57 because that's where we have the substantive debate about the new clauses that Labor are proposing, and we haven't had time to look at the amendments to those new clauses that the member for Murchison has given to us late in the day today, I will certainly be supporting a move to report progress at that point in time and I would hope that the rest of the Chamber would support that, too. I really do because any members who've had amendments put right at the last minute - the member for Murchison hasn't been able to give us any information about

them necessarily - that would be an unreasonable thing, to force people to go through. We've already amended this bill, so it will have to go back to the other place at our next joint sitting week anyway, so I believe that we should be reporting progress on it at some point during the evening and certainly, at the latest, at the point we get to clause 57, is my personal view; in which case, I don't see the point in reporting progress now to have a dinner break and come back for a short period of time afterwards. That extends the evening for everybody.

Ms Lovell - Or we just report progress now and adjourn.

Ms WEBB - Either way, too. I'm quite happy to report progress now and adjourn.

Ms Lovell - That would be the next vote.

Ms WEBB - Either of those things, but not report progress for the purposes of a dinner break, is my view also.

Ms FORREST - Madam Deputy Chair, I was going to go where the honourable member for Nelson just went in her comments. I support the reporting of progress. We've had a long week. This is really complex legislation. It's very important legislation. It's really critical we get it right. I know the amendments that are being circulated, mine in particular, have been circulated very late, for which I apologise. There is no end time imperative to get it done today, and I think there's about a snowflake's chance in hell of getting this done today, even if we have a break and come back, and I think that's irresponsible. I think it's not good lawmaking. And I think it's disrespectful to all of the people who have sat at the Table, our staff, all of us, asking us to deal with such a complex piece of legislation. We've already had two late nights, and we have complex pieces to come, so I will support reporting progress, but not for a dinner break, but to adjourn, allow us to have a reasonable time of night. People have been sitting at the Table for a long period of time here; it's not good for anybody. We don't have a 4 o'clock break on a Thursday. Some of us haven't had a break since half past seven this morning, at all, so I would absolutely support it. The question was that we seek leave to report progress. That's the question. I'm really happy to support that. Why we do that will be a matter we decide later and as to when we come back.

Ms RATTRAY - Madam Deputy Chair, I've been here a while now and I can read the room fairly well, regardless of what other people think, so in light - Oh, I don't get a right of reply.

Mr GAFFNEY - Madam Chair, I think we can go back to considering we had 650 submissions to this bill, which means there's a lot of stakeholders out there who are interested in how this plays out. We need to be able to have a chance to go back to the stakeholders and talk to them about some of these amendments that have just been placed on us, and I also agree with the member for Nelson, we should report progress and sit again in two weeks' time.

Ms ARMITAGE - Madam Chair, I agree with those who have spoken. The clause that people are wanting to hear about is probably the one with caps, and if the member for Rumney is looking to report progress then, that's the one that people are keen to hear which way it goes, so I would support reporting progress and sitting again in two weeks' time.

DRAFT

Madam CHAIR - There are two choices the Leader has: you can either let it go to a vote or you can withdraw it.

Ms RATTRAY - Madam Chair, I seek to withdraw the request for leave.

Motion agreed to.

Clauses 29 to 31 agreed to.

Clauses 32 to 34 agreed to.

Clause 35 agreed to.

Clause 36 -
Section 82A inserted

Ms RATTRAY - Thank you, Madam Chair. I move -

Leave out that clause.

It's a pretty simple one. I'm asking honourable members to vote against the clause, and in speaking to that, the act currently provides two sections that consider the inspection of firearms by a police officer. These provisions appear in section 82, relating to inspection of registered firearms and section 108, relating to the inspection of firearms that are carried. The bill provides at clause 36 to insert an additional section 82A that would relate to the inspection of any firearm and is broader than section 82. This is intended to capture cases where a person may not be the registrant or a firearm may not be registered. The government has reviewed this section of the bill and considers that having three sections to deal with the inspection of firearms can be confusing and proposes this can be simplified by amending existing section 108 to apply to any person in possession of firearms - 'possession' is a wider definition and inclusive of 'carry'. If the Chamber accepts this proposition, then the insertion of section 82A is not be required. This proposed change will consolidate and simplify the relevant sections and provide clarity for police officers undertaking their duties. Again, it is a vote against the clause if members are supportive of this approach.

Clause 36 negatived.

Clauses 37 to 39 agreed to.

Clauses 40 to 42 agreed to.

Clauses 43 to 45 agreed to.

Clauses 46 to 48 agreed to.

Clauses 49 and 50 agreed to.

DRAFT

Clause 51 -
Section 121A inserted

Ms THOMAS - Madam Chair, I rise to move an amendment to clause 51 standing in my name.

Page 78, proposed new section 121A, after subsection (3).

Insert the following subsection.

(YY) Subsections (2) and (3) do not apply to a person who lends a firearm, and to a person who borrows a firearm, if -

(a) the person lending the firearm, including the on-lending of the firearm, is only lending the firearm as part of an organised shooting activity (the ***relevant activity***) that is being held at an approved shooting gallery, approved rifle club, approved handgun shooting club or approved range (the ***relevant location***); and

(b) the following persons ensure that the firearm remains at the relevant location at all times during the relevant activity:

(i) the owner of the firearm;

(ii) if the owner of the firearm is not present during the relevant activity, a person (the ***nominated person***) who -

(A) is nominated, by the owner of the firearm, to be responsible for the firearm for the purposes of the relevant activity; and

(B) holds a licence or permit that authorises the person to have possession of the firearm; and

(c) each person borrowing the firearm during the relevant activity, whether from the owner of the firearm or the nominated person, holds a licence, permit or exemption, under this Act, that authorises the person to have possession of the firearm at the relevant location; and

(d) during or after the relevant activity, the firearm does not leave the relevant location, other than in the possession of –

(i) the owner of the firearm, or

(ii) a person who is nominated, by the owner of the firearm, to be responsible for the firearm on the completion of the relevant activity and who holds a licence or permit

that authorises the person to have possession of the firearm.

I support measures to prevent firearms being passed from person to person without proper accountability or authority. This amendment addresses the specific setting of organised shooting activities at approved locations. Clubs may have firearms registered to an individual who entrusts them to an authorised range officer or custodian. Those firearms may then be used by several authorised participants during the activity. The owner, range officer, instructor and participant need not all be the same person.

The government has explained that retaining custody or control means ordinary supervised use is not intended to be prohibited on lending. Stakeholders remain concerned, however, about how that explanation interacts with the proposed definition and the other lending provisions. This amendment supplies a clear conditional statutory pathway. It provides that proposed subsections 121A(2) and (3) do not apply where the specified conditions are met. It is confined to lending, including on-lending, as part of an organised shooting activity at an approved shooting gallery, rifle club, handgun shooting club or range. Every borrower must hold a licence, permit or exemption that authorises possession of that firearm at that location.

This accommodates existing lawful pathways for licenced shooters, permit-holding minors and participants covered by applicable exemptions. The owner must ensure the firearm remains at the location throughout the activity. Where the owner is absent and owner nominated person with an appropriate licence or permit must take that responsibility. During or after the activity, the firearm may leave only in the possession of the owner, or an appropriately licensed or permitted person nominated by the owner to be responsible for it afterwards.

The exception is therefore bounded by the activity, approved location, each participant's lawful authority, and clear responsibility for the firearm. Other applicable safety, supervision and licence or exemption conditions continue to govern the activity. It does not give a participant general permission to take the firearm away or pass it on outside those arrangements. It simply gives clubs and participants clarity about lawful activities while preserving accountability. So, I commend the amendment to the House.

Ms WEBB - I just have a question around it. I'm just trying to get my head around the fact that we've now got a term 'nominated person' there in the amendment. How is it documented who the nominated person is and that they've accepted the responsibility of being the nominated person? How will the owner who has nominated this person and designated them, and then that person who has taken on that responsibility, how is that recorded or captured so that it can be held to account according to the amendment?

Ms LOVELL - I also had a question and, I'm not sure if it's a question really for the member for Elwick or for the government, but maybe for both. My question is, without this amendment, how does this happen in practice? Does this amendment change anything in terms of how the current provisions in the act or the new provisions, should this be all passed in its current form, operate in terms of lending and on-lending for an organised activity in an approved location? Does this amendment have any practical effect on the current rules and regulations around those activities?

Ms RATTRAY - Thank you, Madam Chair. To answer the member's question, advice from police is that the current bill does not impact on the use of a firearm on a range because

the range officer is still supervising the firearm and has not given up custody or control. However, the government accepts the member for Elwick's amendment because it adds more clarity for users at ranges and also improves the functionality of what's proposed. That's why the government is not opposed to it; it makes it clearer.

Ms THOMAS - Thank you, Madam Chair. I appreciate the question raised by the member for Nelson. 'Nominated person', in my understanding, is not defined in the act, but within shooting clubs, I guess, there are processes that already exist and that shooting clubs are regulated under in terms of this. As the Leader just suggested, these provisions are already in existence within the act for on-lending. What my amendment seeks to do is just make it clearer for the avoidance of doubt. It's simply an avoidance of doubt provision.

Ms WEBB - I'm not particularly objecting to the amendment, I'm just trying to get clarity on it. That's fine, but there are penalties and things attached to not complying with these requirements. What I'm trying to find out is: we're naming up someone called a nominated person who the firearm owner is designating as being responsible and they are supposed to then comply with the requirements in this amendment and presumably have to accept the responsibility to do so. I'm just trying to figure out, how is that accountable, that handing over responsibility? Does it need to be recorded somewhere? I mean, it's in this club scenario, it's in a sort of structured scenario anyway. Is there some sort of documentation of that or how is that? And it might be a question for the government rather than you, member for Elwick. How would we know who this person is?

Ms O'CONNOR - While the Leader for Government is getting some clarity, even though the Leader for the Government has said that this amendment would provide some extra certainty, if you like, around the loaning of firearms on shooting ranges, it seems to me, Madam Chair, that current arrangements are working reasonably well and I don't know if what we're dealing with here is potentially superfluous amendment.

My question to the government is, did you consider whether or not the use and loaning out of weapons at firearm ranges needed tighter provisions in the *Firearms Act*? Did the government pay any attention to this question? Was it raised with them as an issue for fixing? Did the government consider this?

My question to the member for Elwick is, are there similar provisions in firearm legislation in other jurisdictions as far as you know? I guess the issue I have with this right now - I mean, I can't at face value; I don't necessarily see a problem, but I haven't sought advice from any gun control advocates, for example, on whether or not this is a desirable amendment It does provide a pathway for someone to obtain a weapon who is not, as I understand it, a licensed person. So, it's only lending to other licensed people?

Ms THOMAS - '… holds a licence or permit that authorises the person to have possession of the firearm.'

Ms O'CONNOR - It's about the transfer of the weapon rather than whether or not anyone who's using it is licensed. Presumably everyone who would use that weapon has passed a fit and proper person test. Okay. Are there provisions in other jurisdictions that capture this kind of activity on shooting ranges as far as you know? And has this been identified as a deficiency by sporting shooters?

Ms RATTRAY - Thank you. Some further advice has come through. One must refer to the definition of 'possession', which under the act means 'custody or control'. Ranges operate for licence holders under a range approval and for visitors under a range exemption. Registers must be maintained, and the point is that if a club official lends a firearm on the range and is supervising, they have not given up custody or control. The government does not intend to change the existing arrangement on ranges. The current process for ranges is fit for purpose. It's not broken. The honourable member for Elwick's amendment clarifies that on-lending is not breached on a range. It's clarification. It's also additional information that this is actually supported by the Sporting Shooters' Association.

Ms O'Connor - Is it supported by Tasmania Police?

Ms RATTRAY - Yes.

Ms WEBB - Thank you, Madam Chair. I'm just trying to figure it out now, actually, it seems to be codifying something that already happens in the legislation - that is my understanding. But because it's specifying that subsections (2) and (3) don't apply and it doesn't have any penalties attached to it, it's codifying rules in a way that we don't currently codify them in a piece of legislation; it is reflective of the current arrangements is what I'm hearing from the Leader's explanations. But we're also not attaching any penalties to these rules not being complied with, because there's no penalty at the end of this inserted subsection in this amendment.

I'm just wondering if we are now sort of legislating in a more structured, codified way in legislation a process that's already understood and to happen; now it's legislated, but there are no penalties attached to breaching the rules being legislated. Is that problematic? How will that affect how the police will respond to noncompliance with these particular rules should they become legislated via this amendment? Is it problematic that there are no penalties attached to it if they're breached? Of course, we all hope that they never are, but we don't make rules and specify them unless we also expect to potentially have to enforce them at some point.

It's my third call. I won't be able to follow up on this line of questioning, but I'm just interested about: why no penalty? What's going to happen if these rules aren't complied with once they're legislated and codified in this particular way?

Ms RATTRAY - A little bit of further advice is coming through. I don't want to cut the honourable member's question off without an answer.

The amendment from the honourable member is ensuring that the on-lending rule does not apply on a range. This amendment is not introducing new rules for a range. Ranges already have rules and are inspected, records are inspected, and range approvals can be withdrawn. The act already provides all of these provisions. Again, I'll just repeat what I said in the previous response that the amendment just clarifies that on-lending is not breached on a range.

Mr GAFFNEY - It's just a matter of process. I see that in the interpretation of the principal act and this one, there's no definition or interpretation of what a 'nominated person' is. There is for 'nominated storage'. There is a description of other things. I'm just wondering, should a 'nominated person' be included in the interpretation for this act? I'll be interested to know the government's viewpoint on that because there's nothing in the principal act and there's

nothing in this. I just want to know, as it's a term that's being used, whether that needs to be included in the interpretation.

Ms RATTRAY - A response that I have is: police would apply it as the nominated person is the other licence holder who took possession of the firearm with the owner's permission. So that would be the nominated person. There isn't any need to actually put that in as an interpretation.

Mr GAFFNEY - Thank you, I appreciate that response. Following up on the honourable member for Nelson's query, I don't think it's very clear in this. It says:

> (b) the following persons ensure that the firearm remains at the relevant location at all times during the relevant activity.

What is the consequence, and if that doesn't occur, I suppose, if something doesn't happen, there doesn't seem to be any consequence of ensuring that stays at during the activity. I'm just wondering what's the consequence of that not occurring, and whether that should be in the bill, in the legislation.

Ms RATTRAY - I'm going to wing this one a bit, so watch me.

Ms Thomas - You are a patron.

Madam CHAIR - It's a bit dangerous.

Ms RATTRAY - It probably is slightly but anyway, I'm feeling very bold. Ranges have rules and are inspected, and records are inspected and range approvals can be withdrawn; so, if you don't do the right thing, you might well lose your range licence. Furthermore, on script, and when they haven't satisfied the exemption of the -

Ms O'Connor - Who's 'they'?

Ms RATTRAY - When they haven't satisfied the exemption of the on-lending rule, then they won't have on-lent and the penalty would apply for on-lending. There's a bit more, so this one might be clearer. Borrowing and lending has provisions and penalty units attached. With breaking it, these would still apply to the range. So, you get a penalty, and you might lose your licence.

Ms THOMAS - Madam Chair, I appreciate members' scrutiny of this proposed amendment, and just to be clear, it did come from the briefing that we had with members of Sporting Shooters' Association of Australia, Tasmania branch. Their deputy chair, Donald Riddell, briefed us at that briefing along with Shane Bowden from the Glenorchy range, and they did follow up and provide all members with, through the Leader's office, some briefing notes. So, I'm happy to put that on the record for members who haven't had a chance to read that or couldn't attend the briefing.

They referred specifically to section 121A, Lending and borrowing of firearms, which is the section that we're considering here and their concern was subsection (3), which says, 'A person who borrows a firearm from another person must not on-lend that firearm to another person.' That's what they were specifically concerned about, and they talked about how at a

sporting club - here's a scenario; the problem scenario is that I take a club firearm to the range and place it in the possession of the range officer. The range officer then places a firearm in the possession of a new shooter, on-lends, for instruction and training. I ask that the Legislative Council give consideration to amending the proposed legislation to provide coverage to club members in the lending of firearms in the club shooting range environment by inserting wording to the effect of. So, they wanted that section amended to read 'unless the firearm is lent in the context of specific club activities on an approved shooting range and returned to the lender on completion of those activities'. So, that's effectively what this gives effect to. They were concerned that they could be perceived or found to have broken the law of that new law by on-lending if it wasn't made explicit that they could actually do it in that regulated environment of a shooting range. That's where the amendment originated. Hopefully that will help reassure members, along with the government's advice, which I appreciate, that this is a sound provision.

Amendment agreed to.

Clause 51, as amended, agreed to.

Clauses 52 to 54 agreed to.

Clauses 55 and 56 agreed to.

Clause 57 -
Section 141 amended (Reviews)

Ms LOVELL - Madam Chair, as I flagged earlier, I will seek leave to report progress at this point. As I outlined before in the previous debate, this is where Labor has our first amendment, but that amendment is very closely linked to our new clause, which comes later in the bill, which, as we know, the member for Murchison has an amendment to. It's really important that people have time to make sure that what they're considering in our amendment to clause 57 is what they want to happen at the new clause, and we obviously need more time to do that. So, I think we've made some good progress tonight and I seek leave to report progress.

Ms RATTRAY - Madam Chair, I think I have got a speak this time.

Madam CHAIR - You've only got one.

Ms RATTRAY - It's not what the government would have liked for this, so I can advise that we will be voting against your motion. But, as always in this place, we are at the will of this Chamber. I just needed to say that it's not - I mean, we've seen in the other place, they worked till 2 a.m. this morning.

Madam CHAIR - It doesn't make good law-making.

Ms RATTRAY - Well, I don't know. We haven't seen the bill yet. It's come from the other place.

Ms Lovell - Through you, Madam Chair, for the record, it would have been my preference to continue to work as well. I just don't want any misconstruing of what's taking

place tonight in any public commentary that might occur after this. So, for the record, it would have been Labor's preference to continue to work as well but I understand members need more time, and that's not directed to you, Leader -

Ms RATTRAY - No, and -

Madam CHAIR - Order, we won't have a debate across the Chamber.

Ms RATTRAY - No, and it won't come from me, but I can't say what others will do. I'm just saying that the government does intend to vote against this because it would have liked to have had a break and come back and continue on, but it's at the will of the House.

Leave granted.

Progress reported; Committee to sit again.

CONVERSION PRACTICES PROHIBITION BILL 2026 (No. 45)

First Reading

Bill received from the House of Assembly and read the first time.

[7.44 p.m.]

Ms O'CONNOR (Hobart) - Mr President, I move -

> That the second reading of the bill be made an order of the day for Tuesday next.

Motion agreed to.

COMMISSION OF INQUIRY (MISCELLANEOUS AMENDMENTS) BILL 2026 (No. 25)

First Reading

Bill received from the House of Assembly and read the first time.

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

> That the second reading of the bill be made an order of the day for Tuesday next.

Motion agreed to.

LAND USE PLANNING AND APPROVALS (MISCELLANEOUS AMENDMENTS) BILL 2026 (No. 22)

House of Assembly Agreed to Council Amendments

The House of Assembly advised that it had agreed to the Council amendments.

JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL (No. 2) 2025 (No. 39)

House of Assembly Agreed to Council Amendments

The House of Assembly advised that it had agreed to the Council amendments.

JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2026 (No. 12)

House of Assembly Agreed to Council Amendments

The House of Assembly advised that it had agreed to the Council amendments.

ADJOURNMENT

[7.47 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Before I move the adjournment, given that we've received two bills from the other place and we've also received the messages, there isn't a requirement for a quorum call in the morning. Therefore, when I move it'll be to 11 a.m. on Tuesday 17 November. So, just by way of explanation, I thought I'd put that in before I move.

Mr President, I move -

> That at its rising the Council adjourn until 11.00 a.m. on Tuesday 17 November 2026.

I thank all honourable members for their contributions during the course of the week.

Motion agreed to.

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

> That the Council do now adjourn.

Dr Brian Herman, Cardiologist - Terms of Employment

Ms ARMITAGE (Launceston) - Thank you, Mr President. Members here may recall the speech I made about Dr Brian Herman in April this year. At that time, I wanted to bring Dr Herman's work to the attention of the Chamber and the wider public as a world-class interventional cardiologist. Dr Herman had just released his book *Becoming That Guy*, which chronicled his time at the Launceston General Hospital (LGH), his journey from the Bronx in New York, and his time as a clinician, teacher and innovator in the world of cardiology, all occurring in Launceston.

In the days and weeks following my speech and the aftermath of his book being released, Dr Herman was advised that his contract to work at the Launceston General Hospital as an interventional cardiologist would not be renewed in the new financial year. This prompted an outcry from dozens, even hundreds, of members of the public whose own lives or the life of a loved one had been saved by Dr Herman.

In a social media post by myself and Dr Herman's stepson, a nurse at the Launceston General Hospital, hundreds of likes, shares and comments were universally in support of Dr Herman and highly critical of the decision not to renew his position. In June, the Department of Health's secretary said an additional full-time cardiologist position had been created across both clinical and head of department roles at the LGH. At the time, I was quoted in *The Examiner* as saying that Dr Herman was called before management and left shocked after being told his contract would end, as the Department looks to 'clean up' part-time roles and advertise a full-time position. People like Dr Herman don't just grow on trees, and I called on the state government to intervene.

Unfortunately, this did not occur, and today I wish to provide the Chamber with an update on Dr Herman's endeavours to return to his longstanding work within the Tasmanian Health Service working with patients who need acute care and management with their heart health.

Dr Herman obtained legal representation and took his case to the Tasmanian Industrial Commission, arguing that the non-renewal of his contract effectively constituted unfair dismissal because he'd been on a fixed-term contract for 20 years, and that he should have consequently been treated as a permanent employee.

Interestingly, there was no actual ruling provided by the commission on this as the government and the department did not provide any points to support their position to not renew Dr Herman's contract. It was therefore accepted that Dr Herman's position had to be restored. Subsequently, Dr Herman was rehired as a cardiologist at Launceston General Hospital, albeit Dr Herman had only been away for three months, it was decided that he needed to be recredentialed - a process which is controlled by the Director of Medical Services - otherwise he would not be able to work clinically.

Even though it's accepted that Dr Herman's position needed to be restored, the THS stated that they had the right to reassign or redeploy him on the basis of what they considered to be clinical need, not on Dr Herman's skill set, experience, background and abilities.

Consequently, the duties that were offered to him were not even close to a reasonable restoration of Dr Herman's previous position. The offers were:

(1) Dr Herman would it do only outpatient work on half a day a week at the LGH. For this offer, Dr Herman would spend more time driving than he would working, considering that he lives mostly in Hobart now.

(2) Dr Herman would work one full Thursday every fortnight, being required to be at an 8.00 a.m. meeting, would do a small amount of work in the cath lab and then outpatient work in the afternoon, finishing work at 4.30 p.m. to drive home back to Hobart. This would mean a day starting at around 5.00 a.m. until 7.00 p.m. with no travel allowance or safety plan.

Given the issues which have been raised for long days, including driving on Tasmanian roads, for our health workers this year, including the fatal car crash of one doctor, the reasonableness of this offer is questionable to my mind. Surely, the safety and wellbeing of doctors who travel across the state to work, spending so much time on the road should be paramount.

Importantly, neither of these offers provides adequate time in theatre for Dr Herman, or for training other doctors in the very training program which Dr Herman established years ago and which is responsible for the world-class reputation Tasmanian cardiologists have.

To provide some context here as to what these offers mean to Dr Herman in terms of his experience and skill set, it would be like offering a specialist health practitioner with decades of experience in a specific and critical area of health a position dealing with cuts, bruises and scrapes. It is simply not like-for-like in terms of the restoration of Dr Herman's previous position and duties, and is an insult to a person of Dr Herman's standing, experience and skill set. It does not correlate with the assignment of duties based on clinical need, given the growing need for cardiologists and the general deterioration of cardiac health in Tasmanians, about which we have hard, relevant and reliable data.

Understandably, Dr Herman turned both of these offers down. They had no relevance to his abilities as an interventional cardiologist, and he simply had no interest in them.

Given that Dr Herman was the head of the department for almost 20 years, there is additionally no grace, dignity or justification for the inadequacy of the offers he's been presented with. To my mind, claims that these offers are based on the assignment of operational needs and efficiency simply don't hold water considering the serious and significant demands on the health system at this point in time. Our state's health system is simply not in a position for turning down cardiologists like Dr Herman who live here and want to work here. People need to have access to the experience in clinical skills that people like Dr Herman possess.

I also question the creation of the advertisement of the new full-time cardiologist position across both clinical and head of department roles at the Launceston General Hospital. This was occurring back in June. I'm unsure if this position has yet been filled and question what sort of applications might have been received for the position, particularly when we have an eminently qualified and experienced interventional cardiologist right here in the state.

Dr Herman might not be able to undertake such a position full time, but could help fulfil some of the clinical needs this role demands while a suitable person is recruited to take on the position long term. Again, I don't believe our state is a position to turn down the experience and skills of people like Dr Herman.

I'm told Dr Herman feels targeted by these actions of the Tasmanian Health Service. Additionally, he's confident that he has the support of his colleagues, including fellow doctors, clinicians, nurses and support staff. Moreover, what is being argued here is a matter of hours per month - hours to allow Dr Herman to work with patients in theatre, saving lives and improving health outcomes and wellbeing of Tasmanians.

Finally, I want to talk about cardiology waitlists. While the Tasmanian Health Dashboard does provide a good amount of information, what has been relevant is that in the past six to 12 months, wait lists for invasive and interventional services have only got worse, despite the operational efficiencies and needs that the THS says they are attempting to address. There are fewer elective angiograms being done every day. This then flows on to waitlists and means not just the numbers on that list are growing, but that people who have serious and urgent need to be seen for their heart health, a serious and integral need which can mean life or death, are also being required to wait longer. This is simply unacceptable.

In this time, the doctors employed in the THS, aside from Dr Herman, haven't changed. Support and technical staff haven't changed. Nurses haven't changed. Beds and other resources haven't significantly changed. I have every confidence in the staff we have working on our front lines - the doctors, nurses and technical staff. We see their dedication and commitment to patients and the practice of medicine every single day. I do, however, question how resourcing is occurring in our health system. This issue remains ongoing and I thank Dr Herman for his work with Tasmanians and within the Tasmanian health system. Dr Herman's contributions to our state are too significant to be ignored and I sincerely hope we see him meaningfully restored to his previous work within the Tasmanian health system sooner rather than later. Thank you.

Community Legal Centres - Legal Aid - Funding Cuts

Ms O'CONNOR - Thank you, Mr President. I rise tonight briefly on the adjournment to raise an issue that I think is of great significance to all of us as community representatives and to the people we represent, particularly people who experience disadvantage or live in rural and regional areas and count on Legal Aid and Community Legal Centres, and I do have a query to pose to the government.

Mr President, after having a number of conversations with Legal Aid, Community Legal Centres, Refugee Legal Service, Women's Legal Service and Environmental Defenders Office to come to terms with their budget situations, I thought, and I still believe, it's really important that this parliament takes a good look at the cuts to the Community Legal Centres and specifically and particularly to the savage cuts to Legal Aid over the forward Estimates which will have a devastating impact on people who are seeking legal support and services. I was advised that it might be a good idea to write to Government Administration Committee B and request a short inquiry. I'll read that letter in.

> Dear Chair,
>
> In recent weeks I have met with representatives of Legal Aid Tasmania and Community Legal Services to better understand the impact of state and federal funding cuts to disadvantaged Tasmanians who rely on these services. These funding cuts will intensify existing pressures that include a shortage of

lawyers to address cases, court backlogs, women remaining in abusive relationships as there is no pathway to supported escape, the provision of legal representation for young people in Ashley Youth Detention Centre and cuts to existing programs. The flow-on effect of these funding cuts is likely to be profoundly damaging at a community and individual level.

As the committee responsible for the Attorney-General on Justice portfolios, I respectfully request the Committee conduct a short inquiry into the following:

(1) The impact on disadvantaged Tasmanians, the courts and the youth justice system of state budget funding cuts to Legal Aid Tasmania and Community Legal Centres across the state.

(2) Any matters incidental thereto.

I am hopeful the Committee will agree to examine the impact of recent funding cuts across the forward Estimates on key community legal supports and the Tasmanians who rely on them.

Should the committee take up this referral, I would be very pleased to be able to sub on to GAB for the duration of the inquiry, should that be agreed upon.

I look forward to your response on behalf of the committee.

Warmest yours sincerely,

[Me.]

A response came back and it was very disappointing, Mr President, and I'm not pointing a finger at anyone here. I know that we all have a heavy committee load to carry, but there are some matters which are of such social and individual consequence to the people that we represent. I believe they require inquiry. So, the response from the General Administration B was to say:

Dear Ms O'Connor,

At its meeting held on Thursday, 17 September 2026, Legislative Council Government Administration Committee B considered your letter dated 2 September regarding a proposed inquiry into the impact of funding cuts on legal support services. The Committee thanks you for bringing this matter to its attention. While the Committee is unable to commence an inquiry into the matter at this time, it encourages you to continue asking questions and seeking additional information that may support consideration of a future inquiry. The Committee intends to reconsider the matter later in the year and acknowledges the questions already asked in relation to it.

Yours sincerely,

The Chair.

And I'm very glad to have been encouraged to ask questions; I have been asking questions, and I'll continue to do so, but I think it's really important for members to understand how devastating these cuts will be. We hear from the head of Community Legal Centres in Tasmania that there is a real lack, particularly on the north-west coast and in the north of the state. There's a real lack of litigators where most are at almost crisis point with regard to criminal law; general litigation lawyers, civil litigation and family lawyers are also lacking.

There's been a real attrition of lawyers in that space in the past 10 to 20 years and Ryan Gilmore says:

> So, what we're finding in the community legal sector is that there is a flow on effect of those desperately seeking assistance, who cannot find assistance through the more traditional avenues. They're coming to us for assistance in desperation.

And of course, what we know is that Legal Aid is having to turn desperate people away. It was already chronically underfunded, and this was confirmed by Lloyd Babb SC, who, in his report to the Tasmanian government on how to ease backlogs in the court system, said Legal Aid and the criminal defence profession feature prominently. Legal Aid was described as chronically underfunded, with insufficient lawyers and limited capacity to undertake the volume and complexity of work required. Legal Aid rates were also said to be contributing to firms shrinking their involvement in criminal work. Although trainees continue to express interest in criminal law, contributors summarise the problem plainly: We've got the interest, but not the jobs. Regional participants reported particular difficulty securing representation, including for serious matters.

So, I'm glad to hear that General Administration Committee B will reconsider at some point, hopefully this year, the request for an inquiry. I was a bit disappointed because a number of members of GAB had expressed support to me on the need for a short inquiry, but here we are. So, my question to the government is this: has the Attorney-General engaged with Legal Aid Tasmania and the community legal sector to understand the impact of the cuts that were set out in the last state budget on that sector and the people it represents? And does the Attorney-General understand that the consequence of those cuts to Community Legal Centres and services and to Legal Aid on people who are disadvantaged, who live in rural and regional Tasmania, will be very significant and in all likelihood there will be flow on effects into our health system, our mental health system, our criminal justice and our corrections system, if we don't have a government that appropriately funds legal support services for those people who can't afford high-powered lawyers or barristers?

These are people who count on Legal Aid. They count on our Community Legal Centres and they are abandoned without them. Cutting funding to Legal Aid and to Community Legal Centres, in my view, is a form of abandonment of some of our most marginalised and disadvantaged people, and I stand here on behalf of that sector and of the Greens and call on the government to reverse those cruel and short-sighted cuts.

The Council adjourned at 8.05 p.m.