

PUBLIC

THE HOUSE OF ASSEMBLY SELECT COMMITTEE ON FIREARMS LEGISLATION MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART ON FRIDAY 30 NOVEMBER 2018.

Mr DONALD RIDDELL, SENIOR VICE PRESIDENT, AND **Mr ANDREW JUDD**, PRESIDENT, SPORTING SHOOTERS ASSOCIATION OF AUSTRALIAS, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR (Mr Shelton) - Before we begin I need to check that you received and have read the guide that deals with committees sent to you by the secretary. If so, I also reiterate some of the important aspects of the document - you have both presented before committees before and I understand that, but as an obligation from us I need to read through this.

A committee hearing is a procedure of parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting any inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of this parliamentary proceeding. This is public hearing, members of the public and journalists may be present and this means that your evidence may be reported. It is important that if you should wish all or part of your evidence to be heard in private, you must make this request and give an explanation prior to giving the relevant information. Do you understand this?

Mr RIDDELL - Yes.

Mr JUDD - Yes.

CHAIR - Thank you very much gentlemen. First, would you like to make an opening statement.

Mr RIDDELL - Thank you for the invitation for representatives of SSAA Tasmania to appear before the select committee and give evidence to the inquiry. We now directly represent over 5000 Tasmanians who are members of our organisation.

The broad based policy released by the Liberal Party prior to the March 2018 election, which was subsequently supported to a degree by a Labor Party release, has been the catalyst for this inquiry. Some sections of the media and community believe that this process has been a secret deal. To us it was not secret and never could be as we always understood that any legislative change would be subject to public debate and scrutiny post the election.

We are confident the changes proposed make a lot of sense in the use and management of firearms and we are happy to debate this in public. We have not submitted two comprehensive submissions and brought further proposals today for any other purpose. We are not, as some would try to characterise us, presumably to frighten impressionable sections of the community or to just malign us, a NRA-inspired gun lobby. We are a voluntary organisation with no political affiliations who seek to represent our views on firearm ownership and use in a Tasmanian context. Unlike many of those who just seem frightened by our proposals, we have a pretty good working

PUBLIC

relationship, a pretty good working understanding of the faults of the Firearms Act 1996 and its ongoing implementation issues,

We have a very good understanding of the problems and needs of the farming community. Farmers belong to our organisation and our members do voluntary work for farmers across the state.

The change we seek is in the context of the existing act and the checks and balances - that is, things like reasons to possess that were introduced in 1996. Some of the contributions to the inquiry we have read seem to suggest that there is a push to start again, that is, go back to pre-1996. In fact, many of these contributions seem to be stuck in that pre-1996 space and have not actually had to deal with some of the poor drafting or illogical reasoning that was rushed into that act. Neither are they likely to understand how firearms technology, farming practices et cetera have changed in 20 years and subsequently how some of that act now makes little sense.

Given we are the first to give evidence at this inquiry, we are at a disadvantage in terms of having an opportunity to potentially rebuff any outrageous claims that might be made by others. Thus, we would like to take advantage of this statement to quickly make a couple of points around those with alternative views, noting especially that in the second round of contributions the medical profession seems to have taken a dislike to the proposed changes.

For instance, the common thread in those submissions seems to be about firearm availability and suicide. We would submit that the changes proposed will not likely have any impact on availability and therefore the potential for firearm suicide in that aspect. Additionally, it is a well-documented fact that firearm suicide was trending down prior to 1996 and is now significantly lower. We profess no specific expertise in this matter other than to be able to read publicly available figures.

Unfortunately, in recent times the overall suicide rate appears to be increasing, which serves to highlight the point that in debating a singular issue, such as a method, the treatment of the bigger picture is often overlooked, which is where we believe such organisations should be focusing their expertise.

Regretfully, we also consider that many of the negative submissions are light on fact and strong on rhetoric and conjecture. However, in noting the interests of the medical profession we would also express the view that if this profession is genuinely commenting in an attempt to seek just health outcomes, they should support us and others who are seeking to widen the availability of sound suppressors and other useful mechanical firearm aids.

On a more positive note, recent changes to the management of the Firearms Services by the Government highlighted how improvements to systems can be made when people listen and cooperate. We trust this inquiry may be such an opportunity rather than a continuation of the media shouting match we have seen over the last six months or so. Thank you for the opportunity to make this statement.

CHAIR - Thank you. We will open it up for the committee in a moment. You have made a significant contribution in your two submissions. You have just stated there were some improvements with Firearms Services and the discussions you have been having with them. Can you elaborate a little bit more on that?

PUBLIC

Mr JUDD - Since the instigation of a civilian manager of Firearms Services we've had greater access to them. We've been able to negotiate different items where there are problems and they seem to be working to get consistent information out to people and to make sure the firearm system works a lot better than what it has done.

CHAIR - Procedural-type issues?

Mr JUDD - Bear in mind, Mr Shelton, that we've also gone out of that five-year cycle where we are repeating the 1995-96 licensing, so the work for Firearms Services has decreased quite substantially in the last six months or so.

Dr BROAD - What sort of issues were you having with Firearms Services?

Mr JUDD - One of our major problems with Firearms Services is the fact that when licensing came in obviously everybody became licensed at that time. We entered into a five-year cycle where nearly half our licensing is done in a one-year period. One of the reasons the 10-year licensing came up originally was to be able to stagger licensing so that we could break that large amount in that one-year period, so it could make it a lot easier for Firearms Services to manage that system.

Dr BROAD - When everybody came in at the same time, obviously there were huge numbers in that one year. No doubt over time that will get better as new licences come on board. Can you think of any other way we could remove that issue without having necessarily to extend the licence period for 10 years? If you extend it for 10 years, in 10 years time you will have the same issue.

Mr JUDD - That is correct. I think if we went to an electronic system and a renewal rather than a reapplication, as it is when renewing a drivers licence, which is a tick and flick form - it asks do you need glasses, are you diabetic and so on.

If we had a similar system for firearms - it is a signed document, it is legally binding - but if we had a renewal system rather than having to go through the whole reapplication, it would make the task for Firearms Services a lot less and it would enable them to deal with that larger group of people at the one time. It would also be consistent with other licensing that we do within Tasmania.

Dr BROAD - When you reapply for a firearms licence - I am not a firearms licence holder, although I probably should have signed up back in 1996 and did not - do you have to resubmit your reasons for use?

Mr JUDD - Yes.

Dr BROAD - Do you also have to document your storage? Do you have to almost reaccredited? What is the process?

Mr JUDD - The process is if you have reason one or reason two, you have to provide documentary evidence. So you have to go back to farmers, provide letters to sign to say you have access for reason two. Reason one is you have to be a member of a club. The clubs are obligated to report back to Firearms Services on their membership when required by Firearms Services. It is a case of double dipping. You are required to provide all that information.

PUBLIC

If they had a tick and flick form, it could ask, 'Are you still a member of the club?' for reason one and 'Do you still have access to properties to hunt?' for reason two, and then have the document signed, basically the same as a motor vehicle or boat licence.

Mr RIDDELL - If they wanted, they could audit that. In a sense they are doing a 100 per cent audit of everyone at the moment. If they randomly audited a signed renewal process, I think that would still keep most people honest. That is why we went for five years, because 20 years ago we had manual systems. That is what Andrew was saying about electronic systems. If we had electronic systems that allowed us to do things more quickly and also provide things more quickly, it would also allow Firearms Services to audit people on a more routine basis.

Mr JUDD - To answer your section on storage, you do not get reinspected, but there is a random storage inspection system, which we tend to disagree with.

We would like to see a system where the police come in and say, 'Mr Shelton, you have storage for 10 firearms'. Most safes are rated for whatever category and however many firearms. Until such time as you exceed that number or get to that number, there is no necessity for them to come and reinspect, unless you move your abode. It would free up the police to do more important things than run around and inspect something that has been done and has not been altered in any way whatsoever.

Dr BROAD - Have you had any issues raised with you about that inspection process and subjective judgements?

Mr JUDD - A lot of issues about it. This is one of the things we are working through with Firearms Services. They are trying to get a more consistent way of doing it. They are talking about a checklist, so the firearm owner knows what is required of them by having the checklist provided to them. The inspecting officer also has a framework in which to work in.

There have been many times where an officer has found a safe that is not the right size. The president of TFGA brought up a case where a category C safe was inspected by the local police who measured the thickness of the steel with a measuring tape. They found the steel was not 3 millimetres thick and proceeded to take the farmer's firearms away. It was questioned. Wayne Johnson, the president of TFGA, was his son so he knew the case quite intimately.

We have that issue, but as I say Firearms Services at the moment is trying to do its best to get a better system in place.

CHAIR - Talking about Firearms Services and the complaint that you mentioned earlier about renewals and the time it takes, I can recall stories about people outside their renewal period. Can you enlighten the committee on the problems that have been created through this process?

Mr RIDDELL - If I can speak personally, last year when my firearms licence was being renewed I had a trip to the mainland planned. My renewal came up in April last year. I got my reapplication form in February and I submitted it within a couple of days of getting it. I was going to the mainland on a hunting trip, and a week before I was due to go, I still did not have my new licence. That caused me a lot of aggravation because as shooters we are used to having to show our licence for all sorts of things. I need to show my licence to get storage on the boat. If I was driving through Victoria or New South Wales and I got pulled up by the highway patrol and they wanted to see my licence, I would have had an expired licence. I could not buy ammunition. I rang up

PUBLIC

Firearms Services and said, 'Look, I have not got my licence, what is going on?' They said, 'Oh, there is a bit of a backlog - it will be a couple more weeks'. I explained the problem. They said, 'Oh, that's fine, the act says that your licence will remain in force, even though it has expired'. I said, 'Well, that's all very well; however, the piece of plastic I have that I need to show in public to be able to conduct myself as a firearm owner is not going to cut the mustard with people like the TT-Line and the New South Wales highway patrol'. They said, 'Okay, we will see if we can expedite your licence', which they did. If all else failed, they were going to write me a note, which is a completely unsatisfactory position to be in.

I had put that in months beforehand. During the discussion we had with them after that, they said they were processing something like 4000 licences a week. So you can understand what was going on inside that office. I have some sympathy for them and they were helpful when I spoke to them about it, but nonetheless, as a person who had become very used to having a plastic card and showing it, I felt very uncomfortable that I would have been placed in-

CHAIR - What is a typical time delay in getting a licence in the middle of this peak period? How late were they?

Mr JUDD - Generally most people got their licence just within the death knock or several days after their licence had expired, as Donald did. A firearms licence to the people who own them is like a drivers licence. We understand that some people do not renew them. If you do not renew a drivers licence, your car can sit in the driveway. With a firearms licence, if you do not renew it, the police will be there to take your firearms away for safe storage until you can make other arrangements. Most firearm owners renew fairly promptly when they get their reapplication. Of course there is always a delay. If they get a reapplication, as we pointed out, they have to go and get letters from farmer or if they are still members of clubs, hopefully they have not let that lapse if that is their reason. So there is a delay there. Most people get their licence right at the death knock, or sometime after.

Mr RIDDELL - The other thing that was a big issue during that period was the permits to acquire firearms. Because they were busy working on licences the permits to acquire were eight to 10 weeks. The act was changed back in 2015 for second and subsequent firearms to reduce the period to get one to 14 days. Even though 14 days was the goal, it was eight to 10 weeks with the permits to acquire. Everything else was being held up by those licensing processes.

CHAIR - So from a Firearms Services point of view, have you as an association had discussions with them about how we can get over this backlog and extending a period of licence or whatever? What sort of discussions have you had?

Mr JUDD - Predominantly a staggered rollout would be good. To go electronic in all aspects at Firearms Services would alleviate a lot of work for the staff there. At no stage are we complaining about the staff at Firearms Services, I make that clear. They have a lot of work to do and they do an incredible job considering the staffing levels they have.

CHAIR - This period of renewals is a six-month, 12-month period. What happens within that department after the backlog is out of the way? Maybe we need to be asking Firearms Services rather than you.

Mr RIDDELL - In previous years, they did ramp up the staff numbers because this is the fifth time we have had the renewal process but it is the first time we have had this problem; last year,

PUBLIC

they had ramped up the numbers. It is not our core business so we cannot tell you exactly how they operate.

CHAIR - From an association's or a consumer's point of view, would you like to see some efficiencies in that renewal?

Mr JUDD - Currently, Mr Shelton, the Firearms Services are processing the paperwork at a good rate. We are not getting as many issues as we did last year.

Dr WOODRUFF - Thanks for your submission. It seems there are a lot of things you want changed. I want to clarify that you would like to be legally allowed to have sound suppressors -

Mr RIDDELL - That is correct.

Dr WOODRUFF - and extend the licencing conditions from five to 10 years -

Mr RIDDELL - Yes.

Dr WOODRUFF - and make changes to current firearm storage laws?

Mr JUDD - No.

Mr RIDDELL - We think there should be more gradation in the storage penalties, the infringements. I don't think we said anything particularly about construction in this submission. We dealt with that last year.

Dr WOODRUFF - You do not want people's guns confiscated for what you have called minor infringements, is that correct?

Mr JUDD - Correct.

Dr WOODRUFF - How do you define minor?

Mr JUDD - If there is a total breach of your storage, if the police came into someone's house and there is firearm is sitting there and it is not in attendance, that is a breach that is indefensible. In the past, if the police come in and there is one round of ammunition or if you forgot to put your magazine away or anything like that, you would suffer to full penalty. We would like to see scale where you get an infringement notice. Bear in mind that at no stage does the NFA specify the storage of ammunition, it only specifies the storage of firearms. We would like to see some form of infringement. It is much the same if someone fails to stop at a stop sign while they are driving. They do not have their car seized, destroyed or anything like that or their licence is revoked. They have an infringement-type system. In major breaches, there is no excuse for firearms being left unattended and unsecured when there is nobody about.

Mr RIDDELL - In the changes made to the regulations las year, the penalties were significantly increased, particularly for persons who owned more than nine firearms, to two years. You were under the threat of a two-year or 100-penalty unit fine for either inadvertently leaving a small primer, if you were reloading it on your bench or walking out at one end, or walking out of your house, leaving the house open and leaving the gun safe open. The potential penalty is the same. Whether that would be looked by a court is another matter. Potentially, the police could

PUBLIC

come in and confiscate all your firearms for that small thing. That seems pointless because, as we said in our submission, Pat Allen, who made a comment earlier in the year on ABC Radio, in most of those circumstances it is a complete waste of the police time because everyone gets their firearms back. He was seeing that as an issue as well. There was a whole lot of paperwork being generated for something that was a small breach, because they were doing stuff they felt was unnecessary.

Dr WOODRUFF - Thank you. As I understand it, it is clear -

CHAIR - Before you move on from that, while we are on that subject of ammunition. Does all ammunition have to be stored -

Mr JUDD - In a locked container.

CHAIR - In a locked container and that is all?

Mr RIDDELL - Separate to your firearms.

CHAIR - If there was a bullet -

Mr JUDD - Ammunition components, primers and powder are classed as ammunition. Projectiles and brass cases aren't.

Mr RIDDELL - Air-rifle pellets are ammunition.

CHAIR - If one bullet or one air-rifle pellet is left out, you can have your firearms confiscated?

Mr RIDDELL - That is correct.

Dr WOODRUFF - It is pretty clear in reading the National Firearms Agreement that those three categories you propose do breach the agreement. Sound suppressors; prohibited category licences are only allowed to be provided for five years and no more. Firearm storage conditions are quite clear. Do you accept that is a breach of the National Firearms Agreement? If you do accept that, what is the evidence the changes you make will not have an impact on public safety because that is the basis of the National Firearms Agreement?

Mr JUDD - Could I please ask what section of the NFA are moderators mentioned?

Dr WOODRUFF - The 10-year licence, the National Firearms limit was five years and that is clause 34(d). Do you accept that would breach the National Firearms Agreement?

Mr JUDD - I would accept that but there is already 10-year licensing in Australia.

Dr WOODRUFF - In breach of the National Firearms Agreement, that is different. Other jurisdictions are in breach of the National Firearms Agreement, that is true, but it would breach our adherence to it in Tasmania. The other one was in relation to sound suppressors -

Mr RIDDELL - Which part of the NFA mentions that?

Dr WOODRUFF - I understand the use of silencers is in breach. You don't think that is in breach of the Firearms Agreement.

PUBLIC

Mr RIDDELL - It is our view that it is not in breach.

Mr JUDD - It is not mentioned anywhere in the NFA. I am sorry I asking questions, that but we have read this document a few times.

Dr WOODRUFF - What about changes to firearms storages?

Mr RIDDELL - What we were talking about was ammunition, so firearms and ammunition are covered under the same legislation under the Tasmanian act. The NFA particularly talks about firearms, it does not talk about ammunition. What we were just talking about specifically, our particular concern, is about ammunition storage and small items such as that. Those things do not breach the NFA.

CHAIR - What you are talking about is a sensible approach in that if firearms are confiscated because one bullet was found, they are automatically given back after a time and it is a waste of police resources.

Dr WOODRUFF - Can I clarify that section 44 says, under storage, 'Jurisdictions agree that firearms and ammunition must be stored in secure conditions as follows'? How does that not include ammunition? It specifically states it.

Mr RIDDELL - Yes, that is right; it says they should be stored and we agree that they should be stored. If I recall, the confiscation section uses the word 'firearms', it doesn't use the word 'ammunition'.

Dr WOODRUFF - Can I clarify that the changes you are proposing for anything relating to firearm storage would be a change to the National Firearms Agreement, including the comments you have made about ammunition but not including confiscation of a weapon? Can we take separately because that is what the penalty would be, isn't it? In terms of the conditions, you are proposing changing the National Firearms Agreement.

Mr RIDDELL - No, I do not think we are. I am a bit confused but I think I was saying that I don't think the National Firearms Agreement says there needs to be mandatory confiscation of ammunition incorrectly stored. It is only for firearms. As I said that what we have been talking about is ammunition.

Dr WOODRUFF - You are just concerned about the confiscation of ammunition, not the firearms? Is that the only thing about the storage?

Mr RIDDELL - In Tasmania if you incorrectly store your ammunition, your penalties may include the confiscation of your firearms. I think where we started the conversation was that we were talking about infringement notices as opposed to confiscation. What we were talking about was that we believe that ammunition that may be incorrectly stored, particularly in small quantities, should be subject to infringement notices, not firearm confiscation. We believe that the NFA does not require that firearms should be confiscated if ammunition is incorrectly stored.

Mr JUDD - Again, we don't propose if somebody leaves 1000 rounds of ammunition lying around unsecured that they wouldn't be subject to the full force of the law. The case here is that in a rural situation especially, a .22 round - I have a paper here with the different sizes of the rounds -

PUBLIC

is very small. If it was dropped in the dark, a farmer might not see it and they might get pulled up for that one round. If they left a fairly substantial quantity of ammunition unsecured, obviously they would be subject themselves to the full force of the law.

Dr WOODRUFF - You are proposing that there would be a level of ammunition that would be acceptable not to have stored? You would have to put a number on it at some point, wouldn't you? Otherwise, where would you draw the line between zero and 1000, which was your example?

Mr JUDD - We are not saying anything is acceptable; we are saying that we would like to see an infringement for even one round. It is not acceptable to do that, the same as it is not acceptable, in the analogy from before, to go through a stop sign. That is not acceptable. It should be subject to some sort of penalty, but the severity of the penalty based upon the amount of the infringement, for the want of a better term, should be scaled so that for a minor infringement we are not wasting, first, police resources and, second, causing angst to everyone involved.

Dr WOODRUFF - So it is really the issue about drawing the line between a minor and a major infringement. What you are talking about is at some point saying you would move from an infringement system to a confiscation system, or never for ammunition - it would always be an infringement.

Mr RIDDELL - No, we are not saying you would never; what we are saying is there would be a scale. Already, in the last review of the Firearms Act, they brought in infringement notices as a part of the Firearms Act. It already exists that for other aspects of the Firearms Act you can receive an infringement notice and you don't go to court. It was recognised that there were matters that were going to court that didn't need to. Just as we were saying - when you drive your car, you can have 12 points in infringements, or if you are caught driving under the influence, you lose your licence, but you don't lose your licence necessarily for going through a stop sign, unless you have done it 10 or 20 times. We are proposing exactly the same philosophy for ammunition and firearms offences; the infringement notice - potentially, it is already in the act - should be looked at in dealing with that, rather than the extremely heavy-handed approach being taken at the moment.

Dr WOODRUFF - I just wanted to get your view because you are the experts in this area. You have thought about it a lot. Where would you draw the line? Someone would have to draw the line between what is an infringement and what is severe and not severe. You have given the example of one. Are you talking five, 10?

Mr JUDD - I believe that it would be appropriate; a packet of .22 bullets is fairly small, matchbox size or a little bit larger, which is 50 rounds. I believe anything from one to 50 rounds of ammunition could be overlooked, say, in the scenario where a farmer is out culling or anything like that - you would have a minor infringement. A case of shotgun cartridges is 250 and anything over that would be a secondary infringement, and anything over that would be subject to whatever the court deems appropriate.

Dr WOODRUFF - It would be an infringement, so you would get a monetary penalty, if you had 50 cartridges sitting around.

Mr JUDD - At no stage are we saying this is legal. We are saying it is a breach.

CHAIR - As an example, the farmer or somebody could be out spotlighting on a farmer's property and shooting at night and takes a couple of packets of bullets with them. Late at night or

PUBLIC

very early in the morning, at 1 a.m., he comes back, cleans up, puts everything away, but one packet falls off the seat of the ute onto the floor. If the police come around the next day, for whatever reason, and see them sitting there, that would be a typical scenario.

Mr JUDD - Yes, that would be a first stage infringement. We're not condoning not securing ammunition at all. We're just trying to find a system that is a lot better and isn't as heavy-handed as the current one we have.

Dr WOODRUFF - In moving to a system like that, what is the evidence that it wouldn't encourage people to become sloppier in their handling of ammunition? Do you have any evidence to show that wouldn't happen? It seems as though when you are taking away the severe risk of losing a firearm, it might lead to people being more lax in how they handle ammunition.

Mr JUDD - I am sure when someone has nine demerit points on their driving licence, it makes them behave a lot better on the roads than normal.

Dr WOODRUFF - You don't have any evidence you've gathered around the world about whether that is effective? We're talking about a change to the National Firearms Agreement; that would be a breach, at the moment, of the National Firearms Agreement.

Mr RIDDELL - I suppose we have a slightly different view. We don't think for ammunition it would be a breach of the National Firearms Agreement. No, we haven't necessarily got any evidence particularly for this case in point. We haven't been able to assess it because we've had this other case happening. We also have plenty of people saying, or the evidence from the courts is, that the courts are taking a certain approach, which is not to - if people have had their firearms confiscated for such things, they are getting their firearms back. They are not losing their firearms and they are not losing their licences. The evidence at this point is that the courts are seeing it as a minor, or lesser, offence that does not need that penalty. The suggestion is that we should take that evidence and put it into a procedure that recognises that, and we deal with it more appropriately.

Dr BROAD - Just to be clear, are you of the opinion that any unsecured firearm should be immediately confiscated?

Mr JUDD - We believe there should be a process and that firearm should be immediately seized. Basically, if it is unsecured or unattended, it is a risk to public safety, much the same as, I should imagine, if a car were left with the keys in it, someone could steal it. It is a risk.

Mr RIDDELL - It raises a point about what constitutes 'unattended'. This then raises the issue of transporting of firearms, which is a serious problem for us and a serious problem in terms of how it is managed. It is pretty straightforward: if you are at your residence and you have your storage there but you haven't used it, clearly you've breached your licence. Transportation and use of firearms and securing, and what constitutes 'unattended' become considerably more problematic.

Mr JUDD - Most states have a system in place for transportation and storage while away from your usual residence where your normal storage is. In the ACT, particularly, your firearm has to be either secured to the vehicle or it has to be secured in a box or a case that is again secured to the vehicle. Part of our supplementary stuff there covers that in regards to cartage of category Cs.

Dr BROAD - You raised the issue of the problems with TT-Line. What sort of issues are you having with TT-Line?

PUBLIC

Mr JUDD - TT-Line has a commission of carriage for transportation of ammunition. It took the commissions of carriage to the Australian Maritime Safety Authority and AMSA questioned them. It has been an ongoing process for us. They accepted the conditions of carriage. TT-Line initially informed us they were the AMSA rules.

Darren Chester was the minister for AMSA. I'd had other dealings with Mr Chester, so I spoke to him and the staff and found there are no AMSA rules in regards to carriage of firearms. It restricts our ability to be able to host and to participate - not only us but other organisations - in national championships and events held on the mainland.

We like shooting. Most firearms need to have the ammunition tailored to suit the firearm. It is to do with harmonics and accuracy nodes and things like that in firearms. If you are restricted to taking only factory ammunition, you do not have the ability to do that, which puts you at a disadvantage.

I leave two days early so I can reload when I get there. I have to source primers and powder when I get to the mainland. I have to reload when I get there. They have imposed these conditions with no basis on any law.

Don has gone through the Australian Dangerous Goods Code and we raised the issue with them that gas bottles stored in bulk are a higher risk to safety than ammunition is. Now they let you leave your gas bottles in the vehicles, but we are still under the restrictions of ammunition.

It was not an issue. It came about by a mainland dealer profiteering on their way to a shoot at the Tasmanian Gun Club at Evandale. I do not agree with this because it was not for personal use, but they turned up with a ton of ammunition. TT-Line said, 'No, we cannot do that'. That is what instigated their current regime.

Dr WOODRUFF - You want to extend category C licences to non-clay target shooters, is that right?

Mr JUDD - That is correct.

Dr WOODRUFF - That is a breach of the National Firearms Agreement. They were quite specific about that. One of the issues I wanted to hear your views on is that as members of the Sporting Shooters Association you would have particular firearms that you would want use in category C, but category C also includes pump action shotguns.

Mr JUDD - That is correct.

Dr WOODRUFF - So, if that law were to be changed, how many of your 5000 members might want to take that opportunity? It would open up the potential for a huge number of people to access a category they would not otherwise be allowed to.

Mr JUDD - I have some supplementary papers there on category C.

Category C firearms would be under a much stronger storage regime. For me, as an individual who is already licensed, to get a category C licence would be \$752 in costs. That is not a cheap

PUBLIC

exercise. Then you have to upgrade your storage facilities and you have to install alarms to get a category C licence.

Dr WOODRUFF - You have to have alarms in the house? Is that right?

Mr JUDD - Yes. In that paper, I mention that category C would actually enhance public safety. If you had five category A or B firearms and you were engaged in crop protection or target shooting, you have no requirement for an alarm. The safe has a 2 millimetre thickness. If you go to one category C firearm in among that mix, all of a sudden you have to have a safe with 3 millimetre walls for the category C firearm and you have to have an alarm. So it makes theft a lot less likely.

In the Northern Territory they allow category C for competition. It is a very narrow group of people who use them. The cost is fairly prohibitive and we believe that would limit the number of people who would apply. We also believe that if you have a category C firearm for competition, you would be under the same requirements as a category H firearm owner, where you would have to attend a minimum number of shoots per year and would have a participation card. You would have to prove, and I would hate to think any of our members would do it, that you have a category C for the sake of having it, not because you were involved in competition.

We believe the Government could place checks in there that would ensure only the people who have a true need and requirement for competition or crop protection permits would apply for a category C.

Dr WOODRUFF - How many members of your organisation would be interested in that? Is it a tiny number?

Mr JUDD - Very small. We would probably be looking at under 100. When they brought automatic Colt 45 pistols to Victoria to be used outside the scope of silhouette and single action, they thought there would be an influx of people. Victoria has a lot more licence holders than us and something like 50 people applied.

Dr WOODRUFF - This is for sporting and recreation?

Mr JUDD - For target shooting. We have asked for category C for crop protection permits, and contractors, agents and farmers.

Dr WOODRUFF - Yes, which is a clear breach of the National Firearms Agreement because it is devolving that responsibility to a contractor. The issues in that respect relate to a whole range of things, including their mental health, their checks, family violence and all those things.

Mr JUDD - All licence holders are under that.

Mr RIDDELL - It makes no difference if you are category A or category C, you have to fulfil the same requirements in terms of your background checks.

Mr JUDD - On the National Firearms Agreement, I have some papers here from Mr Keenan, who was the federal minister for Justice. They clearly state that the National Firearms Agreement is non-binding on the jurisdictions.

PUBLIC

Dr WOODRUFF - Are you proposing we dissociate ourselves from the National Firearms Agreement as a state?

Mr JUDD - No, I am saying it is the stance of the federal Justice minister that it is a non-binding document. That is why I provided the papers. We already have category C in use for these purposes in other places. In South Australia, if you are engaged in feral animal control, you can apply for a category D firearm. In no way do we advocate that.

CHAIR - The documents you have presented, Mr Judd, we will table.

Mr JUDD - That is fine. I have another document, if I may.

CHAIR - Right.

Mr JUDD - There has been a lot of hype about military-style firearms, and that is a document we have done.

CHAIR - We will table that.

Mr JUDD - Yes. There is one for each committee member and one for the file, showing the difference between a category C firearm in regard to energy figures and misconception of a military-style, semiautomatic firearm, which is a category D firearm. There are energy figures there.

CHAIR - We need to start wrapping up. I understand we were late starting and I am giving you some leniency.

Mr JUDD - I will table the reference pages for that document. There is only one copy of that but I will table those as supporting evidence for that document.

CHAIR - The last point mentioned was about the training regime - TasTAFE and so forth - which is about the public; you mentioned in your submission the problems with getting any newcomers through the process.

Mr JUDD - Basically, again, we talk about the cost prohibition of getting a licence. To get a licence in Tasmania, we are the most expensive state in the country. If you go to the ACT, for instance, providers there do it for \$55. In Queensland it can be done for \$66. The extra numbers are GST, believe it or not. In the ACT, it varies anywhere from \$55 up to \$100. It can be provided by clubs or by shops. We don't advocate non-vocational training for security guards or anything like that - that is a vocational skill. For reason one and two under the Firearms Act, which is target shooting and recreational hunting and vermin control, we do not believe that it is a vocational skill, so we would like to see training be able to be done by other parties. If it were a vocational skill as according to your licence conditions, they would have to undergo further training through TasTAFE.

Mr RIDDELL - If I can interrupt, the bulk of evidence is that most other states are doing it non-vocationally and there is no evidence that those systems in other states don't work.

Dr WOODRUFF - How do you know that?

PUBLIC

Mr RIDDELL - I think generally the evidence would be in terms of accidents on ranges. For instance, if we looked at target shooters, in our organisation we have pretty close contact with what happens in the whole organisation and I think we run a pretty tight ship. I think there is certainly evidence that those training regimes work across the different states and in different situations.

Dr WOODRUFF - Chair, I have just one last question, about the resourcing of the Firearms Services, the FAS. It sounds as though some of the problems you noted earlier related to the resourcing and not having licensing and conditions and reissuing of licences done in a timely fashion. Do you think that is a resourcing issue for FAS? Do you think that is what is underlying that? Could it be fixed by having better resourcing?

Mr RIDDELL - It could be. As I said earlier, this last reissue period hadn't been an issue until this one. I think I might have said then it may have been a resourcing issue. Previously, they may have resourced it differently. Again, you would have to ask them that question. It is like anything, isn't it? If you throw enough resources at something, you should hopefully get a better result. I can't speak on their behalf in that matter. The obvious discussion point in Tasmania is the health system. How many resources do you throw at the health system to try to get the result you are after? That may be a solution; it may not be.

Mr JUDD - There are cost benefits also for an electronic system, eventually. Obviously, initially it would cost money to set that up but, again, there would be a possibility that you could work with reduced staffing because the electronic system would be doing most of the work.

Dr WOODRUFF - The five-year licensing limit under the National Firearms Agreement wasn't because they just had a paperwork system; it was to enable mental health checks to be done and to assess the suitability of a person.

CHAIR - There is no mental health check.

Dr WOODRUFF - It was to look at the ability of a person to continue to hold that licence. That is my understanding.

Mr RIDDELL - I think I mentioned earlier that a great part of the reason for having that was because they had paper systems and they didn't have ways of auditing and checking. It was a way of drawing a line every five years - five years, five years, five years. With an electronic system and other things we have in place now, you should actually be able to run that checking process through the five years, or the 10 years or whatever. You should be able to perform those checks continually by auditing rather than having a five-year audit point. That is essentially what they created, which then created this enormous peak. The other interesting thing in creating that peak is that it shows people have continued to renew their licence for the last 20 years because the peak is still there. The people haven't gone away. They have quite a history now of those members of clubs; they know they have been club members for 20 years. Because they collect club statistics from clubs, they know that they are members so they do not need to do that checking at five-year points.

CHAIR - Thank you very much, gentlemen. From the committee's point of view and your experience in this, I am sure we could have talked for a lot longer than this. I appreciate your time being here today. We have your submissions and we will be diligent in going through the details of those. Thank you for coming along, but we have other people lining up behind us. Before we finish, I need to remind you that, as I advised you at the commencement of your evidence, what you have said here to us today is protected by parliamentary privilege. Once you leave the table, you

PUBLIC

need to be aware that this privilege does not attach to comments you may make to anyone, including the media, even if you are simply repeating what you have said to us today. Do you understand?

Messrs RIDDELL and JUDD - Yes.

Mr JUDD - If I may say, Mr Shelton, if you need us to reappear at any time, we will make ourselves available, also individually; if you wish at any time to make inquiries about our submission, we are quite happy to meet with any member of the committee and do so.

CHAIR - Thank you.

THE WITNESSES WITHDREW.

PUBLIC

Ms LEANNE McLEAN, COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE TASMANIA, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Thank you. Welcome, and you have an opportunity to make an opening statement. You have been listening to the previous people we've had at the table.

Ms McLEAN - I have and thank you. Thank you for inviting the Interim Commissioner for Children and Young People to give evidence today. I note that I am a different commissioner. I take this opportunity to thank and acknowledge the work of the Interim Commissioner, David Clements, in providing a submission to this select committee. David has done an excellent job as the Interim Commissioner and has certainly left me with an extremely solid footing from which to begin my term and I am very grateful for that. It is also important to note I am not bound by any advice or recommendations made to government or others by former Commissioners. Regardless, I broadly endorse the Interim Commissioner's position, which was provided to you and is detailed in his submission.

Under the *Commissioner for Children and Young People Act 2016*, I am required to perform my functions and exercise my legislative powers according to the principle that the wellbeing and best interests of children and young people are paramount. I must also ensure that I observe any relevant provisions of the United Nations *Convention on the Rights of the Child*. I would like to table today for you and your interest a short version of those United Nations conventions so that you understand what they are, although it may be that you already know and understand what they are. The key functions of the Act that relate to my appearance before you today are: advocating for all children and young people in the state generally; researching, investigating and influencing policy development into matters relating to children and young people generally; and promoting, monitoring and reviewing the wellbeing of children and young people generally.

With respect to the United Nations Convention of the Rights of the Child, which Australia formally ratified in 1990, key rights pertaining to our discussion today include Article 3(1) -

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

And Article 3(2), governments -

...undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

Working from the premise that -

- (1) The best interests and wellbeing of Tasmania's children and young people are paramount; and
- (2) Children and young people must be afforded the protection and care necessary for their wellbeing -

PUBLIC

I am cautious generally about any policy proposals that could see firearms become more readily available in the community, and particularly of proposals to alter the existing arrangements for the regulation, registration and control of firearms in Tasmania.

In 1996, Tasmania ratified the National Firearms Agreement along with all other states and territories - obviously, we're using the term 'NFA' today - however, along with all other jurisdictions, Tasmania has never fully complied with the NFA's terms. A key area in which Tasmania is not necessarily compliant with the NFA - although I note that permits specifically pertaining to young people are not specifically mentioned in the NFA - is that children and young people aged 12 to 18 years inclusive can acquire a permit to possess and use a firearm, despite the NFA's explicit wording that a firearm licence applicant must be aged 18 years and over. I do note, as those before me have noted, that permits are not specifically mentioned in the NFA at all.

This is a really complex policy area with many competing voices. It is also a policy area that has been the subject of investigation by others far more qualified and knowledgeable than me. The best example might be the work of our Governor, Her Excellency Professor Kate Warner. In 1997, the Institute of Criminology engaged Professor Warner to assess the compliance of all states and territories with the NFA. In 2006, the National Coalition for Gun Control engaged her to complete a 10-year study of states and territories' compliance. In 2007, Professor Warner appeared before a Joint Standing Committee on Community Development, which was inquiring into particular provisions of the Firearms Act including permit provisions for minors. Her Excellency stated -

I would very much be in favour of sticking to that 1996 agreement as much as possible, but I appreciate that in the community there is a lot of support for allowing junior shooters to be given the opportunity for appropriate training...

...I know that the existing legislation allows minor permits, but it does restrict them when they are under the age of 16...

I note that it is now 14 -

... to being trained and to competitions on authorised ranges. I think that is perfectly appropriate...

I can't see that liberalising a position in relation to young people with firearms could help us in any way to discourage firearm violence.

After that standing committee, a recommendation was made, I believe, to 14. That was never introduced by the Government at the time. In 2015, a change was made to the legislation by, I believe, the current government, which was to drop it to 15. That was then amended in the Upper House as a drop to 14. At the moment, our children and young people from the age of 12 can access a permit to use a firearm under the supervision of a trained, licensed adult on a shooting range and, from 14, the same applies in the field.

It is important to strike a balance so every child has the right to the protection and care necessary to ensure their wellbeing. It must be acknowledged that firearm possession and use is a part of the lives of many Tasmanian young people and their families, and they should be afforded appropriate and safe training in their use. Going back to those comments made by Her Excellency, it is about getting the balance right between allowing appropriate access to, and experience of,

PUBLIC

firearms in settings where they are an important part of the life of that farm, but also affording the necessary protections in the community to keep our young people safe.

On that basis, I would not necessarily advocate changes to the minor's permit provisions of the Act. I have not seen any evidence to date, nor have I been advised of any evidence provided to previous Commissioners, that current arrangements don't strike the right balance at this point. On the other hand, I would not support any reduction to the age at which a minor's licence can be obtained, nor the age at which a young person can use a firearm outside an approved range. In simple terms, things seem to be going okay at this point and I have no evidence to suggest otherwise.

However, there are other areas the select committee could explore to better align Tasmania's regulation, registration and control of firearms with the terms of the NFA and Interim Commissioner Clements has touched on this in his submission. I am happy to go into a little more detail now. This could be done with the objective of improving the safety of community members, particularly children and young people. These include training as a prerequisite for licences. For example, there do not appear to be any provisions in the Firearms Act specific to firearm safety training for the security industry. I note also that because the NFA simply does not cover minors' permits, there do not appear to be any specific training requirements or standards for children and young people prior to or after the provision of a minor's permit.

It may also be worth exploring that introduction of a legislated waiting period for the issue of a permit for a second and subsequent firearms. Currently in Tasmania, a second or subsequent permit can be issued in less than 14 days and that is half the 28-day period prescribed in the NFA. A 28-day waiting period may enable more thorough assessments of applicants to determine whether circumstances have changed since the issuing of the original licence. Five years is quite a long time to hold an original licence. That evidence might help us ascertain whether they are still suitable to possess a firearm or ineligible for that type of firearm.

I note the 'tools of trade' argument put forward by the Tasmanian primary producers in relation to firearms and while I understand the importance of the reasonable use of firearms for the ongoing productivity of Tasmanian farms, it is very important that the risk to the safety of our communities, families and our young people is not inadvertently increased by changes liberalising access to firearms.

These are the matters I raise with you to the best of my knowledge, noting I am on day four in my new job. Happy to answer questions, thank you.

CHAIR - I raise one point: as you have mentioned, young children and access to permits was a Parliamentary discussion not that long ago, with significant input. You raised the point, or prior to you, about pre-training people accessing a minor's permit. The reality is that under the legislation you can't touch a firearm until you have a permit and so pre-training would be very difficult in that sense.

Again, just from the experience of going through that in Parliament, the idea of minors having a permit is to go through that training process to be able to access them.

This is a committee and I know I am only one, but I am a country boy; there are differences in the historic approach to firearms between people in the cities and rural people who have been around firearms for a very long time, and it is more of a culture in the rural aspect.

PUBLIC

To open it up to questions then, Dr Broad.

Dr BROAD - In your opening comments, you said that you broadly endorsed the submission from the Interim Commissioner for Children and Young People. Are there any aspects you are in disagreement with?

Ms McLEAN - No.

Dr BROAD - In the evidence presented by the Interim Commissioner there was a discussion with some evidence presented about the number of mass shootings and the number of firearms deaths in general.

This has obviously been something that gets challenged - lies, damned lies and statistics. Could you go through the evidentiary base for those comments? Do you have the ability to do that?

Ms McLEAN - Yes. The evidentiary base for those comments, and I note that submission says there is evidence. It doesn't take it to the veracity of that evidence; it just points out that there is evidence.

If you look at the references provided in the submission, Dr Broad, it talks about a paper produced by Chapman, Alpers and Jones in 2016 about the association between gun law reforms and intentional firearms deaths in Australia. The full reference is there and I am happy to provide that paper to the committee for your full reading should you wish.

I am aware there are differences of opinion, and on the basis that the Interim Commissioner has simply stated that there is evidence and has provided you with that evidence, I am happy to endorse that position.

Dr WOODRUFF - On that evidence, I note, as Dr Broad has said, there are views on this but this is the first time that I understand there has been a formal peer-reviewed study published on the evidence. The *Journal of the American Medical Association* is a highly regarded international journal, so I would expect it would have gone through a pretty rigorous peer review process, as I know from my background in that area. That is actual evidence as opposed to assertions, I suppose. There are a lot of assertions in that space.

I have some other questions.

You mentioned that the Commissioner for Children and Young People has many tasks and one of those tasks is not to sift through the last 20 to 30 years of gun deaths and impacts on children, but do you have any information about the impacts on children of gun-related violence in the family? Do you have any information at your disposal or that you could submit to the committee about the effects on families' lives of firearm-related violence in family violence situations?

Ms McLEAN - Drawing you back to the Interim Commissioner's submission to this committee, the Australian Medical Association considers the possession of firearms in the community to be a broad public health issue and that access to dangerous weapons remains an ongoing public health concern. That is the very broad base from which I draw an opinion that any greater access could have a potential impact on children and young people. More specific to that, while public debate focuses largely on firearm-related homicide, the potential impacts of access to firearms in the community on the wellbeing of Tasmania's children and young people extend also

PUBLIC

to the effects of firearm suicide, accidental firearm deaths and firearm-facilitated crime. I draw your attention to the links between access to firearms and increased severity of intimate partner violence and the particular psychological damage this abuse generates for women and children. In the submission provided to you by the Interim Commissioner, there is a link to a piece of work undertaken by the CEO of White Ribbon Australia in that regard.

Dr BROAD - Accidental discharge causing serious injury or death is obviously an issue that needs to be mitigated. Are you aware of any children who have been impacted or killed through inadvertent discharge?

Ms McLEAN - Not specially, Dr Broad, no. If you would like me to do some specific research in that area, I could certainly undertake it.

Dr BROAD - In one of the submissions - I cannot remember where - it discussed the case where a child was killed by an accidental discharge in Launceston. I can't recall ever hearing of that.

Dr WOODRUFF - I guess they couldn't comment on that.

Ms McLEAN - Are you aware of the time frame, Dr Broad?

Dr BROAD - I think it said 2011.

Dr WOODRUFF - Maybe the submitter could provide that information.

Dr BROAD - I was just seeing if you were aware of that.

Dr WOODRUFF - To be clear, did you recommend that the legislative waiting period for a second or subsequent permit, which is currently in breach of the National Firearms Agreement by being 14 days instead of the 28 days - I think that is what you said - should be increased back to come in line with the National Firearms Agreement to be 28 days?

Ms McLEAN - My recommendation is that the committee explore that concept further. There may be particular reasons in Tasmania as to why everything that needs to be checked can be checked within 14 days. If that is the case and everybody can be absolutely certain that the issuing of a secondary firearm permit four-and-a-half years into a five-year licence term is safe and doesn't pose any increased safety risk on the community then I might be satisfied by that, but at the moment with what I have before me I think it is important that we look at that again.

Dr WOODRUFF - Could I frame that as your recommendation that a report should be undertaken or some sort of evidence provided about the ability of the Firearms Services and police, the appropriate authority, to undertake the checks that are required within 14 days, whether that can be done properly?

Ms McLEAN - Yes, correct.

Dr WOODRUFF - Thank you.

PUBLIC

Dr BROAD - Why do you think that an additional firearm creates a greater risk when the firearm owner already has a rifle or whatever it is? Why does getting a subsequent firearm increase the risk?

Ms McLEAN - It gives us another opportunity to check. The lens I am looking through is what is in the best interests of the health and wellbeing of Tasmanian young people. Wherever we have another opportunity to check that person is a fit and proper person to hold a firearm in the first place, I think we should take it.

Dr BROAD - If that is your position, it is almost a disincentive for people to purchase subsequent weapons because they have to go through the whole process again. We have heard today the process can be drawn out. Wouldn't your argument be that if you need more checks, the time frame for licence renewal should be shortened rather than adding a bureaucratic process to the purchase of a subsequent weapon?

Ms McLEAN - What I am saying, Dr Broad, is that we have an opportunity here to seek greater alignment with the National Firearms Agreement. One of the areas where we could be in alignment with the National Firearms Agreement is by taking our current 14-day, I think it can be 14 days or even less, approach to a permit for a secondary firearm to the full 28 days that is prescribed in the NFA.

CHAIR - Reading through the submissions from firearms users indicate they have been through a process allowing them to purchase one firearm. I don't know whether you aware but it is one firearm for one particular type of shooting and another firearm for another particular type of shooting. They would have to wait the full 28 days to get the second firearm. If they have been through one process, why would you impose extra red tape and duplication on the services and so forth in order to get the second firearm? That is where the 14 days comes in.

Ms McLEAN - Yes. I understand that is the other side of the argument. I understand and I am respectful of that but I am here looking through the lens of the best interests and wellbeing of Tasmanian children and young people. When I think about opportunities to be more aligned with the NFA, through the lens of what is in the best interests of children and young people, any opportunity to do as many checks as possible to be in alignment with the NFA makes sense to me.

Dr WOODRUFF - I suppose another way of saying it is that the National Firearms Agreement does prescribe that in order to get a licence a person must be a fit and proper person and go through a range of checks, including undertaking satisfactory training. The difference between 14 days and 28 days is two weeks and the question remains as to whether that sort of checking can be satisfactorily done in under 28 days, and to ensure that the health and safety of young people.

Ms McLEAN - That might be something this committee could ask of others, as to whether or not those checks can be satisfactorily undertaken in a 14-day period.

Dr BROAD - In the way our current regulations work in terms of confiscation and so on, are you satisfied that appropriately protects children in the event of risks of domestic violence and so on?

Ms McLEAN - My current understanding, Dr Broad, and please correct me if I am wrong, is that firearms can be confiscated if they're not stored properly or for a whole range of reasons, if you are not following the Act, basically. My understanding is that confiscating a firearm removes it

PUBLIC

from the availability of the licensed firearm owner or anyone else who might happen to get hold of it, so that would maintain the best interests of children in those situations.

CHAIR - We talked about the permits for use for children. Would you agree that a young person who will be around a firearm needs to be educated in the use and the dangers of that firearm? The permit process for young children, rather than not having a permit process and the alternative is doing it illegally, that process in place has to be of benefit to the welfare of that young person?

Ms McLEAN - The point I am making, and I thought I had made it earlier, is about getting the balance right. Children have a right to access the information they need to be able to make decisions, including keeping themselves safe. The current permit arrangement enables children to learn about the appropriate use of a firearm. I note the permit used to be 16 and there has been a lengthy parliamentary debate about the pros and cons of that and it is now 14 for use. I do not necessarily, at this point, believe there is any reason to change that. The balance is about right. Should I receive any evidence to contrary, I would happily undertake more investigation.

Dr WOODRUFF - Can you tell us about the social conditions children are now living in, in Tasmania? I know you have only been in this job for four days and it is a huge issue. Since 1996, we have had an increase in pressures of family. It is clear the impacts on families, the cost of living, has gone very high recently in Tasmania. More families are exposed to financial stress and pressure as well as other factors. There is an increase in anxiety, mental health issues in a number of areas, depression particularly. There is an increase in suicide rates. Unfortunately, we have a devastatingly high suicide rate in parts of Tasmania, and in certain age groups it is higher than the highest in some places in the nation. Within that framework, we are looking at an increase in exposure to computer games, XBOX games and a range of other things that expose children to guns, gun violence, war gaming and a range of other things. That is a context in which to look at the National Firearms Agreement and this gun inquiry. Do you think there is an argument to change any of our other regulations to strengthen the National Firearms Agreement, which is a minimum standard, to provide more security for children?

Ms McLEAN - The two areas I have noted today are training around the specific use of firearms in the security industry - an area where we are not compliant - and the other area I raised as worthy of more investigation is to look into the 14 versus 28 days. The broad premise of what I am saying to you today is that we could seek more alignment in those two areas. The NFA was a very important cultural shift for Australia, but Tasmania particularly. As someone who was a relatively young person at that time, living on a rural property, the change that had on the culture of the use of firearms in our family and in that community was enormous. I am generally cautious about any liberalisation of access to firearms in the community, and I am also cautious about the message that would send culturally across the Tasmanian community because we have come a long way and, in the best interests of children and young people in this state, I would hate to see us go backwards.

Dr WOODRUFF - Thank you. Others have flagged mental health checks for people who have firearms in their submissions. That is not something you have mentioned and you probably do not have any experience in that, and it is fine if you don't. I wondered whether you, as commissioner -

Ms McLEAN - It is absolutely something this select committee could inquire more about. I don't have any information at hand in relation to the current status of mental health checks in

PUBLIC

firearms or what might be possible in the future. I am not able to comment on it, but I would encourage you to ask questions of those people who have that information.

Dr WOODRUFF - Thanks.

CHAIR - Thank you very much, Ms McLean. I need to read this statement to you. As I advised at the commencement of your evidence, what you have said to us today is protected by parliamentary privilege. Once you leave the table, you need to be aware the privilege does not attach to comments you may make to anyone, including the media, even if you are repeating what you said while giving your evidence. Do you understand?

Ms McLEAN - Yes, I do.

THE WITNESS WITHDREW.

PUBLIC

Mr STEPHEN BENDLE, ADVOCACY AND CAMPAIGNS ADVISOR (GUN CONTROL), AND **Mr MARK WARBURTON**, ALANNAH AND MADELINE FOUNDATION, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Welcome, gentlemen. Would you like to make your opening statement please?

Mr BENDLE - My name is Stephen Bendle and I am the Advocacy Manager for the Alannah and Madeline Foundation.

My colleague today is Mr Mark Warburton. He is not an employee of the foundation but for the past two years has been an advisor to the foundation on firearm matters.

Thank you for the invitation to address your committee this morning. We hope we can make a valuable contribution and assist the committee in its task. Our chief executive Ms Lesley Podesta sends her apologies to the committee. She has pre-existing commitments in Canberra today. Mr Walter Mikac also sends his apologies to the committee as he had hoped to attend personally.

Committee members are very likely aware of how the Alannah and Madeline Foundation came to be. As the crow flies it is only just over 51 kilometres to Port Arthur, where on Sunday, 28 April 1996 Nanette Mikac was fleeing from the sound of gunshots with her two children, Alannah, aged 6, and Madeline, aged 3, when they were killed by a man with a semiautomatic rifle.

There were 32 other victims killed on that infamous day and their families were transformed forever. The survivors, the first responders and the health and medical staff involved still carry the physical and emotional scars. It changed Tasmania and it changed Australia.

In the aftermath of the tragedy Walter Mikac, with his family and friends, established the Alannah and Madeline Foundation. Since then the foundation has worked tirelessly to protect children from violence. It has helped over 2 million children learn, play and thrive in safe environments.

The foundation values and respects the partnership it has with the Tasmanian Government to keep children safe in schools and communities through our joint work on cybersafety and bullying.

The people of Tasmania care deeply about Port Arthur and its victims, both living and deceased. They are among the foundation's most committed supporters. Indeed, whenever we appear in Tasmania we are surrounded by Tasmanians who remind of us of our origins and to express great pride in the foundation.

We know that Tasmanians are proud that something positive came out of that unspeakable tragedy and that they support the work the foundation undertakes to keep all children safe.

The 1996 National Firearms Agreement, which was agreed to once more by all states and territories as recently as last year, is one of the positive legacies of Port Arthur. The Tasmanian Government has been a leader in promoting gun safety and responsible gun ownership consistent with the principles in that agreement.

PUBLIC

On Wednesday this week I was in Canberra and Health minister Greg Hunt launched the Public Health Association of Australia's top 10 public health initiatives of the last 20 years. They produced a document, and the efforts of gun control were widely celebrated as one of those top 10 initiatives.

Unfortunately, over the last few years, the foundation has become concerned at the increased efforts by self-interested parties to convince governments in many jurisdictions to water down the framework that has kept Australia relatively free of gun violence since 1996. These parties include shooter membership organisations, firearm manufacturers, firearm importers and ammunition manufacturers. The strategy of these parties is similar to those of pro-gun lobbyists overseas, in particular those in the United States of America. They seem to want to make it easier to obtain guns and ammunitions, to increase the availability of more powerful guns and to normalise firearm use through gun shows and increased participation in the recreation and hunting use of guns.

From multiple surveys we know that nearly 90 per cent of the Australian population agrees with the current laws or would like to see them tighter. Nearly 85 per cent of the submissions to this committee support Tasmania's current gun laws or would like to see them strengthened. They all know what common sense tells them and what the evidence shows - that firearm deaths per head of population in Australia have reduced markedly since the introduction of the NFA.

Significantly, since 1996 there have been only two mass shootings - that is, shootings involving four or more victims. Both of these were family murder-suicides, one in Lockhart, New South Wales in 2014 and the other in Margaret River earlier this year. Both, unfortunately, involved licensed gun holders using legally held firearms. Australians were shocked by these tragedies and are also shocked by the apparent circumstances surrounding the shooting deaths of two teenagers in West Pennant Hills in July this year.

The Alannah and Madeline Foundation were surprised and concerned when we examined the policy document released in the context of the Tasmanian state election earlier this year. The foundation is very pleased that the Tasmanian Premier has made numerous public statements since then clarifying that the Government will never breach the National Firearms Agreement. We do not believe that the Tasmanian community or its Government would wish to see significant harm occur from breaching or watering down the NFA.

In terms of the specific terms of reference for this inquiry, we urge the committee to look at our original July submission to the Legislative Council select committee inquiry. The foundation took our time to provide considered responses to the proposals for change that were in the election policy document. Many of those proposed changes continue to be advocated for by the gun lobby.

We would just like to reinforce the following points:

- The foundation accepts that the majority of firearm users are good, law-abiding citizens who legitimately own and use firearms under a legal framework largely consistent with the National Firearms Agreement.
- The foundation has never called for the abolition of guns.
- The foundation believes that the greatest gun-related risk to the future safety of our children is likely to be that states and territories are not fully implementing the firearm agreement or, indeed, watering it down.

PUBLIC

- The foundation urges this inquiry to make recommendations to improve Tasmania's compliance with the NFA.
- The foundation has indicated that it would support a broad-based consultative group providing advice to government. It would not support a consultative arrangement involving only representatives of firearm user groups and the firearm industries, or a lop-sided group favouring those.

Proposals for change to firearm laws and their administration should be subject to open public consultation.

The foundation strongly supports the fundamental principle of the NFA that a person must have a genuine reason to own or use a firearm. For any firearm in a category other than category A, a person must also demonstrate a genuine need for that category of firearm.

The NFA 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.

The foundation believes that the Government needs to play their role in ensuring that we do not normalise firearm ownership or facilitate a culture of entitlement to gun ownership. In doing so they will respect the views of the vast majority of Australians, and in Tasmania they will respect the survivors and victims of, and responders to, the Port Arthur tragedy.

CHAIR - Thank you very much.

Dr BROAD - In your original submission, you talk about the dangers of gun violence. You talk about how, in August 2017, an 11-year-old girl travelling in a car near Launceston was killed when a gun discharged in the car. What are you referring to there? Are you referring to the case where a girl was sitting in a car that was shot at and she survived?

Mr Warburton - Yes, we are, that is correct.

I looked that up. It was an error to say she was killed, but that is the case we were referring to. Our apologies to the committee. We rely on media reports and we always try to double check them. Unfortunately, that was an error of fact.

Dr BROAD - The only reason I asked is that I thought it might have been a case I was not aware of.

You talk about having a broad-based consultative group. In your mind, what would that group look like so that it would be, in your previous words, 'balanced'?

Mr BENDLE - It is an interesting point about whether it is broad-based or whether it is representative. If we were to take the fact of it being representative of the community, as we said, we know 93 per cent of Tasmanians don't have a firearms licence; 90 per cent of Tasmanians think that the current gun framework is fine, and 85 per cent of the submissions to your inquiry support the current framework. There is an argument for it to be representative of the committee. We understand that is unlikely to occur, but we think, for it be a consultative committee of the community, there is a case that it could be 90 per cent for those who support the current framework.

PUBLIC

We understand there is a submission before you that suggests that one firearm owners' group agree with the consultative group as long as they get 33 per cent of the seats on that. We think that doesn't make any sense. We think that if a consultative group requires expert knowledge on technical matters, on health matters or on legal matters, the consultative committee could ask for that advice, not necessarily from within the committee. At the least, we would expect that any consultative committee balances firearm users with gun safety advocates. At the very least, it would be 50/50.

Dr BROAD - What would the membership look like in your mind if, for example, you had control of the membership of the committee?

CHAIR - Excuse the pun, that is a bit of a loaded question.

Mr BENDLE - There are many within the medical sector. I would think we would want representatives from the medical sector and from the public health sector. We heard from the previous witness with a particular interest in child safety. Also, there are broader-based gun safety advocates such as ourselves. That is a cross-section of gun safety advocates. Clearly, there can be representatives from firearm users and there are technical aspects as well. I don't see any reason that there needs to be firearm importers, firearm manufacturers or ammunition manufacturers on a consultative group.

Dr BROAD - Thank you.

Dr WOODRUFF - Thank you very much for coming all the way to speak to us today. I want to note that it is a privilege to be hearing from your organisation because of the work that you have done. It is thanks to Walter Mikac's leadership that your foundation is leading in this area and is continuing to hold a very strong pro-public safety approach.

I think you have comprehensively addressed in your submission how the Liberals' proposals, under their policy announced before the election, would be in breach of the National Firearms Agreement. I won't go into that; that seems pretty clear. What I would like to hear from you about is whether there are any parts of the firearms agreement which are minimum standards for states to develop legislation around and whether there are any aspects that could be tightened, given that it is now 22 years since 1996. Social conditions have changed and in your opening statement you referred to increasing lobbying from firearms owners' groups. We know the story of the National Rifle Association in the United States and the laxness of information about political donations. There is quite a package there about changes since 1996. Could you make any comments on how our laws need to be strengthened?

Mr BENDLE - The foundation takes a position that we are calling for compliance with the current firearms agreement. We know that there was a consultation process in late 2016 that ended with an amended firearms agreement, in particular around the importation of lever action shotguns. The foundation's position is one of compliance. We haven't set about determining where we feel there needs to be enhancement or strengthening. There are other organisations and others that have submitted to you that make those recommendations. We see the first challenge is to have jurisdictions comply with the current agreement, then we would hope that COAG, other bodies or police ministers may consider a process of reviewing and hopefully strengthening the agreement from that aspect. We know that not a single jurisdiction is currently fully compliant and, once again, we feel it is an opportunity for the committee to make recommendations to be the first jurisdiction to be fully compliant. Our position is one of compliance, so we do not have a strong view about strengthening the agreement at this stage.

PUBLIC

Mr WARBURTON - I will go to the first part of your question when you asked about whether the agreement was minimum standards. I think generally you could characterise the whole agreement as being one of minimum standards that each state and territory was to comply with. I think the Commonwealth and the states and territories were clear that they could increase those standards if they wished. The current agreement itself actually has some clauses in it for further work to improve the agreement. This is the 2017 agreement. They did take a range of different resolutions from over the years - the original 1996 agreement and the handgun agreement after some people were shot at Monash University - and they consolidated them into a new document that reflects the history of the decisions they have made. That new document asks states and territories to consider greater storage requirements where multiple firearms are kept on the same property, and to consider requiring dealers to provide their register of transactions to an appropriate authority once the dealer's licence is no longer valid. They all committed to renewed efforts towards effective nationwide registration and tracking of all firearms. That was an issue they had been committed to for 20 years. It is a technical issue about databases and getting them to talk to one another and they are still working on it.

Dr WOODRUFF - One of the questions about strengthening was around mental health checks. The current NFA, as I understand it, requires a person to be checked as being a fit and proper person. Do you have any views about the sort of checks done on people who put in applications for licences or whether they should be changed in any way, given the changes since 1996?

Mr BENDLE - This is a really complex issue because it opens the question of compulsory reporting by mental health professionals and we understand that is a significant issue. There is other evidence that, where there is mandatory reporting, it may reduce someone seeking assistance. We understand that is a complex issue and, once again, our focus is around the availability and focus on the firearm. We understand that there is a whole range of other complexities; mental health is one of them. You mentioned to the previous witness domestic violence and potential AVOs and a whole range of other areas where the medical and legal framework interacts with the availability of firearms.

Mr WARBURTON - I think you might characterise some of the states and territories as having been a bit slow in terms of putting in place good systems to pick up where people have domestic violence orders and so forth. It was 2017 or 2018, I am not exactly sure, when New South Wales moved to tighten some of its requirements there. It is a bit unfortunate because, in some cases, the motivating factor is when something goes wrong. It would be nice for there to be some more anticipation on some of those fronts.

Dr BROAD - One of the things you called for in your submission was greater consistency in firearms storage requirements across the country. Where do you think we sit on that issue in Tasmania? Do you think we are in front of other states or behind?

Mr BENDLE - There is no real lead table, unfortunately, but we understand you enhanced the storage requirements very recently. We don't have the technical details of jurisdiction by jurisdiction. We haven't seen that the storage issues are high areas of noncompliance. We think some jurisdictions have some minor wording and some grey areas, but I understand the Tasmanian Government enhanced those requirements very recently and I think you currently comply with most of the NFA requirements.

PUBLIC

Mr WARBURTON - You get into a hell of a lot of detail here. I did some preparation before I came. There are various research reports around looking at compliance. It is fair to acknowledge when you go through those, that Tasmania has had a pretty good history. We have said and others have said, no state is fully compliant, but Tasmania has had a good history of compliance to date. Certainly, storage issues did not pop out when I looked at things but we are operating at a fairly high level because we are not focused totally on Tasmania. Tasmania has not yet implemented the 2016 COAG decision on lever action shotguns. There was the issue of minor's permits the previous witness discussed in reasonable detail, the 28-day waiting period, and then there are some things around handguns and the involvement of clubs in licensing and regulation. They are not compliant with the agreement. They were the four things that popped out when I had a look at that issue.

Dr BROAD - The other matter raised in a number of submissions and in evidence given this morning is the issue of confiscation for what is viewed by witnesses as minor breaches. For example, unattended firearms is a distinct breach that should result in confiscation of the firearms. People are suggesting that, if some bullets are left in a car or a few cartridges are left outside of storage through inattention, it should result in some penalty.

Dr WOODRUFF - An infringement notice rather than confiscation.

Dr BROAD - Yes, and the argument that the punishment for leaving one bullet outside storage is equivalent to leaving a gun unattended.

Mr BENDLE - This comes to the premise of making decisions in the interest of public safety. We understand the rationale for that position. It introduces a grey area and we believe that as soon as you have introduced one grey area, such as one bullet, do you put in your legislation that one bullet is okay? Do you put in your legislation that a box of bullets is okay? As soon as you start introducing grey areas, we think that is a slippery slope.

It is very clear that clause 44(b) of the Firearms Agreement says that any breach is an offence that results in the cancellation of a licence and confiscation of all firearms. We understand that is a tough penalty but we think any decisions on any of the issues you are considering should be made in the interests of public safety and not the convenience and ease of practice for firearm owners and users. We understand that makes it difficult. We understand that makes it tough for farmers and primary producers. It is our position that firearm legislation should not be in place to make it easy. We should not make it any easier for anyone to get a gun, use a gun or get another gun. We have an agreement in place and we should be making decisions in the interests of public safety, not in the interests of the ease of use of firearm users.

CHAIR - There is not much point in sharing my next statement. We received nearly 200 submissions and TFGA was one of them.

Dr WOODRUFF - The Tasmanian Farmers and Graziers Association.

CHAIR - Yes. Part of that submission was about the increase in wildlife, the difficulty managing them and the ageing population of farmers and their ability to go out at night to manage that. It also mentions the opportunity for an employee of that property, that they should be able to use a category C to maintain the purpose the property owner cannot or may not wish to. I understand where your answer will come from, that you do not want see any weakening. There are some legitimate arguments for better management of the National Firearms Agreement, so that it enhances what people need to do rather than hinder that.

PUBLIC

Mr BENDLE - Mr Chair, I understand that entirely. My father is a farmer. He likes the fact I am here today but, as I said, if we start introducing grey areas, social factors come into play around the workforce and a whole range of things; however, introducing grey areas to accommodate the firearm users as opposed to making decisions in the interest of the overriding principle within the agreement is one of public safety.

I put on the record also the disproportionate number of firearms-related deaths and hospitalisations in rural and regional communities. The Institute of Health and Welfare have reported that firearm-related deaths in remote and very remote areas are six times higher than in metropolitan areas, and hospitalisations are four times higher than in major cities.

In the interests of public safety and for those communities, we do not agree we should be making provisions that introduce those grey areas.

Mr WARBURTON - Can we just acknowledge, though, John Howard and Tim Fischer and the people who dealt with this originally had a very difficult task in balancing these considerations? The NFA recognises that primary producers have a greater need for firearms than other citizens and, subject to need being demonstrated, allows them to access firearms in all the non-handgun categories. Provided primary producers can demonstrate that need, the arrangements are much more generous for them. We are talking primary producers here. Some people, I think, might read that as a person who owns rural land. I do not think it has that constriction on it. It is a term that applies to people genuinely and primarily involved in primary production. I think there are some important concessions in there recognising their special needs.

Dr BROAD - Would it be appropriate then to broaden the general definition of primary producers to include employees and contractors? We are not talking about volunteers in effect coming in and controlling vermin; if there is an employee or contractor, so a financial relationship between the owner of the property and the people trying to manage wildlife, would that in your view accord with the principle you just mentioned.

Mr WARBURTON - I do not think so, and I would like to stay on the ground of the principle because with 'employee', you end up in all manner of definitions. There are casual employees, there are part-time employees. The ground on which it is at the moment is somebody who is genuinely and primarily involved in primary production. I do not think that term excludes somebody who might be categorised as an employee, but it is stronger than just 'any employee'.

CHAIR - Can we agree from the statistics you gave us a while ago that the NFA has more effect on rural and regional communities in its implementation than it does in the cities? Because of the population of firearm owners in rural and regional areas, it has more significance to those areas than it does in city areas because of the population?

Mr WARBURTON - You would certainly have a higher ratio of guns in rural areas than you would in metropolitan areas. For obvious reasons, people living in the city do not need firearms.

CHAIR - Going through the statistics you mentioned a while ago, where rural areas are more affected by gun violence or firearms incidence because of the function of the numbers?

PUBLIC

Mr WARBURTON - That would be right, but it reinforces the need to worry about safety issues. If you have more guns in the community, you have a greater likelihood of these things occurring.

CHAIR - No-one could ever disagree with that. The mental health issue and testing is going to come up for gun licence holders somewhere through the committee. It has already come up today. You mentioned the Port Arthur shootings - everybody agrees that military-style weapons such as those used then should not be available in the future, and they cannot be under NFA; nobody wishes to go back to that.

The multiple deaths you talked about - the ones in Margaret River and the other one - where it was family violence by a legal firearm and so forth, were there any reported instances of mental health issues prior to that event? From coroners' reports or anything like that?

Mr WARBURTON - I do not know the answer to that question. I think the one in Western Australia is still open; it is still being investigated and is still before the coroner. I do not recall that in the case of the Lockhart one, no.

CHAIR - The issue around mental health is that if you have a five-year licence, you can go through a mental health assessment to get the licence, be deemed okay and then 12 months down the track, you are not. It is the same for driving a motor car. You get given a motor car licence, you are capable on the day you are given your licence, and then something might happen - you could have a stroke or whatever, and you are not capable of driving that car. Picking it up is the issue. That is why I asked. We need to look, somewhere along the line, if there are coroners' inquests about these, at findings about mental health.

Mr WARBURTON - I think your point is right, which is why the foundation was concerned about the idea of lengthening licence periods. At the moment the minimum standard is five years, in some cases they are less. Regular checks increase the probability that you will pick up issues that might have occurred in the interim period that should have affected the licence but did not, or it might just pick up that a person is no longer as suitable as they once were.

Dr WOODRUFF - I have a few questions in relation to that. The fit and proper test, which is one of the requirements for licensing applicants to pass, is exactly the reason the NFA has set five years, which some people would argue is too long, but any extension of that, which has been proposed by some groups, to 10 years clearly means there is a whole lot of water under the bridge in terms of being able to do those tests again.

Can you give me more detail about the Institute of Health and Welfare study into the disproportionate number of deaths in rural areas, maybe a citation or something, because I wondered how recent it was and whether it was Australia-wide.

Mr BENDLE - How best would I do that?

Dr BROAD - Is it referenced in your -

Mr BENDLE - No, it is not referenced in that, but it is in the April 2017 firearms, injuries and deaths report.

PUBLIC

Mr WARBURTON - Report from the Australian Institute of Health and Well Being. You should be able to access readily that on the website.

Dr WOODRUFF - Yes, I am sure we can, thanks.

You said it comes to this question: that because people have more need to use firearms, people in rural areas use firearms more often. The report finds that they are at far more risk of being hospitalised or dying as a result of that. As I understand you, there is more prevalence of hospitalisations and deaths in that area, therefore an argument for loosening up some of these requirements, as has been proposed by some groups would mean, as I read it, more convenience, easier access, easier use and more of a normalisation of them being able to be used. I can't see that trend being turned around if that were to happen. It seems pretty obvious.

Mr BENDLE - If anything, as an issue of public health, you would think that you would tighten those. Even given the weight of numbers, and maybe because of the weight of numbers, it may well be that a public health advocate would come here and say, 'Actually, that is a cohort and we should do everything we can to reduce the prevalence of gun injury'. That is one angle you could take.

Dr BROAD - Don't we also have to acknowledge that rural and regional areas suffer higher rates of mental illness and social isolation and so on?

Mr WARBURTON - You're correct. This shows prevalence. It is very hard to prove causation. You have a hell of a lot of factors in operation here. I am pretty sure you would not find that this wasn't a significant factor.

Dr BROAD - I will point out as well that sometimes we have what are not tragedies, they are outrages - family violence. For example, here in Tasmania - it is a number of years ago now - a father murdered his four children and then took his own life. He used a firearm to end his own life, but he murdered his four children with other weapons. We also need to keep an eye on that bigger issue of family violence and the absence of violence.

Mr BENDLE - I agree entirely and, as you said, I think others could make the argument along the line that - if you even took that point about potentially, and I don't know the details - if there is a greater prevalence of mental health issues and social, financial and other stressors, once again, a public health advocate would make the argument that we should do everything possible to reduce the incidence of any injury. The increased prevalence of gun injury has already been demonstrated. You could take that angle.

CHAIR - If you took that point of view, you could say, 'Just get rid of them altogether and don't have them at all', and then that issue has disappeared, but the reality is that we live in a society that has some history to it and has a need for firearms in the rural environment. We can't do without them.

Mr BENDLE - We totally agree there is a legal framework whereby people are entitled to own, use and procure a firearm and we're very happy with that. We just don't think that is should be made any easier.

Dr WOODRUFF - Can you talk about sound suppressors? Some groups have made submissions proposing that we breach the firearms agreement, but then there is an argument about

PUBLIC

whether that is a breach because I understand the firearms agreement is silent on suppressors, so to speak - bad choice of words. What is your view about that issue?

Mr BENDLE - There is a technicality around the importation of parts. It is a technicality, I think, on both sides of that argument. You could argue the NFA is either silent or it does include it. Fundamentally, in Victoria just recently a minor party introduced a bill to introduce silencers for all recreation shooters, which was defeated. We know that there are submissions before you along those lines. Once again, we have yet to see any evidence about the value to public safety. Certainly, there are provisions within the NFA for occupational use whereby those with category C firearms can apply and use them, but you have to dismiss the occupational issue for recreational firearm users because clearly that is not an occupation. Nevertheless, there are sufficient sound protection devices available to all Australians for use. We think that the availability of sound protection devices for the individual is certainly sufficient as opposed to making silencers available, especially for recreational users of firearms. Once again, we ask the committee to consider the interests of public safety - how does that improve public safety?

Dr BROAD - Are you suggesting that potentially the use of suppressors by category C firearm users could be legitimate, and acknowledge that in using firearms that sound suppressors can make culling more effective because you are not scattering.

Mr BENDLE - My understanding was that suppressors were available for category C firearms in some jurisdictions.

Dr BROAD - In some jurisdictions. In Tasmania the silencers or suppressors are actually banned through a different act. The NFA does not deal with suppressors at all, but in Tasmania they have been banned for a long time through another act.

Mr BENDLE - Some jurisdictions allow suppressors under tight permit and storage arrangements for some category C firearms. I don't have the understanding about the benefit for livestock or otherwise, but we would certainly not encourage the committee to consider it more broadly than for occupational reasons.

CHAIR - From a public safety point of view, having a sound suppressor on the end of firearm surely can't be detrimental to the public from a public health perspective.

Mr BENDLE - The onus is the other way around. The onus is on jurisdictions to consider what is in the interests of public safety. I have no evidence on how a suppressor at the end of gun benefits public safety.

CHAIR - But to disbenefit public safety -

Mr BENDLE - That is the reverse argument, Chair, where the onus on jurisdictions is to demonstrate the public safety.

Dr WOODRUFF - That is the National Firearms Agreement. That is what it is based on; that is its core principle.

About culling and crop management - I find it difficult to understand why people argue that they would need a silencer. We bought a property from someone who used to cull 130 to 150

PUBLIC

pademelons a night. I never understood that issue, particularly in a jurisdiction like Tasmania with the animals we have.

Dr BROAD - I am sure we will hear evidence on this. It is discussed in some of the submissions - particularly with birds, and also when you see groups of vermin, with a very loud report you scatter them, whereas if you have some suppression you can get more of them before they run away or fly away, particularly with birds.

Mr WARBURTON - I don't think we know whether that is true or not. Someone will tell you the same would apply when you are shooting at other than animals. I don't know.

Dr BROAD - You also discuss, in your submission and in your opening statement, your concerns about the normalisation of gun ownership and gun use. How do you characterise that? What are you seeing that raises those concerns?

Mr BENDLE - Gun shows are an example. We understand people require a genuine reason, in some categories a genuine need, to have a firearm. We believe that if someone has a genuine reason for a firearm, they certainly know where to go to buy one. We do not believe there is a role for gun shows, which are specifically designed to promote the availability, types of and additional firearms. We hark back to the issue of public safety and the benefit to that.

The other aspect I find interesting is the issue of permits for 12-year-olds. We heard the previous witness and we understand the importance of educating young people who live around guns. I would contend that most of the permit system for 12-year-olds goes far beyond just an education component. I don't believe that a 12-year-old is given a permit purely just to educate and then they are packed away, never to be used. It is our contention that permits for 12-year-olds are for the use of firearms, which leads to the normalisation of firearms. One thing about the firearms agreement is that they were contentious in 1996 and continue to be contentious to some. It is certainly our contention that it has changed the gun culture in Australia. Fortunately, we don't have a culture of entitlement to guns and we all cringe at the gun culture we read about and see on the television in the US. It is a completely different social and cultural structure, but that is the antithesis of where we would want to go; by normalising the entitlement to and use of firearms. We ask all jurisdictions to do what they can to ensure that firearm use is as required for situations of genuine reason and genuine need.

Mr WARBURTON - You talked about examples. We do a fair bit of monitoring of stuff around the country and I don't think governments can be naïve about what is going on here. There is certainly a small number of people who are actively trying to normalise gun usage and introduce a gun culture. They run quite contentious arms fairs on the south coast of New South Wales, put on events and displays, want to establish shooting ranges, get involved in combat simulation games and so forth. Again, I need to be careful here because you don't believe everything you read in the media, but there are discussions about co-locating childcare centres and coffee shops and turning it into fun for the family. Our point is that government should not be naïve about that. It has a role in making sure that Australia does not develop a gun culture because I think the majority of Australians don't want that to occur. They accept there is legitimate use but I don't think they are supportive of that.

Dr WOODRUFF - What role could government take? Are you talking about not funding those things?

PUBLIC

Mr WARBURTON - They make decisions about whether they fund them or whether they promote them for economic development. There are alternatives.

Dr WOODRUFF - I will ask about political donations, which you point to in your report. Your recommendation to the committee is that we investigate whether any donations have been made to any political party by organisations or companies associated with the firearm industry. Do you want to speak to that in any more detail?

Mr BENDLE - We are aware donations have been made by the firearms industry in other jurisdictions. Queensland has real-time reporting so it can be monitored. In the Victorian election recently, the firearms industry body reported they had provided donations. We think all governments should be very transparent about that in real time.

CHAIR - I understand our point of view around this. However, we have a system in place for trap shooting, which is part of the Olympic Games. Recreational shooting is a part of some communities and some cultures. What is your view on that sporting side of firearms?

Mr BENDLE - We understand there is recreational use of firearms. People are well entitled to obtain a firearm if that is their genuine reason. We do not advocate for the abolition of firearms. We call on jurisdictions to have a strong firearms safety framework and policies in place that are in the interests of public safety.

Mr WARBURTON - The pointy end of this debate is the general push to allow category C weapons to be used for sporting shooting.

CHAIR - Firearms.

Mr WARBURTON - Firearms, apologies. This matter was considered when the original agreement was put in place. There was a decision to allow people who had a need to use it and there was a decision to grandfather. There were people who were currently involved in the sport and people decided they should be allowed to continue but they would not allow that in future. It was being phased out. Now, down the track, there is push to revisit that decision. The foundation wants to reiterate its support for the firearms agreement and that it should stay in place.

Dr BROAD - An issue was raised this morning in evidence. The 1996 changes to the gun laws across the country resulted in a large number of people whose annual renewal happens on the same year and that staggering process will improve over time. However, you have stated that the foundation is not opposed to proposals to stagger the annual renewal process and remove red tape. Would you have an objection if, in the next bulge year and I am not sure when it is, but we could work it out -

Dr WOODRUFF - Probably in three years time.

Dr BROAD - Yes. If a strategy was put in place to stagger licence renewals evenly across a four-year, five-year and six-year period instead of five years, would you have an objection to that? It would split the number of people reapplying over three years.

Mr BENDLE - Our position is to be compliant with the firearms agreement. However, you are talking about potentially 33 per cent as a once-off. That is not an unreasonable solution. My

PUBLIC

chief executive and our board would think you are better to do it over three, four and five years but it is not unreasonable.

CHAIR - Thank you. We are out of time.

Mr BENDLE - Chair, we are happy to reappear to answer any supplementary questions you might have or be contacted at any time.

CHAIR - I thank you very much for coming down from Melbourne and Canberra. I thank you for your very detailed submission that first of all went to the Legislative Council. Before you leave, I must read a statement to you. As I advised you at the commencement of your evidence, what you have said here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that the privilege does not attach to comments that you make to anyone, including media, even if you are just repeating what you have said to us. Do you understand?

Messrs BENDLE AND WARBUTON - Yes.

CHAIR - Thank you very much, gentlemen.

THE WITNESSES WITHDREW.

PUBLIC

Mr CARLO DI FALCO, SPOKESPERSON, SHOOTERS, FISHERS AND FARMERS PARTY TASMANIA, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Welcome, Carlo. Could you read your opening statement please?

Mr DI FALCO - I apologise in advance if I am a bit unpolished because I am not used to public speaking.

After 20-plus years under the National Firearms Agreement, it is now time for all stakeholders to acknowledge the fact that the National Firearms Agreement has not saved one life or positively contributed anything tangible in relation to public safety.

We should reject any part of the National Firearms Agreement, whose purpose is to discourage legitimate firearm ownership, and we should concentrate on punishing criminal misuse instead.

We accept that firearm owners have to be vetted so that only fit and proper persons are issued with a licence and they are appropriately educated and that when not in use their firearms are stored in a safe that is not easily penetrable, so that they are out of reach of children.

Unfortunately, the NFA has produced a cobweb of gotcha regulation that only results in creating anxiety in people trying to do the right thing.

How does Tasmania without the NFA look? I can tell you. I lived in the pre-NFA Tasmania and it was every bit as safe as we are today. As a teenager I walked to K-Mart and bought my first semi-automatic .22. Grabbed it in a box, walked three blocks around the corner and nobody called the police. I put it in a gun bag, jumped on a bus and I went to visit my friend's place at Risdon Vale. We went bunny hunting at the rear of it, with no harm to anybody.

The biggest fear of the proponents of the NFA is not that there will be an increase in violence if our gun laws were relaxed but that nothing will happen. Now that all the submissions to the Legislative Council have been released to the public, it is appropriate to point out that one in particular I have issues with. It relates to the Table 1 from Medics for Gun Control. It shows there were 185 gun suicide deaths, which was correct for 2014. It neglects to include that all suicides for 2014 accounted for 3027 people. This is what is called method substitution. The table also includes 253 firearms deaths, which is wildly inaccurate. All homicides by all methods in 2014 were 238 with only 32 caused by firearms. This comes from the National Homicide Monitoring Program.

In the *Mercury* of 19 June 2017 an article announced that Australia's murder rate hit a record low. This referred to the years 2013-14. It reported that knives were used in 86 murders, beatings resulted in 37 deaths and guns in only 32. They have also heavily referenced Philip Alpers, the author of gunpolicy.org. A search of his site lists 31 firearm murders for that year.

Method substitution with regards to gun suicide renders any attempt to include suicides moot. Australia has always had historically high rates of suicide. Common sense dictates that anybody finding themselves in a dark space contemplating suicide will not be deterred by not having access to a firearm.

In 1996 the suicide rate had been declining for a number of years, decreasing until 2008 at which point it started to increase. Now we have a higher rate than 1996. The suicide rate is driven

PUBLIC

by a number of factors such as unemployment rate, mental illness, divorce rate, business cycles, soldiers returning from conflict, poverty, average weekly earnings, a proportion of the population being in the 15 to 24 years age group zone, and so on. Fixating on methods rather than motivation will always lead to failure in fixing a problem.

In their reference list they have a study by Wang Sheng Lee and Sandy Suardi of the Melbourne Institute. This is bizarre considering these two academics could not find a statistical break that would prove that the National Firearms Agreement saved any lives. The study concludes -

Although the gun buyback appears to be logical and sensible policy that helps placate the public fears the evidence so far suggests that in the Australian context the high expenditure incurred to fund the 1996 buyback has not translated into any reduction in terms of firearm deaths.

The study lists two pages of non-gun murders and gun murders per 100 000 from 1915, which is the year the Australian Bureau of Statistics started recording causes of death, to 2004. Gun murders at every year were below one per 100 000, which is in contrast with the Medics for Gun Control's graph on page 5 of their submission. This shows a high of 4.3 per 100 000 in 1987 and most years above 1 per 100 000.

It is manifestly dishonest to compare Australia to the US. First, America has a population of 320 million, which is on par with the population of the whole of Europe. They have a higher rate of poverty and disadvantage and a range of other societal problems that drive violence. If access to semiautomatic, high-powered sporting firearms leads to mass shootings, how do you explain that Italy, Hungary, the Czech Republic - which has just changed its constitution to include the right to bear arms - Poland, the Israeli population on the West Bank, Canada, New Zealand, Switzerland and Finland do not have regular mass shootings despite the fact that all their licensed firearm owners have the right to own high-powered, semiautomatic firearms?

Norway, which also allows its ordinary gun owners to possess high-powered, semiautomatic firearms, had the worst mass shooting in history and didn't change their gun laws. They didn't have a gun buyback. The Ruger Mini-14 that Anders Breivik used was not banned and Norway has not had another mass shooting since. Proof that draconian gun laws don't prevent mass murder is that in South Korea, despite not allowing its citizens to keep their firearms at home, in 1982, a police officer carried out an overnight mass shooting that claimed 56 lives. In 2003, a deranged individual firebombed the Daegu subway station, which claimed almost 200 lives. There have been two more mass shootings since.

The basis of good statistical analysis is comparing like-with-like. Most studies post-Port Arthur that find that the rate of firearms deaths fell faster after the National Firearms Agreement suffered from a lack of a control. The country that most closely mirrors Australia's culture and character is New Zealand. New Zealand has rated second in the Global Peace Index for the last five years. Iceland is rated first and it also has a high level of firearm ownership. According to a recent New Zealand police statistic, they have just registered their lowest murder rate in 40 years. In 2011 and 2012, New Zealand only recorded three gun homicides for those years and they were single figures in most years. Like Australia, New Zealand has had a cluster of mass shootings that also resolved themselves. There were three mass shootings in New Zealand in 1997. Despite this, they did not conduct a buyback. In 2009, the firearm suicide rate for New Zealand was 1.2 per 100 000. Meanwhile, the suicide rate in Tasmania in 2006 was 16 per 100 000, which includes firearms but other methods as well.

PUBLIC

Despite having an 800-year tradition of a civilian militia, Switzerland has regularly been listed as one of the top most peaceful countries. In 2017, Switzerland was ranked fourth in the UN World Happiness Report despite having the world's third-highest rate of firearm ownership, behind America and Yemen, with most of these firearms being military.

New Zealanders are allowed to own high powered semiautomatic rifles on their ordinary category A licences. This includes AR-15s and AK-47s. The only restrictions are that they are not allowed to have larger than seven-round magazine on those. If they have a larger magazine, that becomes a military-style semiautomatic and goes into another category. They disbanded their firearms registry in 1983 and they only registered military-style semiautomatics, large-capacity magazines, handguns and light and heavy machine guns. Incidentally, there are collectors with machine guns; they are not disabled, they are fully functional, and there are about 1500 of them registered in New Zealand. This is further proof that taking firearms and registering the rest is a pointless exercise. New Zealand and Canada have both disbanded their firearms registry with no increase in crime.

Prior to the 1996 registry, Victoria started theirs in 1983, headed by Chief Inspector Lex Newgreen. In 1987, Chief Inspector Newgreen wrote a report critical of the firearms registry, which was quickly buried by the police hierarchy until the *Herald Sun* accessed it by way of a right of information request. Nevertheless, Victoria retained it.

It is high time that restrictions on law-abiding firearm owners are removed and replaced with appropriate penalties for criminal misuse of firearms instead. In the US, convicted felons found in possession of a firearm will face a mandatory five-year sentence, yet firearm thieves here normally just get a slap on the wrist and a fine that is far lower than the cost of an ordinary firearm owner to pay for a new gun safe. Basically, we are penalised to a greater extent than firearm thieves.

We asked for the appointment of a firearms ombudsman with the ability to fix the numerous complaints we receive from disgruntled firearm owners. Many firearm owners find safe inspections invasive and confronting, since most do not normally deal with police or have them turn up to their homes. For these reasons, storage inspections should be carried out by a trained civilian with proper training in relation to the act. From information we have gathered, many officers often misquote the act and are clearly not trained to do inspections. Police officers are not qualified structural engineers.

While we acknowledge the good work police do in difficult circumstances, we are concerned that safe inspections have the potential to drive a wedge between police and firearm owners. Police often ask for the public's help to solve crime and creating ill will benefits nobody. One of the many complaints I have heard is that someone was driving to a job on the mainland and he phoned up Firearm Services to notify them that he would be on the mainland when his firearms licence expired and they asked him where was. He said, 'I am on the highway driving to a job'. They asked him how long he would be there and he said, 'Probably about a month.' They asked where his firearms were. He said, 'Locked up in the safe at home.' Is there anybody at home? He said, 'No.' The officer he was speaking to said, 'In that case we will break in and we will confiscate your firearms because we don't consider that safe storage.' Does that mean anybody who is a firearm owner going on holidays basically has to stay at home?

As you can appreciate, a lot of these people are not confident enough to put their complaints on paper, so they approach us, but unless they put their name to a document or something we can't

PUBLIC

really do much. We can only make general inquiries. One of the complainants we spoke to was inspected; the police officer looked at one of his firearms and said it was too short; it had been shortened a tiny bit - 'I will confiscate that and if you play up about it, I will charge you.' They took the firearm away. His grandson went to the police station the next day and they asked what it was all about. The person at the desk said that if the officer said that was the case, that was the case. It is finished.

We approached Rene Hidding. We pointed out that the firearm was about 800 millimetres long. The act says that anything that is over 650 millimetres is hunky-dory, so they acknowledged they did the wrong thing. However, they said, 'Before we give you the firearm back, we will send it back down to Hobart for technical analysis.' The technical analysis came back that the trigger was only three pounds so therefore we had to take it to a gunsmith to get the trigger made heavier. This is ridiculous. If you know anything about target shooting, a lot of the triggers on target rifles are a lot lighter than that. You just have to breathe on them and they will go off. That is an example. More recently, a firearm owner with 11 firearms had an inspection. The police officer turned up and told him he had too many firearms and he had to sell some. The officer said he would be back the next week to see that he had done that. I was contacted and I said, 'As long as you have an audible alarm there is no limit. The fact that you have the blues for them means that Firearms Services is satisfied that you have a reason to own those firearms. So, you legally own those firearms.' That police officer came back the next day. We printed him the form that was sent out. The police officer said, 'That is not what Firearms Services told me'. Quite obviously they are not getting the training to do the inspections. That is something that needs to be looked at.

I am also concerned with the lack of transparency. Prior to the storage regulations, I had put in a right to information request. This is common sense and should have been presented prior to any tightening of the storage laws. How many break-ins have happened where the gun safe was not breached? You can't say that the standard is not appropriate if people are not stealing firearms from some places. How many stolen firearms are used in the commission of crime? They could not tell me that either. How many police man-hours in the last 10 years have been spent doing safe inspections? That affects every taxpayer. If you are phoning up police and they are not available because they are out doing safe inspections, taxpayers would not be happy about it.

I have also asked for the make, model, serial number and the registration identification number of all stolen firearms for the last 10 years, because apparently the crisis that we had that precipitated the storage law requirements was because there was a doubling of the number of firearms stolen. I think in Victoria and New South Wales, it was recorded in the *Weekly Times* that a lot of the firearms that had doubled during that time were found to be glue guns, staple guns and paint guns. Because they had 'gun' in their title, they were added to that list. I want to know: are these bona fide firearms that have been stolen or is it just someone fiddling the books to make it look worse than it is? Australia does not and never has had a gun problem. I know this does not sit well with a lot of people, but this is my view.

With the passing of the Defence Act 1909, all 12- to 18-year-old male students were required to undergo military training as part of every school's curriculum. We were the only country in the British Empire that had universal military training during peacetime. This system remained in place from 1911 through to 1929. Parents could be jailed for refusing to allow their sons to attend. Between 1911 and 1915 there were 34 prosecutions and 70 incarcerations. Between the ages of 12 and 14, male children joined the junior cadets; between 15 and 18, the senior cadets; and men were required to join a militia between the ages of 18 and 60. Tasmania at the time had 108 gun ranges, many of these military ranges. The plaques on many of the Soldiers Walk trees list the gun ranges

PUBLIC

they were members of. There were no school shootings, no mass shootings. Despite being one of the most heavily armed societies in the world, similar to Switzerland, we did not have a gun problem.

At the end of the World War I, many troops came back to Australia with broken bodies and minds. Demobilised troops were permitted to keep their firearms and war trophies, including captured firearms.

Andrew Leigh and Christine Neill released a study on the effects of the National Firearms Agreement. They made an observation that the lowest level of gun suicides happened in 1942 and one of the lowest levels of gun murders happened in 1950.

CHAIR - Mr di Falco, how much more do you have of your opening statement? If you can summarise the last page.

Mr di FALCO - I will go to the last page. The National Firearms Agreement has been a huge waste of money and police resources. The buyback cost \$500 million. The handgun buyback cost \$69 million. It is estimated the total cost of running more registries has increased the collective cost to over \$1 billion. The National Firearms Agreement is an indulgence the taxpayer can no longer afford. The money could have saved countless lives by opening many hospital beds, increasing medical training, providing advanced medical equipment and supporting our overwhelmed health system.

Thank you for your indulgence.

CHAIR - That is all right. Many of the things would have come up in the questioning anyway.

Dr BROAD - Are you advocating completely scrapping the NFA and going completely unregulated?

Mr di FALCO - No, not at all. The National Firearms Agreement has brought in vetting of people to make sure they are fit and proper. The registries achieve nothing. It has not been pivotal in solving one crime in all the time it has been there. The questions I asked in the right to information, they could not answer. Why not? They have a database there.

Dr BROAD - You are not saying it should be scrapped. You are saying it is a complete waste of time.

Mr di FALCO - No, but there are bits of it that are completely pointless. One of them is the registry. They have done away with the registry in Canada and they have done away with it in New Zealand and it has not increased the crime rate.

Dr BROAD - Are you arguing we should not have licences?

Mr di FALCO - Yes.

Dr BROAD - We should have a system where firearm ownership is not regulated through licensing and storage requirements?

Mr di FALCO - Yes, it is regulated because once a person -

PUBLIC

Dr BROAD - What are you arguing for?

Mr di FALCO - Once a person has been approved as a fit and proper person to have a gun licence or, as I call it, a good character document, we should not be burdening them with irrelevant regulation.

Dr BROAD - No renewal process, almost a lifelong -

Mr di FALCO - Yes, because what happens at the moment is that a lot of people do not get their renewals, as you have already heard. What happens if the renewal is not sent to their place and is sent somewhere else, where is it sent to? How does that benefit public safety if you have someone, Joe Bloggs, who has criminal associates and all of a sudden, the firearms renewal lobs up in their letterbox and they will go, 'Oh, this fellow is a licensed gun owner, we will go and knock him off when he gets his licence back'.

Dr WOODRUFF - Your position has changed about the National Firearms Agreement, from your submission. In your submission you say it is time for the Tasmanian Government to withdraw from the National Firearms Agreement altogether.

Mr di FALCO - There is stuff in there that is common sense stuff. You have to vet. You should not have open slather. You are not going to give a gun licence to every man and his brown dog. The National Firearms Agreement is not there for public safety. The National Firearms Agreement is there because of one man's view on what he called 'gun culture' and his dislike of America's second amendment.

Dr BROAD - Do you mean John Howard?

Mr di FALCO - Yes. In 1995, John Howard made a headland speech in relation to the role of government and he specifically mentioned he did not like the gun culture.

Dr BROAD - What about all the other states and territories that signed up back in 1996 and the general public opinion that the National Firearms Agreement and greater gun control across Australis in the wake of the Port Arthur massacre was a good thing?

Mr di FALCO - At the time everybody was shell-shocked and John Howard hijacked that very rare tragedy.

Dr BROAD - We have to also acknowledge that the Port Arthur massacre was the culmination of a series of firearms incidents with pump-action shotguns, high-powered rifles. You had Hoddle Street, you had a whole series of similar events, and then we got to Port Arthur, which was an absolute outrage - 35 innocent people murdered - and then from that period, none.

Mr di FALCO - From that period, we have had the Lindt Cafe massacre.

Dr BROAD - In the last couple of years, yes. But your contention is that the National Firearms Agreement and the more stringent laws have had absolutely zero effect, haven't saved a single life when between 1979 and 1996, there were 13 fatal mass shootings, and in the following period from 1996 to 2016, there were none.

PUBLIC

Mr di FALCO - Okay, so you are telling me that the Childers backpackers' fire -

Dr BROAD - I am talking about guns.

Mr di FALCO - Hang on a second, you are telling me that the Childers backpackers don't matter - the 15 people killed?

Dr BROAD - No, I am not saying that at all. We are talking about guns.

Mr di FALCO - Yes, I know but see this is the problem: Port Arthur was a mass murder. It wasn't a mass suicide, and yet we keep trying to pump the numbers up by saying 'gun deaths' rather than saying 'gun murders'. Wouldn't it be more correct to just say 'murders' because you had 15 people killed at the Childers backpackers; you had the Churchill fire, which killed 10 people; we have had 11 people killed directly as a result of the Quakers Hill fire, and another three people afterwards, which is 14. Even prior to 1996, in 1973 I think you had the Whiskey Au Go Go fire-bombing when 15 people were killed. I'm sorry, but if I had loved ones who died in those events, it would be no different whether they were shot or they were burnt to death. Method substitution.

You are not - some people just won't be deterred. What you should be doing is looking for these people who are red-flagging they have intentions to do these kinds of outrages.

Dr BROAD - We had the guy in Melbourne only a few weeks ago attack people with a knife. What would have happened if that gentleman had access to a semiautomatic weapon?

Mr di FALCO - Well, he didn't.

Dr BROAD - That is my point.

Mr di FALCO - Hang on a second, what I said right at the beginning was that people should be vetted to be fit and proper persons. He would never have got a gun licence. Neither would Haron Monis, who was responsible for Lindt Café - there are the safeguards there for them not to legally own firearms.

You can mention the guy who shot his two teenage children - I am trying to remember his name; anyway, it is irrelevant, but you know the guy I am talking about - with a handgun. He tried to get that handgun by being a member of gun clubs and they had all knocked him back. He ended up getting it by an exemption from the commissioner. All the gun clubs knocked him back. The guy in Melbourne - okay, he would have never legally got a firearm. That doesn't mean he couldn't have got one illegally, but you can only do what you can do.

Dr BROAD - Are you saying that a prohibition on semiautomatic firearms is a bad thing and that they should be readily available to licensed gun owners?

Mr di FALCO - It's pointless because they are readily available to licensed gun owners in all those countries I have already mentioned. Not only that, England still allows its firearm owners to shoot semiautomatic .22s and they even have - we have the appearance laws. A lot of those .22 semiautomatics in the competition area are actually dressed up to look like AR-15s. England doesn't have a problem with them.

PUBLIC

You mention knives. Have a look at what is happening in England now. The knife murder rate in London at the moment is higher than the murder rate in New York City: 5 per 100 000. You can only do what you can do, but, as I said, it is a cultural thing, it is a societal thing and the reason that you have more murders in America is because they are more prone to violence. Have a look at the culture. When Cyclone Tracey hit Darwin, the army set up a tent city on the footy ovals and all of the rest of it, but they weren't used. Complete strangers gave shelter and food to the victims of Cyclone Tracey. Compare that with what happened when Katrina hit New Orleans. They housed all those people in a football stadium. What happened? Within a very short time they started murdering each other; there were rapes, robberies, the strong preyed on the weak. It is a societal thing. Why isn't there blood running in the streets of New Zealand if access to firearms is an issue?

Dr WOODRUFF - This is a submission from the whole of the Shooters, Fishers and Farmers?

Mr di FALCO - Yes, I have run it past them. Correct.

Dr WOODRUFF - Okay. It does effectively call for us to abandon the National Firearms Agreement.

Mr di FALCO - Most of it.

Dr WOODRUFF - There are a couple of other things in the recommendations. One is about some advice or some direction to the media about how things should be reported. I would probably say, and I expect the rest of the committee might agree, that it is probably outside the ability of any government to direct the media on any issue. As much as we would like to be able to direct them, if we started with that, we might have a whole long list of other things. I think that is probably - I am just saying -

Mr di FALCO - The problem in America is not their Second Amendment; the problem in America is their First Amendment. Basically, they over-report and hyper-sensationalise these things. Anybody with a chip on their shoulder who wants to have their 15 minutes of fame will just steal or get a firearm however they can and then go to town, knowing full well that sooner or later they will vent their spleen on society.

Dr WOODRUFF - Yes. There are two other things you have suggested that I would like your views on. One is about the minimum sentencing for recidivist firearm thieves. The way that you have written about that issue in your submission makes it sound as though you are of the view that courts don't take account of the thefts that have happened previously. You mention that there should be a special firearms crime, in particular. I understand that it is the case that a magistrate looking at any theft would definitely take account of that person's history in that area. I wouldn't understand there would be any reason to make it a particular crime, because those things would be captured in the sentencing and the decision of the magistrate or the judge at the time. You can comment on that.

The other one is about the firearms ombudsman. Why do you think we should have a special, dedicated firearms ombudsman? Wouldn't it work to beef up the Ombudsman and maybe give those resources to the Ombudsman?

Mr di FALCO - I agree with you 100 per cent. The only trouble is that at the moment there is only one investigator in the Ombudsman's office. Under the right to information request, I've asked him whether we can have a mediation with Firearms Services so that we can sort some of this

PUBLIC

stuff. He said, 'Can't do it. I am investigating, therefore I can't be there to mediate.' We've already got an issue with transparency as far as that goes.

Dr WOODRUFF - That would be the case with a firearms ombudsman, too, though, wouldn't it? They would have the same issue.

Mr di FALCO - Yes, but they wouldn't be distracted by other issues; they would be able to have their full attention on those issues.

Dr BROAD - Do you think there are enough issues with firearms to warrant an ombudsman by themselves only operating on firearms?

Mr di FALCO - I would have thought so. We get plenty of complaints. We had a stall at Bushfest recently. This guy turned up, worried he's getting an inspection - they are doing a return inspection. He has a room that has steel bars on the windows; the walls are about that thick; the door is a big thick oak door with locks top and bottom. The cops turned up, looked at it and said, 'I don't know', because inside all of the firearms are padlocked to a long chain along the wall. He said, 'I have never seen this before'. They are not trained and he has had to take photos. He said, 'I will come back and you will have to put big chunks of steel on the door'.

All that happens with a lot of these firearm inspections is they create anxiety for people who try to do the right thing.

CHAIR - Regarding firearm theft - I understand it is somewhat anecdotal if the people have come to you with stories - but has there been a case that has not been, in your mind, appropriate. Can you inform the committee?

Mr di FALCO - There was a firearms dealer in Launceston who is no longer with us. A fellow, he either did break-in or he tried to break in, was caught in the process or caught afterwards. Within a week he was back. As soon as the theft was reported, they went straight to this guy's place and busted him.

CHAIR - As far as the outcome of that though, what happened if he went to court?

Mr di FALCO - As you say, it is anecdotal, but I am pretty sure he got a slap on the wrist. I could find out and get back to you if you want but I am pretty sure that is what happened.

Part of the problem is these guys will get maybe a \$200 or \$300 fine. In the meantime, Joe Bloggs, who is just trying to do the right, has got to cough up \$900 to \$1000 or \$1500 to store his firearms from these people. Wouldn't the best deterrent be that you hold these people up? I understand why magistrates give the sentences they do. They give everybody every chance possible to reform themselves. Not only that, when stolen firearms are recovered, where are they recovered? They are recovered after a drug bust, where some bloke has been done for selling drugs. He is supplying drugs to the users and the users are coming back and giving him firearms in exchange. Let us try to break that cycle rather than bash law-abiding citizens over the head all the time and trying to price them out of their recreation.

Dr BROAD - In your evidence you mentioned the gentleman who was travelling away for a month and called the police, and the police said they would break in and secure his firearms. Did that actually happen? Did the police then do that?

PUBLIC

Mr di FALCO - No, what happened in that instance is he tried to fix this up. He was the only person who had a key to his safe and it was on his person, so he mailed the key back to his brother. His brother went to his place, unlocked the safe, took the guns to his place, locked them up and within a few hours the cops turned up and did an inspection on him. They said, 'The gap on the top of your safe is too wide, you will have to weld it up'. I contacted Randolph Wierenga complaining about all these people who weren't getting renewal notices. Within an hour I had a phone call saying, 'We are coming to do an inspection'. That's fair enough. I don't have a problem. I've got nothing to hide, but it is a bit of a coincidence.

Like I said, police know full well that it creates anxiety. I have to say everybody who has inspected my safe has been very good. I have no complaints with them but they have other work to do. They would be better off trying to catch firearm thieves, if it is such an issue. I do not know how many stolen firearms are used in the commission of a crime. There may not be. If there isn't, there is not an issue.

CHAIR - This is the committee's first day and the committee has the ability to ask for information such as the statistics around noncompliance. We will be able to do that.

Mr di FALCO - There was one thing I mentioned before. This was ripped out of the newspaper. I don't know if it is of any use to you.

CHAIR - We will table that document, thank you.

Mr di FALCO - If there are any questions about New Zealand and its low level of firearm murders -

Dr WOODRUFF - There are a lot of countries; we could get the information from any country, where would we -

Mr di FALCO - It is surprising, but it always seems to be from America.

Dr BROAD - You are right, America does have its own set of circumstances; however, we do know that in America things are getting well and truly out of control. The murders and massacres are getting bigger and bigger, and they are not addressing it at all -

Mr di FALCO - They are getting bigger, but in terms of -

Dr BROAD - More frequent and more people dying.

Mr di FALCO - You have mentioned the NRA -

Dr BROAD - I did not mention the NRA.

Mr di FALCO - I think you did. No, sorry, it was a previous witness.

The NRA has been pushing really hard for straw buyers to do serious time. Straw buyers are people who do not have a criminal background but are associated with criminals, who actually buy the firearms on their behalf.

PUBLIC

They have been pushing really hard for those people to do serious time; they have also been behind the mandatory sentencing of people, convicted felons, found in possession of firearms.

Dr BROAD - That is not the people who are perpetrating these massacres, they are people outside of organised crime and outside of criminal associations. As you said, they are people who have a particular axe to grind and they have ready access to high-powered semiautomatic weapons -

Mr di FALCO - No, a lot of them don't buy those firearms, a lot of them steal them from somewhere else.

Dr BROAD - I disagree with that assessment. A number of massacres have been by legal firearms owners in the United States. I do not think anybody is arguing that is a gold standard for something we should attempting to achieve; however, I would add that in Australia we had a progression in those sorts of fatal mass shootings. Then we had Port Arthur. Then there was a circuit-breaker, which was the National Firearms Agreement, and we did not see a continuation.

In America, they have not had that circuit-break and, in effect, I would argue that their rates of massacres are not only becoming more frequent, but many more people are being killed.

Mr di FALCO - Yes, okay. What happened in Australia between 1981 and 1996 was a cluster. They also had a cluster in New Zealand, they had a cluster in Canada and they had a cluster in England. They all started about the same time and they all finished about the same time.

At the moment, we have clusters in relation to contamination of food. One person puts a pin in a strawberry and all of a sudden everybody else wants to put a pin in a strawberry as well. That is basically what happened. If you have media over-reporting and hyper-sensationalising, everybody is going to get the idea. If you stop talking about it, sooner or later it is going to stop. Not only that, America is a different situation. There are so many firearms in America, it does not matter what regulation you brought in, anybody bent on doing the wrong thing will not have a problem getting hold of one. It is not because their gun laws are slack, you still have to do a background check to get a handgun. It is past the tipping point where you can do anything about it.

CHAIR - As I understand it, as far as gun violence goes in Australia, it was actually declining prior to Port Arthur. Not that much, but steadily coming down. With Port Arthur, it went back up again and it has now come down again.

Dr BROAD - It didn't come down.

Mr di FALCO - No, it didn't. It came down slowly. There is Phillip Alpers, Chapman et al., on one side acknowledging it was coming down and then it came down quicker. Then there is Jeanine Baker and Samara McPhedran and others on the other side who said, no, it was coming down at the same rate. The problem with trying to say it has achieved anything is that the sample base is so low that it is impossible to tell. There were just so few gun murders that it was impossible to tell. Like I said, 32 gun murders out of a population of 25 million - 0.00013 per cent of the population. In the Dearden and Jones research paper, I cannot remember the year, 93 per cent of gun murders are committed by unlicensed people with unregistered firearms.

All of that, the National Firearms Agreement, was made to deal with a handful of licensed firearm owners. Everybody has overblown how much firearms affect the safety of the Australian

PUBLIC

public. I could spend thousands of dollars locking up my firearms but if someone breaks into my house, all they have to do is go into kitchen and pull out a knife. More people are murdered with knives than firearms. There is no regulation. Nobody goes and checks my knife storage. How does that make sense?

There were two questions you asked, but I have lost track.

CHAIR - You are passionate about what you are doing. You have numerous facts and figures and you have done a lot of work on this over time. We appreciate you sharing your information with the committee. Thank you very much for coming along today. In conclusion, I need to read this statement to you. As I advised you at the commencement of the evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table you need to be aware that that privilege does not attach to comments you may make to anyone, including the media, even if you are simply repeating what you have said today. Thank you very much for coming. Do you understand that?

Mr di FALCO - Yes, I do. Thank you. By all means, call me if you have any questions. I didn't want to rub anybody up the wrong way but that is how I feel.

CHAIR - Thank you.

THE WITNESS WITHDREW.

PUBLIC

Ms SALLY McGUSHIN, HONORARY SECRETARY, NOTIONAL COUNCIL OF WOMEN TASMANIA, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Welcome to the committee. Do you have an introductory statement to make?

Ms McGUSHIN - I have. It is to reiterate the submission we made to the Legislative Council and that is that the National Council of Women think that the primary purpose behind any changes to firearms legislation should be public safety. If the primary purpose is not public safety, it has to be considered whether it is for the common good. How to determine the common good? First, is it in the public interest and not just for a select few groups, and will it compromise public safety? If it will compromise public safety, it shouldn't be going ahead. If it is not in the general public interest, the National Council of Women would argue that it shouldn't happen.

CHAIR - Thank you for that, and for your submission. Are there any questions from the committee?

Dr BROAD - By way of background, can you outline the role and membership of the National Council of Women, please?

Ms McGUSHIN - The National Council of Women is an umbrella organisation of women's groups. We have been in existence in Tasmania since the late nineteenth century. It is a diverse collection of women's groups and individual women who take up women's interests. When I say 'women's interests', I am not just talking gynaecological issues, we are looking at whole-community issues. Anything that affects the community affects women, and a gun law reform is -

CHAIR - It affects men as well.

Ms McGUSHIN - It does affect men and really anything that affects men will affect women, and women will take up men's issues if they can see that is affecting them.

Dr BROAD - What groups are underneath your umbrella?

Ms McGUSHIN - Catholic Women's League, Zonta and Girl Guides. I am an individual member.

Dr BROAD - Is it the CWA and things like that?

Ms McGUSHIN - Yes, CWA. I can provide you with a list.

Dr BROAD - There is no need; I just wanted to learn a bit more about your organisation.

Dr WOODRUFF - It might be useful, if you wouldn't mind, forwarding a list of the groups that are under your umbrella.

Ms McGUSHIN - We can do that.

Dr WOODRUFF - That would be helpful, to get a sense of who you are representing.

PUBLIC

Dr BROAD - You mentioned you are particularly worried about proposals to introduce higher-powered guns in Tasmania. Can you elaborate on that?

Ms McGUSHIN - As a lay group of women, we were rather frightened by high-powered groups, but we have members who are within the farming community and they felt that there was no reason for high-powered weapons. We also approached the Tasmanian Farmers and Graziers Association, who said, 'This hasn't come from us; our primary concern is safety and we are not interested in high-powered weapons, either.'

We are not aware of any predators in the farming community. We don't have grizzly bears. We have grazing animals and we understand they are invasive and attacking farming communities, but our understanding is that farmers and graziers are consulting with other bodies to see what other means can be used to prevent grazing, whether it is poison or fencing. They are not looking at high-powered rifles, and our concern with high-powered and rapid-firing weapons is public safety.

Dr BROAD - In saying that, are you more comfortable with something like 1080 than with guns?

Ms McGUSHIN - No, not necessarily. That was what came back from farmers and graziers, that they were not looking at. I think we would have to take that one up as a separate issue and how it was done. Public safety is our main issue and if 1080 is used with public safety in mind, that is something we might have to accept at the time. They suggested there could be other ways of protecting crops other than changing the firearms that are in existence.

CHAIR - The committee's terms of reference are fairly broad. Its history runs from the Liberal policy from the last election. That didn't go anywhere toward high-powered firearms, as in military-style firearms or anything like that. As the terms of reference are broad, that does not stop other groups from putting in submissions that might indicate it should go that way. The committee can take on board all the information that comes in, but I would not imagine it is the view of anybody to go down the path of high-powered firearms unless there is some really good evidence presented to the committee as to why and we are only in our first day. There is a long way to go.

Ms McGUSHIN - Our concern, if we go back to the National Firearms Agreement and the primary reason for that coming about was public safety, is that any changes should be measured against public safety.

Dr WOODRUFF - It is interesting you say that. We have had a number of presentations this morning and the conversation is often raised as to balancing the interests of individuals, and claims of inconvenience, with public safety and how to get that balance right.

Going back to the issue of farming, I don't know if you have taken any representations from farming women but it sounds as though your group has spoken with the TFGA on some level.

Ms McGUSHIN - We have members who are from farming communities and are farmers themselves.

Dr WOODRUFF - Is it your view, or have you heard, that there are already methods available to manage farming-related issues - animal management, for example - and there shouldn't be any weakening of firearm laws in light of those things?

PUBLIC

Ms McGUSHIN - Certainly, from our members, that was a very strong voice coming out that there was no need for them to relax, to change, firearms laws. There might always be reason to change how you lock things up, and technology changes all the time so you constantly have to review it, but they were resigned to the way it is. They are a particularly conservative group because country folk are usually the ones involved; if anyone is going to be injured by firearms in the community, it is more likely to come from rural communities. They are much more aware of the dangers. The word from our country members was that we really need to be very conservative as to relaxing what is available and how it is stored. They didn't see any need to relax what is already in place. It was the Farmers and Graziers who said they actively working on it, appreciating that grazing animals are attacking crops and they are looking at alternative methods.

Dr WOODRUFF - The state has a browsing animal management plan, which is comprehensive. It is about resourcing the training so that the landowner-level management issues can be attended to. Resourcing that properly is probably something we can have a conversation with them about, but there are ways of improving alternatives.

CHAIR - It comes back to countrywomen, my dear old mum and a 16-year-old boy with a single-shot .22 rifle back in those days. Countrywomen have always been concerned about their sons, their prodigal sons and so on. It doesn't surprise me that they are still concerned because firearms can be dangerous used in an inappropriate manner. That is why we are going through this process of making sure nothing gets out of hand, and the relevant process are in place. Your comments from the countrywomen don't surprise me because they have played a huge role in rural -

Ms McGUSHIN - They know how useful firearms can be, but they are also very conscious of the need to maximise safety with regard to their use.

Dr BROAD - Are you happy with the status quo or you would like to see changes in any way, shape or form?

Ms McGUSHIN - The status quo seems to be acceptable. Although, in going into this, we became aware that many of the National Firearms Agreement agreements hadn't necessarily been acted upon.

Dr BROAD - Fully complied?

Ms McGUSHIN - Yes, fully complied; that is the phrase.

Dr WOODRUFF - We're not compliant with the National Firearms Agreement in a number of ways.

Ms McGUSHIN - We would certainly like to see us work towards that or understand why we're not compliant.

Dr WOODRUFF - You mentioned the dangers for people in rural areas. We heard from a person this morning that the number of hospitalisations due to gun-related incidents is six times higher for people living in rural areas, and there is also a much higher rate of death resulting from gun-related incidents, which goes some way to backing that concern.

Ms McGUSHIN - Yes, there is a much greater level of consciousness.

PUBLIC

CHAIR - It was because of the prevalence of firearms in rural communities.

Ms McGUSHIN - That is why they are aware of it.

Dr WOODRUFF - That is why, but the population is not very high in those areas. You are right, it doesn't take away from that. There is this great level of hospitalisations and deaths we need to take into account.

CHAIR - How aware are you of the different issues? You mentioned you have done some research into the National Firearms Agreement and the other issues raised through this debate. I assure you, the committee has a huge amount of work to do on all the submissions. I'm sure you haven't been down that path. It may be more about the general issues in the firearms debate, category C and Firearms Tasmania, for example. Can you enlighten the committee on other issues you've come across?

Ms McGUSHIN - A lot of that went over our heads. It still came back to public safety. Anything has to be measured against public safety.

Dr WOODRUFF - Were you consulted by the Government about the Liberal's firearm policy that came out before the election? It wasn't released, but it came out -

Ms McGUSHIN - No, we weren't but we did write a number of letters. Michael Ferguson suggested we contact the Tasmanian Farmers and Graziers Association, which we did. He said that would help clarify our views and it did, because Farmers and Graziers said, 'Well, we're not behind this and our primary concern is public safety'.

Dr WOODRUFF - You wrote letters after you heard about the policy, but you were never consulted about it.

Ms McGUSHIN - No.

Dr WOODRUFF - Would you expect an organisation like yours would be on the list?

Ms McGUSHIN - No, I don't think it's something we would really have an issue with. We might now, but it's not one we have taken up before. It was because it kept coming up in the press that we raised concerns. We have country area members who have strong views on it and were very pleased to hear that. I think they wanted to be able to give voice to their own things. We thought we needed to carry that forward. If we did not say that, you wouldn't hear it.

Dr WOODRUFF - If there had been a public call for submissions about changing our state's firearm laws, do you think your organisation might have looked at that and put a submission in?

Ms McGUSHIN - Yes.

Dr BROAD - As you have done now.

Ms McGUSHIN - Yes. Probably not technical, because we do not pretend to be technical. It still goes back to public safety. The original National Firearms Agreement was to protect the general public in as strong a way as possible.

PUBLIC

Dr WOODRUFF - Some areas are small and some areas are big. Do you think there should be public submissions called for something like changing our gun law policies or our gun laws?

Ms McGUSHIN - I would think so now, insofar as it does mean changes. We can see that it could affect public safety. I think therefore insofar as it affects the general public, it's in the public interest to be able to comment.

CHAIR - We have no further questions.

Dr BROAD - Thank you very much.

Dr WOODRUFF - Thank you very much.

CHAIR - Before you leave the table, I must repeat the statement. As I advised you at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table you need to be aware that the privilege does not attach to the comments that you may make to anyone, including the media, even if you are just simply repeating what you have said to us today. Nothing controversial has been said but that has to be indicated to all participants. Thank you very much for your submission and taking the time today to come along.

Ms McGUSHIN - Thank you.

THE WITNESS WITHDREW.

PUBLIC

Mr MATTHEW RUSH, STATE MANAGER, AND **Dr VIVIEN WRIGHT**, ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Welcome and thank you for coming in a bit earlier. Just before you begin giving your evidence I would like to ask you whether you received and read the guide sent to you by the secretary of the committee. If so, I would like to reiterate some of the important aspects of that document. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of the parliamentary proceedings.

This is a public hearing; members of the public and journalists may be present and this means that your evidence may be reported. It is important that you should be aware that if you wish any part or all of your evidence to be heard in private, you must make this request and give an explanation prior to the relevant information being given.

Do you understand this?

Mr RUSH - Yes.

Dr WRIGHT - Yes.

My name is Vivien Wright. I am a representative of the Royal Australian College of General Practitioners to the House of Assembly Select Committee on Firearms Legislation and Policy.

First, the Royal Australian College of General Practitioners, also known as RACGP, is the largest specialist medical college in Australia, with 39 300 members nationally, and 753 general practitioners and doctors in training to be doctors in Tasmania.

GPs are responsible for the frontline of health care. More than four out of five Tasmanians visit their GP each year, and more than four out of five of those who did visit their GP will visit the GP multiple times each year.

As the most regularly accessed health professionals in Australia, GPs are in an unparalleled position to provide insight into emerging health conditions and to highlight issues that require an urgent response from the community and government. We are the eyes and ears into what the Tasmanian community is experiencing and is concerned about.

Second, I have been asked by the RACGP to address this committee because of my extensive experience as a GP and medical educator in this state, and because of my professional and personal experience of the effects of gun violence, some of which is outlined in my personal submission to the Legislative Council Select Committee into Firearms and Law Reforms.

I grew up in Zimbabwe and I trained in South Africa where I qualified as a doctor 37 years ago. I have been a general practitioner in Tasmania for 28 years. For approximately half of that

PUBLIC

time I have been self-employed in the general practice and for just over half of the 28 years, I worked as a locum general practitioner in over 20 Tasmanian general practices.

For 23 years I have been a Tasmanian medical educator involved in the education of medical students, doctors in training to be general practitioners and in the ongoing education of qualified general practitioners.

I currently hold two positions, one is as a GP medical acupuncturist, this is my clinical work. I also work at Primary Health Tasmania, where I am employed as a GP leader and clinical editor on Tasmanian HealthPathways. This is a web-based information portal, which is designed to help primary care commissions plan local patient care through primary, community and secondary health care systems. I may add that we are one of 43 such organisations using health pathways internationally in New Zealand, Australia and in England, and soon to be in Scotland.

The committee has a submission of the Royal Australian College of General Practitioners and is therefore aware that the Tasmanian RACGP is strongly against the softening of the current firearms legislation in Tasmania, particularly as it was in this state that the Port Arthur massacre occurred 22 years ago.

The issue of the appropriate regulations of guns is a truly important area in public health and primary prevention of illness and death.

The concerns of Tasmanian GPs centre around the impact of firearm-related deaths and injury and the fear of firearm deaths and injury in the following three areas -

- (1) the health of the Tasmanian community who are our patients;
- (2) a sorely stretched Tasmanian health system; and
- (3) the health and wellbeing of the doctors, nurses and first responders to people who are injured or killed, or who fear violence from firearms.

In addition, I would like to draw attention to the faulty process of this inquiry which has disenfranchised many of the very people who would be very interested to have made their opinions known about this subject and who were excluded from being able to make representation.

I will be happy to answer questions.

Dr BROAD - You talked about personal experience with gun violence, or alluded to it; do you want to elaborate on that?

Dr WRIGHT - A lot of it is in my personal submission. How far do you want me to go? My parents were very nearly killed at Port Arthur. They were having tea outside the Broad Arrow Cafe. There used to be a table near where all the buses were; they ended their picnic there a couple of minutes early because they had forgotten the chicken liver pate, and they had walked a minute or two away from the Broad Arrow Cafe. They were shot at and they were not hit.

My mother, who is still alive, has written in a submission to the Legislative Council inquiry and she is adamantly against any softening. She is a World War II veteran, as was my father, and they spoke to nobody about this really, apart from family. They didn't speak to the media or

PUBLIC

anybody publicly about this until, I think, about March when my mother wrote a letter to the newspaper and then the newspaper wished to interview her about it. She is adamant. I was at work that day and I knew my parents were down at Port Arthur and I continued to work through a very busy Sunday surgery trying to find out where my parents were.

I have been threatened with guns as a general practitioner. I have been threatened with death. The man who threatened to shoot me had in fact done time in prison for shooting at somebody, so this was not an idle threat. There are a number of other things.

If I go back further through time, a gun was discharged outside my house when I lived in Hobart. The gun went from the garage of the next-door house through the letterbox over the road. It crossed my driveway in the process. The neighbour had, he told me, unlawfully secured a gun with no ability for his two teenage sons to get hold of that gun, but if you looked through the letterbox from the other side - I recognise the sound of gunfire. I went out to see what had happened.

If you go back into my youth, I was brought up in a country which, when I was a teenager and a young adult, was undergoing a guerilla war as black people fought for independence and the ability to vote. The young men in my class and my friends were conscripted into the army. One of my friends was killed. My brother's best friend was killed. My friend Trish's brother was killed. A school boyfriend was paralysed. A boy in my class lost his eye. Our school rugby captain was paralysed from the waist down. My boyfriend at university, who was a brilliant medical student and a sportsman who at the beginning of the year topped the class was unable to finish his third year of university and ultimately dropped out in his fifth year. We thought it was depression, but in retrospect it was post-traumatic stress disorder. So it is deeply ingrained into me - all of these things, how these issues that young people can experience through the threat of violence and through actual violence. It is deep and it goes on. That is my personal experience.

I really came to talk about the experience of my patients and the people I speak to in the community, which is what is immediately relevant to us in Tasmania, but I do have plenty of stories from being in Tasmania. I am very happy to answer any questions related to that if you would like.

Dr WOODRUFF - Thank you for sharing that.

CHAIR - As a general practitioner.

Dr WRIGHT - I will also add that when I was a young doctor in South Africa, I worked for some years - I have worked in two countries at war: one was Namibia and one in South Africa - and I spent two years in community medicine, where I went out alone and unarmed into an extremely violent area. I was providing services for tuberculosis in the black and coloured areas around Cape Town. For two years I went in alone and unarmed, except for the three months when we weren't allowed to go in. For months after that, we were pulled out at very short notice if police said that we were unsafe, which happened on multiple occasions.

CHAIR - Violence isn't acceptable wherever it is and for whatever reason, but war is a different story, of course.

Dr WRIGHT - That wasn't war; that was just civil unrest.

CHAIR - When you said your classmates were conscripted, you were in South Africa at that stage?

PUBLIC

Dr WRIGHT - I was in Zimbabwe.

CHAIR - Zimbabwe. When you say 'conscripted', that is the conflict that they were fighting in?

Dr WRIGHT - It was a guerilla war at the time. Africa's history is complicated. I grew up in Southern Rhodesia [inaudible]. These young men did, depending on how old they were, one year's or two years service. I mentioned the violence in South Africa. There has been an enormous influx of illegal weapons into South Africa. It is an exceptionally violent area, and I have strong fears for what could happen to this country if the gun laws were further loosened. There are enough illegal weapons in our community as it is without encouraging and allowing people for, as far as I can see, spurious reasons access to category C self-loading rifles, semiautomatic and automatic weapons.

CHAIR - I understand that it is difficult for you to talk about this, the violence and that of your past. No-one would ever wish to go down that path or even witness it.

From a rural person's background, we know that the National Firearms Agreement affects regional areas more than it does any other area because of the prevalence of firearms in regional communities and they are there as a tool of trade.

There is an argument in the documentation about farmers' tools of trade and being able to utilise other people to perform the task of culling wildlife. A category C licence is needed by farmers. The farming fraternity is getting older and they do not want to be out at 11 p.m., 12 a.m. or 1 a.m. shooting wallabies. The ability for a person to come onto their property and shoot with the same firearms as they have, which is category C, is limited. One of the issues that has come out of all this is: should the farming fraternity be allowed to use category C for someone other than the person who owns the property? How do you feel about that? Is that a weakening of it or is it simply the practicalities of utilising it?

Dr WRIGHT - I have lots of thoughts on it. I went through all of the submissions to the Legislative Council and to the House of Assembly. I note one from the Tasmanian Conservation Trust, which estimates that 10 000 people could potentially be licensed with category C licenses, according to what has been suggested by Mr Rene Hidding in the letter that he wrote to the interested parties in February 2018. If that is so, that is truly frightening. I have made inquiries about that. Even the most right-wing people to whom I have spoken of the land - he is somebody I know - tells me that there is no way on God's earth that anybody needs access to a semiautomatic or automatic weapon to shoot animals. He has a landholding and he says nobody needs access to a semiautomatic. The argument I hear from the people to whom I speak - the hunters, a professional hunter, the man who shoots wallabies for the dogs and for the greyhounds -

Mr RUSH - It is important to note these are patients.

Dr WRIGHT - and my colleague, who is a shooter, an ex-hunter and a collector of firearms, I have spoken to a very wide range of people - is that none of them think a category C licence, that is, a semiautomatic or automatic gun, should be used in hunting or in target shooting.

CHAIR - We should make the clarification that we are not talking about automatics. They are completely prohibited.

PUBLIC

Dr WRIGHT - I am told by several people, including an ex-marine who was also an ex-custodial officer, that it is very easy to change a semiautomatic into an automatic.

CHAIR - It might be easy to change, but it is illegal to do that.

Dr WRIGHT - We are not talking about legal activities, I agree, Mr Shelton. We are talking about the risk to the community.

CHAIR - We are certainly not talking about illegal activities.

Dr WRIGHT - We are saying, as general practitioners, that what we are deeply concerned is the risk of gun-related death in this state. I have a copy of this for each of you, if you would like.

CHAIR - We can table that.

Dr WRIGHT - I will talk you through it.

Dr WOODRUFF - There it is. It is clear, isn't it?

Dr WRIGHT - I think so, Dr Woodruff.

Dr BROAD - Why have you chosen to eliminate the years between 1994 and 2005?

Dr WRIGHT - It so happened that, although the data is available for Australia-wide for all of these years in the Medics for Gun Control submission - have you spoken to them yet?

Dr BROAD - No.

Dr WRIGHT - The statistics are available Australia-wide. You will see that Tasmanian firearms associated deaths are taken from two different sources. For some reason, this data is not immediately available in an electronic form. It is interesting because the break you asked about encompasses the year of Port Arthur, 1996. What has happened is that it has eliminated the artificial blip created by Port Arthur. We have the decade preceding Port Arthur and then we have the decade after Port Arthur.

The difference is that the medics have done this Australia-wide and this is Tasmanian deaths. These are raw numbers, they are not rates. They are the numbers of dead bodies that stacked up in one year in Tasmania and it is clear that, in the decade after the National Firearms Agreement was brought in and came to in effect and this state, the numbers had declined to a third of the numbers before the National Firearms agreement was brought in.

Dr BROAD - We heard evidence this morning that the National Firearms Agreement has achieved nothing in rates of death, protecting the public and arguments along those line, especially when you compare us to jurisdictions like New Zealand. What would you say in response to that evidence?

Dr WOODRUFF - For clarification, it would be fair to say we heard an assertion, it wasn't evidence provided.

Dr BROAD - Given in evidence.

PUBLIC

Dr WOODRUFF - Given in evidence, yes.

Dr WRIGHT - I would have to say that is not my interpretation from the statistics. I think the statistics speak for themselves. They are absolute numbers. You can see how many people were - if one was to look at - and Dr Woodruff is the epidemiologist - if one was to look at those numbers and say what happened here? Something happened here. If it were not the National Firearms Agreement and the changes in our gun legislation, I want to know what it is.

Dr WOODRUFF - It is very rare that you get a graph like that. There is obviously an event that happened. The other thing that it draws my mind to is that, as you say, these are individual lives.

Dr WRIGHT - They are individual lives.

Dr WOODRUFF - What you point to on the left-hand side is that each individual life has other people affected by it. I think you have a circle here, one death in a family of four means that at least there are three other people in the immediate family are affected. Each person would have at least 10 friends. They are obviously very closely affected. Each have 10 immediate school or work colleagues, which is another ripple out effect. The calculation of the causes of death in Australia is 1100 people per person.

Dr WRIGHT - May I interrupt and say you will note that I've been exceptionally conservative in estimating the contacts of the people. In a state like Tasmania where people have Christmas lunch in Hobart and drive up to Burnie for Christmas tea, everybody is connected. I've been extremely conservative in my estimates.

CHAIR - It is no doubt whether it is road trauma or -

Dr WRIGHT - With the numbers of the ripple, I have been deliberately conservative in my estimates of people affected. This is not true of this deeply connected state of Tasmania.

Dr WOODRUFF - In your estimates it doesn't count first responders and people in the health system and GPs like yourself who have to see the family on an ongoing basis.

Dr WRIGHT - This is where we come back to the RACGP's concerns about the possibility of any loosening of the gun laws that would allow a further proliferation of guns in the community. I rest on three things -

- the risk to the health and safety of our community
- the stress on the stretched Tasmania health system
- the trauma to the first responders and to those health professionals who have to deal with the results and the long-lasting effects of this.

CHAIR - I am quite sure we all agree that with an incident or a death, it doesn't really matter whether it is firearms or road accident or even some other accident, it certainly affects a lot of people and that ripple effect goes a long way. The Medics for Gun Control graph, and you have indicated you have looked at their proposal, is per 100 000 people.

PUBLIC

Dr WRIGHT - That is a rate, Mr Shelton, so it is a different -

CHAIR - It does mirror, is what I'm saying where we are.

Dr WRIGHT - Yes.

CHAIR - In your submission, Tasmania comes out better when you go back to 1983-84. It is actually lower than that trend, for whatever reason.

Dr WOODRUFF - The reason would be that it's for Australia, so that would include changes in population, but Tasmania's population has been -

CHAIR - The rate is for 100 000 people. I would submit that the country people, the regional people in Tasmania where most of the firearms are, have been reasonably good.

Dr WOODRUFF - What I was trying to say is Tasmania has a stable population relative to the rest of Australia. In the rest of Australia, the population went up dramatically over the time period that we're looking at here. Tasmania's has not changed markedly. These figures are more likely to represent a stable population background Compared to those ones.

Mr RUSH - The rising population.

Dr WOODRUFF - Yes.

Dr WRIGHT - Because of the difficulty with statistics, we thought it was wisest to give numbers - bodies - and not mess around with the statistics in any way, just count the people who were killed. To say that in 1990, 46 people were killed with firearms and in 2017, 13 people were killed - for all reasons - with firearms, that stacks up against the 34 deaths from motor vehicle accidents in Tasmania in 2017.

Dr BROAD - Another assertion was also made this morning about increases in other rates of violence, such as the use of knives. When we raised the issue of the decline in gun massacres, which have virtually ended since Port Arthur - although unfortunately we have seen a couple in the last couple of years - the argument was put that we have seen arsons that have killed people and we have seen other forms of violence perpetrated that didn't have firearms. What would be your response to that assertion?

Dr WRIGHT - Dr Broad, I think the Australian gun lobby is using the NRA playbook. It was used in Brazil, apparently. It is being used in Australia. I know that it is actually entered in *Hansard* - if I may, if you can just give me a second, please. On 1 August 2017, 'SSAA and the NRA celebrating years of mateship'.

Dr WOODRUFF - What was that from?

CHAIR - What document are you reading from?

Dr WRIGHT - It is from the SSAA. Let me just see. The one that I have in *Hansard* - this is not, this is from the SSAA, I apologise, but let me read you this one. There was a comment on

PUBLIC

Hansard that I would like to bring your attention to, but on 14 February 2014, the Sporting Shooters Association of Australia President Andrew Judd said:

SSAA Tasmania is pleased that four years of dialogue with existing government has resulted in some recognition of issues and has brought a commitment to improve some of the practical and regulatory hurdles faced by members.

He said:

Other than the Liberal Party, our requests to the political parties for firearm policies have received no meaningful responses to date.

This is also on the same website of the SSAA. This was 1 August 2017:

Back home, the SSAA will continue to work with our international counterparts as we strive to promote and protect our chosen recreation. With our close ties and shared knowledge, a long and proud culture of the shooting sports and hunting will go on well into the future.

That was actually in my personal submission and I give you the context in my personal submission. These links are there. That was circuitous, but my answer is that I see that the gun lobby is becoming increasingly aggressive and increasingly using the cat's paws there. I see that two of the submissions, I think to the House of Assembly, identified themselves as gun lobbyists, but some of the others clearly were cookie-cutter submissions. One was of the deer hunters association, I think of Tasmania, and another one came from New South Wales. Some of these were cookie cutters - you could see exactly the same arguments, cut and pasted, on the use of silencers. Some of it is more sophisticated involvement and some of it is less.

I see that in the Senate, a New South Wales Greens Senator - and this was reported yesterday - has brought a motion in the Senate that Australia should reaffirm its strong support for the National Firearms Agreement. It was supported by the Greens, by Labor, Derryn Hinch, some of the other crossbenchers and opposed by the Government. In that, there are the details of the \$220 000 that we know of, that went to the Flick 'Em campaign in Queensland; the \$165 000 that went into the Victorian campaign, and we do not know what is going into Tasmania.

Dr WOODRUFF - Can I go back to some questions about this graph? I would like to have your comments. What we have is a conservative estimate that last year, 13 900 people -

Dr WRIGHT - Excluding the medical and first responders.

Dr WOODRUFF - That's right - have been affected, directly or indirectly, by firearm-related deaths in Tasmania. We are talking about deaths here; we are not talking about injuries.

Dr WRIGHT - We are not talking about injuries; we are talking about deaths.

Dr WOODRUFF - That is 13 000 people in Tasmania. I accept that these are conservative estimates -

Dr WRIGHT - This is from the private life, it is not the carers or the first responders who have had to deal with the -

PUBLIC

Dr WOODRUFF - That's right, so on top of that; we don't have an estimate of the number of those ripple effects on the responders.

Is there any work that is being done on firearm injuries? We had a submission earlier today - I believe it was from the Alannah & Madeline Foundation - which quoted some Institute of Health and Welfare research looking at the sixfold increase in hospitalisations in rural areas from gun-related injuries and a very large increase in deaths from gun-related injuries. I know, from conversations with people who have survived Port Arthur and their personal experiences, people who were shot and have survived, about the horrific personal damage - not only mental and emotional damage but the physical damage of being shot with a gun and a bullet being lodged in their system, particularly if it has not left, and the awful physical injuries that people sustained for the rest of their life as a result of that. Do you have any evidence or is there anything you would like to say about gun injuries in Tasmania?

Dr WRIGHT - What I have brought - and I have a copy for each member of the committee - is an Australian Institute of Health and Welfare report, done by Flinders University, into firearm injuries and deaths. It is a well-presented report and maybe the committee would like to use that in their deliberations.

Dr WOODRUFF - This is recent, is it?

Dr WRIGHT - It is a recent report. There are statistics going to 2014, given the lag in collection of statistics by the ABS.

In answer, there were 338 hospitalised cases in 2013-14, and 2009 deaths in 2012-13 as a result of firearm-related injuries. Those statistics are Australia-wide, it is not Tasmania, but looking at that, it seems to me that they are adjacent years, they are not the same years but, very quickly, it would look like there is one-and-a-half injuries for every death from firearms.

Dr WOODRUFF - This says that 80 per cent of firearm-related deaths are due to suicide. This inquiry is not just looking at the use of firearms for mass shootings; it is the use of firearms, period. The issues around storage and any changes to storage regimes or anything like that is obviously going to have a relationship with the availability, or ease of access of firearms, to people other than the licensed owner.

Dr WRIGHT - I can give you a recent example. Two days ago, I told one of my patients that I am going to talk to the committee into the firearms changes and asked her, what would you say if you could go? She said, the firearms regulations absolutely need to be tightened. She is an older woman who is still very much involved in the community. She has always lived in rural communities. Her husband killed himself with a firearm just over a year ago. It was an unlicensed firearm and he had a new box of bullets. He was a man who had acquired a brain injury in the course of his work some decades ago. He was able to get a category C licence sometime after this, despite having a very significant acquired brain injury. The police were called to remove the gun from him immediately, before another episode when he was attempting suicide. The mechanism that removed a gun from a man with a legal category C licence and acquired brain injury was his wife in crisis coming in and finding him about to use the gun.

Dr WOODRUFF - How is that possible, that he was able to get that gun back again? What is the problem with our current regulations that enables that to happen? According to the National

PUBLIC

Firearms Agreement, the grounds for licence refusal or cancellation and the seizure of firearms includes a number of factors including mental or physical fitness and a number of other reasons.

Dr WRIGHT - This goes to our concerns that this proposal to lengthen the time in between licensing. To the best of my knowledge, there is no regulation that we have in this state for general practitioners to be obligatory advisers if somebody is unfit to have a gun, but we are supposed to if somebody is unfit to drive a vehicle.

You have the case of people, usually men, who are in possession of guns and as they get older they develop problems with thinking and early dementia. The fear is that these people have these guns and their frontal lobes may no longer be as effective as they used to be. I don't know how this man got the gun.

If I go back to when I asked my patient what she would like to tell the politicians, she said, 'If the bloody politicians would like to come and see me I will tell them exactly what I think'. She says, 'I see dreadful things in the community and I get about. There are things that I could tell them about the fact the firearms regulations, as they exist, are not being complied with'. She would like to give anybody who wants to change the firearms regulations a piece of her mind, so I am doing it very politely for you.

CHAIR - In clarification of the case you mention in relation to firearms regulations, his wife called the police. They removed the firearms from -

Dr WRIGHT - This was some time ago.

CHAIR - He would not have been able to get that firearm back unless he went through a very strict -

Dr WRIGHT - He did not get it back. It was an illegal weapon. I am not implying that for one minute. My patient -

CHAIR - That is why I wanted to clarify.

Dr WRIGHT - Thank you for clarifying. My patient has nothing but the highest respect for the police officers she has interacted with. She has had to interact with them on multiple occasions because of this violent, damaged man. She has had nothing but the highest respect for her interaction with them before and after he suicided.

CHAIR - Fair enough.

Dr BROAD - It probably was a well-meaning colleague, friend or relative who knew this chap had a licence previously and didn't have a gun anymore. Who knows?

Dr WRIGHT - I have no idea and I would not like to speculate.

Dr BROAD - Is it fair to say that people who attempt suicide with a firearm are more likely to succeed than other methods?

Dr WRIGHT - It is very lethal. I get the *Economist* newspaper and the whole spreadsheet on the *Economist* for this week is on suicidality internationally. They make the point that a lot of

PUBLIC

suicide is very impulsive. They make a very strong point that what governments can do is remove the access to lethal weapons. If we are talking about some of the Asian countries it is access to paraquat -

Dr BROAD - Really?

Dr WRIGHT - Yes.

Dr WOODRUFF - What is paraquat?

Dr BROAD - A herbicide.

Dr WRIGHT - That was India and China, where it has been the method of choice by desperate people, very often women, but it doesn't matter. Apparently, the comment is that there was no decline in agricultural production related to the restriction of paraquat. There are various countries around the world where governments have stepped in and made determined efforts to protect the people, because of the impulsivity of many. Some of the people may be - again referencing this article - thinking about suicide for a very brief period of time. I'm aware that there is a very brave submission from a young man to this inquiry saying that had he had a gun he may not be here now. He did not have access to a gun. I'm aware that several of the teachers who have written in have spoken about students of theirs who they believe would have been dead had they had access to guns.

Dr WOODRUFF - Dr Broad was saying before that having a gun is a very effective way to kill yourself. Of course, there are other ways that people can choose to kill themselves, but they often require more time or are more difficult to execute. Therefore there is more likelihood that people, in a fit of impulsiveness, if they had access to a gun would unfortunately succeed in their attempt.

Dr WRIGHT - It's not always dead. In my time as a doctor I have seen several people who have survived trying to blow their brains out and what they've done is they have blown off their frontal lobe. This is the part of the brain that is our - it's a bit like the Strange Case of Phineas Gage, who did his frontal lobe in. There are people who continue in the community abysmally damaged.

CHAIR - However, it's something the committee has to come to grips with when we start talking about suicide and firearms, and the process of when you should and shouldn't take a licence off somebody. As you said suicide is quite - how did you put it -

Dr WRIGHT - Impulsive. It may be impulsive.

CHAIR - and therefore the mental aspect of saying you need to go through a process to prove that you are an appropriate firearms owner, you can be okay one day and not the next.

While I know some people would love to see all firearms out of the community, the reality is they are a part of the community, particularly the rural community, and they are a tool of the trade. In order to try to encompass a section of people you are severely disadvantaging another set of people by over-regulation. How often do you have to be checked if you want to keep your firearms licence?

Dr WRIGHT - I'm not sure I entirely support that argument. People who are suicidal may be suicidal over a period of time, but it is the impulsivity that we worry about. I cannot see why if we

PUBLIC

licence ourselves to drive cars, renew our car registration each year, restrict the speed at which I might want to drive on the highway, restrict the amount of alcohol or drugs that I might want to have in my system while I am enjoying that activity -

CHAIR - I understand that and regulations are put on things all the time. The reality is if we looked at these figures we know there are more people killed in car accidents over that period of time than have been killed with firearms.

Dr WRIGHT - Think how many cars there are in Tasmania, Mr Shelton.

CHAIR - My point is that when we start talking about vehicles as a lethal weapon are we going to start psychologically testing everybody who gets a car licence now?

Dr WRIGHT - No, but guns. The patients who speak to me who have experience of this say that they would intensify the background checks, particularly the ones who have relevant experience. If I may, please, this was issued a week ago. This is the General Practice: Health of the Nation 2018. It was issued in November 2018. I bring to your attention mental health. If I could ask you to look at page 2 -

Dr WOODRUFF - Thanks so much for tagging it all for us.

Mr RUSH - We considered not doing it and letting you have a little flick through it but we decided there were too many pages.

Dr WRIGHT - Patients talk to their GP about mental health more than any other health issue. Mental health and obesity are causing GPs the most concern for the future. If we go page 6, please, An Issue in Focus, GP Experience of Violence in the Workplace. Four out of five general practitioners report that they have seen or experienced violence at their place of work with nearly one in three seeing or experiencing violence on at least a monthly basis. This is in line with several studies showing that patient-initiated violence is common in Australian general practice settings. The other two tags were to bring attention to the fact that I said four in five people see their general practitioner in a year and most of those will see that general practitioner multiple times a year.

When I said in my introduction that we are the eyes and the ears of the Government into the community I would like to reinforce that. I would also like to bring up the fact that in this state, where 52 per cent of people are functionally illiterate, most of the people were disenfranchised from being able to come to speak to you today. Most of them were unable to read. Had they been lucky enough to see a report that this committee was going ahead, because most of the people I know believed the Government when they were told, I believe on 17 August, that the attempts to loosen the firearms regulations had been abandoned. Most of the well-educated and intelligent people I know believed that was the case and were totally astounded that the Government was continuing. These are well-educated people who were in a position to find out and they were surprised that the Government had continued. What about the people who are really affected?

All of us are affected, but what about the 52 per cent of people who were not aware that this committee was being held and were not in a position to make a submission? They could not write in, they couldn't say, 'I would like my voice to be heard'. General practitioners are the eyes and ears of these people. I have others cases that I can speak to you about but the one that I spoke of before is a very good illustrative example.

PUBLIC

Dr WOODRUFF - Can I ask for some more information about background checks. It is a very vexed area. The National Firearms Agreement does not give any information about how mental and physical fitness ought to be established. It just says 'reliable evidence of a mental or physical condition which would render the applicant unsuitable to acquire, possess or use a firearm. What do you think the role of a GP could be? You might observe a change in a patient, either through aged-related dementia, some other degenerative issue, a mental health issue or a personality problem, and it is clear to you that person is a risk to themselves and the community. What can you do about that, and what do you think should happen?

Mr RUSH - From the point of view of the RACGP, developing a position on capacity and across the scope of capacities is difficult. For the GP, we would always fall back to the relationship between the patient and the GP. It can be easier for a GP, who has looked after the same person for 25 years, to know when that person is starting to change and potentially have some issues around capacity. It can be difficult to establish this and it would be one of those things we wouldn't necessarily want to try to put a pin through.

Dr WOODRUFF - Dr Wright suggested that there was a way to improve checks. Did you have any thoughts about that?

Dr WRIGHT - I think GPs would welcome some guidance. It is a very difficult area, such as when we are realising somebody is no longer capable of driving a car.

Dr WOODRUFF - The law requires you to sign off a person over a certain age, over 80 or 70 or 75?

Dr WRIGHT - We make a report in the licensing to say whether we are satisfied. They are such complex areas. The problem is, many of the people who would use a gun, in addition to the concern about mental illness and the concern about depression, there is concern that many of the people who use guns unlawfully are sane.

Dr WOODRUFF - Yes, sure. There are a few different groups.

Dr WRIGHT - They just may not be nice people.

Dr BROAD - If you have a stroke or a sudden, unexplained fit, you are not allowed to drive. There is notification then, isn't there, which stops you from driving?

Dr WRIGHT - There is a very dense document, which is updated, that applies. We can consult that to see whether somebody is fit, according to their vision, their cardiovascular system, whether they have epilepsy, and whether they have multiple sclerosis. There is a dense, multi-page document that gives us guidance. There is no such guidance to judge whether somebody is fit to hold a licence.

CHAIR - We need to tease out issues of mental health, automatic referral - no, we won't go down that path -

Dr WRIGHT - I am pleased you are seeing some of the complexities.

CHAIR - If you had to ask a GP to sign off on your mental state before you received a licence and you had -

PUBLIC

Mr RUSH - A car licence or a gun licence?

CHAIR - A firearms licence. If this person is 68 and had a firearm licence all his life, lived in the country and heard stories of GPs who have declared some other old bloke incapable, do you believe you would get the best outcome in an interview with that person, if that were the sole reason he came to see you?

Dr BROAD - Another way of putting it would be that if that was put into place, could it have the perverse outcome of that person not seeking medical assistance when they should because they are fearful they may have their firearms licence removed?

Dr WOODRUFF - How would the GP know about that?

Mr RUSH - We see that at the moment with regard to car licensing. We see people who keep away from the GP so they don't end up being assessed as incapable to drive.

Dr WRIGHT - The only directly relevant thing to car licences I can remember happened a long time ago. An old gentleman left my practice when I said that I was unable to pass him on the medical. He went to another general practitioner and then came happily back to me, expecting me to take him back in as a patient. I cannot speak to that; it is a very difficult area. However, I am absolutely convinced that we should not be loosening the National Firearms Agreement. Apparently, there have been 50 breaches of this agreement Australia-wide since 1996.

CHAIR - We must move along.

Dr WRIGHT - We haven't even touched on domestic violence.

Dr WOODRUFF - Yes. I would like you to say a few things about domestic violence, if you don't mind.

Dr WRIGHT - If I may, and I know this Government is a strong supporter of women and children who have been in these circumstances. This is an article from the *The Age* from 27 October 2018, and Professor Cathy Humphreys is a professor of social work in the Department of Social Work at the University of Melbourne. I don't have copies of it but it is very easily accessed. She starts -

Recent revelations about the gun lobby's role in Australian politics raise profound concerns for those of us advocating for the prevention of family violence.

If the lobby succeeds in having Australian laws loosened, we fear that guns will become more prominent in family violence incidents.

It also referenced the ABC *Four Corners* campaign. The article goes on to say -

We are reminded that the Tasmanian Liberals went to an election with a last-minute promise to liberalise the gun laws, which would allow freer access to pump-action shotguns and double the gun licence period from five to 10 years.

PUBLIC

This prompted a backlash from shocked state governments concerned it would undermine the National Firearms Agreement - an agreement on which the Liberal Party has provided proud leadership.

This is the most recent article I came across.

Dr BROAD - Can that be tabled?

Dr WOODRUFF - A firearm laws advisory committee has been mooted in various forms. Would that be something the RACGP would see itself as having an interest in? Should that sort of committee be considered? Were there to be one, what do you think the composition ought to be, and would that be something that your colleagues would feel an interest in?

Mr RUSH - Nationally, the RACGP would have an interest in having some sort of input into firearms legislation as to the impacts it has on the health of Australians. We would need to see the terms of reference for that particular committee before we made a formal decision on whether it was the right place for the RACGP to be.

As Vivien stated and the RACGP absolutely agrees on, that GPs are very much the canary in the cage here. We see 90-odd per cent of Australians each year. We do get the feel for things and these people do speak to GPs as almost a relative or close friend. It gives us an insight into where the population of Australia is. The answer to that is, yes, we believe it would be of interest.

Dr WRIGHT - My significant fear is that the original policy, I believe, outlined by Mr Hidding, was that it would be a Tasmanian firearms owners council.

Mr RUSH - Once again, change of reference.

Dr WRIGHT - That, to me, is clearly stacking it and putting it in with the gun lobby. I believe that if there was a truly representative, truly interested inquiring body into what the broad populace, and the important groups from our populace, absolutely, I think you would get the AMA there like a shot. I apologise for that expression. I think you would get the AMA there, the Royal Australian College of General Practitioners and you would have the Nurses Federation, the psychiatrists - I think you would get all of them there.

Dr WOODRUFF - Were you consulted prior to the announcement of the Liberal policy about firearms? The RACGP was not consulted, was it?

Dr WRIGHT - Definitely not. Nobody was consulted, apart from the firearms owners and gun lobbyists.

CHAIR - And you already know that, Dr Woodruff.

Dr WOODRUFF - It has come up. I know that, but I just want to clarify because there was some misinformation about who had been consulted. It was never made clear and never made public who was consulted. My question is: one of the issues potentially about having some sort of firearms advisory committee, which I could imagine to be a sort of special relationship with the minister and any changes to firearms laws, is it your view, were any changes to be made, that there should be a public submissions process?

PUBLIC

Dr WRIGHT - Absolutely, and the Tasmanian people, and the people who help the Tasmanian people, should be asked. I believe that teachers should be asked. The teachers have something very much to say about health and wellbeing. I believe the young people should be asked. I believe that the secondary school students should be asked, the university should be asked - the people who are being directly impacted by this.

CHAIR - We are nearly out of time. I wanted to clarify a point on the first handout you gave us. It is not referenced or anything. This is a document from the ABS statistics.

Dr WRIGHT - I prepared this with the assistance of a clinical epidemiologist and there are references to where the statistics come from.

CHAIR - The ripple effect that you have here is based on what?

Dr WRIGHT - Very conservative assessment.

CHAIR - But what figures?

Dr WRIGHT - No, this is a notional idea. I was explaining that we have the 13 bodies stacked up. This is the absolute figure. The Tasmanian Firearms Association -

CHAIR - I understand that, but the actual ripple effect and the numbers that are there are your opinion of what would happen, the people connected and so on?

Dr WRIGHT - It is an extremely conservative opinion. If I was to put what I believe the Tasmanian relationships were, your ripple would come out to here, Mr Shelton.

Mr RUSH - I think the point that Mr Shelton is making there is that this is an opinion. Mr Shelton made the point earlier that this could also be motor vehicle accidents or it could be meningococcal disease - it could be any number of things - but the point is that motor vehicles and meningococcal are not necessarily weapons; guns are necessarily weapons.

CHAIR - Yes. I was interested if you had gained this ripple effect from anywhere else.

Dr WRIGHT - The ripple effect is certainly discussed, but there are no absolute studies to show this.

CHAIR - We have taken it into evidence and so we just needed to clarify that point.

Mr RUSH - Yes, that is no problem.

Dr BROAD - Thank you so much for your time and for the information you have provided.

CHAIR - I have covered my paperwork up with all your paperwork. Thank you for all of that information. We thank you for your time, for your submission and for being here with us today. In concluding and as I advised you at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that the privilege does not attach to comments you may make to anyone including the media, even if you are only repeating what you have said here today. Do you understand that?

PUBLIC

Dr WRIGHT and Mr RUSH - Yes. Thank you.

THE WITNESSES WITHDREW.

PUBLIC

Mr ROBBIE MORE, ASSISTANT SECRETARY, HEALTH AND COMMUNITY SERVICES UNION, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Welcome, Robbie. We appreciate your time in coming and presenting to the committee. If you have an opening statement, which it appears you do, you may get straight into that.

Mr MORE - I do and I will keep it brief.

I am Robbie More, Assistant Secretary of the Health and Community Services Union. We are Tasmania's biggest union. We represent workers across public health, aged care, disability services, et cetera. We represent a number of members who this is a really important issue for. We represent paramedics - Ambulance Tasmania staff, who are the first responders and certainly were in the Port Arthur tragedy in 1996 that led to these laws. We also represent nurses and allied health professionals. I have a statement. I was hoping that Prue Prescher [TBC], who is a social worker at the Royal could join us today; she could not unfortunately but I have a statement from her, if I am able to table that, in relation to it.

I want to talk a little bit about that because she supported the victims and the victims' families through the trial. Obviously her statement would be a lot better if it came directly from her, in fact, I might hand that in.

Dr WOODRUFF - You can read it.

Mr MOORE - Okay, I can read it then.

Dr BROAD - When you finish your statement you can read it.

Mr MOORE - In short, we were very concerned when the information of more changes was leaked prior to the election. Until then it came as an absolute shock to us that it would be put on the table. I understand that there have been developments since, but we really want to come here and advocate that these gun laws are very much a health issue for our workers. When the Port Arthur tragedy and other tragedies have happened, our members have been affected. Some have openly spoken about suffering from post-traumatic stress, so it affects the workers. Beyond that our members see day-to-day how it affects people's lives when gun violence occurs.

We think the current laws are a good health policy. We would like to see them tightened. We are supporting the submission, I don't know if they have spoken already, by the Medics for Gun Control. I am not an expert on gun laws, but what I am doing is advocating on behalf of our members why it is so important to have really tight control on guns so that people aren't affected like they were at the Port Arthur tragedy and other tragedies as well. We are advocating that the laws are improved and definitely don't go backwards.

CHAIR - Thank you for that. We can ask a few questions or you can go into the other statement.

Mr MOORE - Yes, I am happy to go into the statement. Perhaps if I just read it, is that okay. This is from Prue Prescher -

PUBLIC

Current legislation governing the sale and use of firearms in Tasmania have kept our state free of mass shootings experienced by our community in 1996 at Port Arthur.

Prior to the 1996 the Port Arthur massacre, as it became known, automatic firearms were more readily available to the general public. Since the gun laws brought in as a result of the Port Arthur massacre, Tasmania has not experienced another mass shooting.

Tasmania cannot afford to water down or change the law regarding firearms. These laws have been overwhelmingly successful for our community and save lives. These easily available and powerful weapons resulted in the tragedy of the Port Arthur massacre.

I had the privilege of working in the immediate aftermath of the community recovery of the Port Arthur massacre. I, along with other health professionals, provided support for survivors of the shootings at Martin Bryant's trial. I sat through the evidence presented at the trial and a very clear picture emerged. Martin Bryant was an angry misfit with a chip on his shoulder who had lost his main supports and stabilisers in his life. If he had taken a knife to somebody and killed them, as originally he planned to do according to the psychiatric reports tendered to the court, he would only have inflicted that single crime on the community. A single murder would have been a personal tragedy for those affected, but not community-wide tragedy that occurred.

Martin Bryant's easy access to weapons of immense power changed everything. Automatic weapons and their lethal capabilities gave him a heightened sense of power and more attractive means of extracting revenge on settling grudges. These weapons gave him the means to kill a lot of people very quickly.

Chief Justice Cox noticed in the comments when passing sentence that, in a period of 90 seconds, 29 rounds were fired, causing the deaths of 20 people and injuries to many more.

Dr WOODRUFF - How many seconds?

Mr MOORE - Ninety. It was in the decision that was handed down. She has actually quoted it from page 4 of the EMI conference in 1996 and obviously sat through that. There was another 12 who were injured.

The scene at Port Arthur immediately after the shootings by Martin Bryant can best be described as a slaughterhouse. It resulted in the deaths of 35 people, including several children and serious injury to another 21 people. People in the community who wish to water down laws that ease restrictions on the sale and ownership of high-powered guns will no doubt say that they are not Martin Bryant, there are many responsible gun owners.

I am sure there are responsible gun owners, but how do we distinguish them from those who are irresponsible. Prior to Port Arthur Martin Bryant had not come to the attention of police and there were no major indications of his intentions. In

PUBLIC

hindsight we can construct a picture of why Martin Bryant committed the terrible crimes that he did, however, no one at the time predicted those terrible events.

We cannot predict or anticipate what people's future intentions are, and to give people a means of committing another massacre, a risk to the Tasmanian community...

That is obviously what she has written and it is obviously a lot more heartfelt than I can deliver it but, having lived through that and seen the impact, she knows why these laws should not change.

Dr BROAD - You talked about strengthening the current regulations and laws. How does that manifest itself in your mind?

Mr MOORE - We have supported the claim and the submission of the Medics for Gun Control and they have specifically said a number of things in that. As I said, I am not an expert so I take advice on that. I just want to see the best laws, but they have a number of points that have probably been read. I don't know if you want me to specifically outline them.

CHAIR - We have those in the submission.

Mr MOORE - You have those. We are supporting those moves, which talk about things like young people having access and things like that.

Dr BROAD - One of the things they talk about is strengthening background checks and you may have heard the conversation with previous witnesses. Do you have any comments?

Mr MOORE - No, again, not specifically. I am telling you what our members have told us. I am not an expert on gun laws. I just want to advocate for the best possible laws but I will leave it to the experts to tell us about the best things to do.

CHAIR - This process could go on for some time and we will speak with all those experts. This is our first day. We understand any trauma is difficult to deal with, and I am also referring to trauma in hospital. Have you had any personal experiences you can relate to the committee?

Mr MOORE - I guess my personal experiences are in hearing it from our members when they have dealt with these things firsthand. I have spoken to paramedics who have attended gun crimes, Port Arthur and things like. It goes right through our health system; people went to the emergency department and we had nurses and members involved. It impacted on many Tasmanians and their families.

CHAIR - We all have sympathy for our first responders, whether it be a car accident, a suicide or a firearms accident. First responders do a marvellous job. They are put in a very difficult position and we all appreciate the work they do.

Mr MOORE - It is not just the first responders because it goes right through, such as the radiographer taking the x-rays. They have talked about what it was like for them the day Port Arthur happened. The physios who have to rehabilitate people are all our members. OTs are involved and social workers, obviously. I have read Prue's statement. It is just such a horrible situation and we should be doing everything we can to avoid something like that ever happening again.

PUBLIC

Dr BROAD - What about the situation as it is now, what is the impact of gun-related deaths, suicides and attempted suicides? Do you have feedback from your members in recent time frames? Do most issues raised by your members hark back to 1996?

Mr MOORE - A lot do, because there was a dramatic decrease in gun-related injury or death, including suicide, from 1996. We represent the people who work in that field and the death by suicide by gun has dramatically decreased since then. I don't know that I have brought any numbers but I looked into some of that prior to coming today and talked to a couple of organisations. StandBy, for instance, are the people that respond and support families when a suicide has occurred and they were able to confirm those figures; that they dramatically decreased. Unfortunately, suicide is on the increase at the moment but there were less suicides once the gun laws came into place. It decreased overall. Suicides were reduced at that time, not only gun-related suicides.

Dr WOODRUFF - You might have seen the report provided by Dr Vivien Wright from the RACGP. It shows an approximate reduction of a third, that is, two-thirds fewer deaths by firearm in Tasmania after the National Firearms Agreement was put into place.

Dr Wright also gave a conservative estimate of 1100 people affected by each gun death in Tasmania. She did not include in the estimate the people you represent. She was estimating immediate family, friends of the immediate family, contacts and colleagues of those people in coming up with that figure. However, she did not talk about the radiographers, OTs, physiotherapists and all the other people who have ongoing relationships with people who may be the friends of people who have killed themselves or have been killed, or people living with injuries.

We do not have any numbers but what you are saying is clear. The ripple is much bigger than the 1100 estimate she has come to. People recovering or suffering from PTSD often have it for a lifetime. It is not a short-term thing, particularly with gun injuries.

Mr MOORE - It then impacts on their families as well so it is a flow-on effect. I agree that would be a conservative figure. People who suffer from those conditions affect their family and it keeps going. I suggest it does sound like a very conservative number.

Dr BROAD - Could you tell us a bit more about StandBy, the organisation that supports families in the wake of the suicide?

Mr MOORE - Yes. Unfortunately, I had a friend who lost a child to suicide and I know a bit about the organisation. They support people and the family after the event. They are connected to Lifeline and there is another organisation that might be more known but they provide a really important service. It is a really horrible situation for people.

CHAIR - It certainly is, there is no doubt.

Dr BROAD - Could we table that other statement?

Mr MOORE - Yes.

CHAIR - Thank you very much. As I advised you when we commenced your contribution, what you have said to us today is protected by parliamentary privilege. Once you leave the table you need to be aware the privilege does not attach to comments you may make to anyone, including the media, even if you are simply repeating statements you made here. Do you understand this?

PUBLIC

Mr MOORE - Yes.

THE WITNESS WITHDREW.