



22 April 2020

Committee Secretary
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

email: lacsc@parliament.qld.gov.au

Dear Sir/Madam

Re: Corrective Services and Other Legislation Amendment Bill 2020

Thank you for the opportunity to provide the attached Submission on the proposed Bill.

In principle, the Alannah & Madeline Foundation supports the Bill as it is clearly focused on improving the public safety of the Queensland community, which is the overriding principle of the 2017 National Firearms Agreement, one which we ask all jurisdictions to follow.

As this Bill covers a range of issues, we have only commented on those pertaining to firearm policy.

If the Committee has any further questions, please direct them to Stephen Bendle, Advocacy Manager, email: [REDACTED], mobile: [REDACTED].

Thank you again for the opportunity and we wish you all the best in your deliberations.

Kind regards,

Lesley Podesta
Chief Executive Officer



Submission to the Legal Affairs and Community Safety
Committee

*Inquiry into the Corrective Services and Other Legislation
Amendment Bill 2020*

By the Alannah & Madeline Foundation

April 2020

About the Alannah & Madeline Foundation

The Alannah & Madeline Foundation (the Foundation) was established in memory of Alannah and Madeline Mikac, aged six and three, who were tragically killed with their mother and 32 others at Port Arthur, Tasmania, on 28 April 1996. Our mission is to keep children safe from violence.

The Foundation strongly supports the National Firearms Agreement, which was first put in place following the Port Arthur tragedy. It has been updated on several occasions since that time and is now known as the 2017 National Firearms Agreement (the NFA). The evidence shows that it has helped keep our community safe from firearm violence. We strongly support the harmonising of state and territory government firearm laws and regulations, one of the key features of the NFA.

Thank you for the opportunity to contribute to the inquiry into the *Corrective Services and Other Legislation Amendment Bill 2020*

The Alannah & Madeline Foundation (the Foundation) supports the objectives of the Bill as outlined in the Explanatory Notes.

The Bill obviously covers a range of amendments and we have only commented on those relating to firearms.

Amendments to the *Corrective Services Act 2006*

The Foundation has no comment

Amendments to the *Weapons Act 1990* and to the *Weapons Regulation 2016*

Permanent Firearms Amnesty

The Foundation was pleased to consult with the Federal Assistant Minister on the issue of a Permanent Firearms Amnesty and we fully supported the national initiative.

We therefore fully support the Queensland Government in making the necessary legislative and regulatory changes in order to facilitate this.

In the last national amnesty in 2017, 16,375 firearms were handed in in Queensland. A further 107 parts and accessories were also handed in. In Queensland 76% of all of these were handed in to licensed firearms dealers, so we are supportive of the full engagement of this network.

We would note however, that the Foundation supports the current closure of gun shops and licenced firearm dealers during the COVID-19 pandemic and assume that the Amnesty will not begin until the COVID-19 restrictions are lifted. We do not believe that the Amnesty should be a reason to lift the restrictions.

We do note that in the 2017 Amnesty just over 78% of all firearms submitted in Queensland were then registered and only a small percentage were destroyed. About 6% of the firearms (excluding handguns) were either fully or semi-automatics. Disturbingly, a voluntary survey of participants in the Amnesty suggested nearly 20% of respondents had retained their firearms since before the 1996 gun reforms.

These figures show how important the Firearm Amnesty is to community safety. The removal of illegal or unregistered firearms from the community is critical to ensure that all members of the community are safe from intended or accidental harm from firearms.

The opportunity for more research and analysis remains and we strongly support the use of an Amnesty Survey for all those participating in the Amnesty.

Given that 72% of the 2017 survey respondents stated they already had a firearm licence, we suggest that the Queensland Police Weapons Licensing branch write regularly to all firearm licence holders reminding them of the Amnesty. This should accompany all correspondence to licence holders over the next three years.

In addition, the government should ensure appropriate financial support for advertising of the Amnesty in all traditional, new and emerging communication channels over the next three years.

Meaning of 'reasonable excuse' for possession of replica firearms

The Foundation supports the new policy regulating the acquisition and possession of replica firearms. We agree that replica firearms should be classified as "restricted items".

We understand that Section 67 of the *Weapons Act* makes it an offence to acquire or possess a restricted item without a "reasonable excuse". In principle we support the amendments in the Bill aimed at clarifying this definition. However, we wonder if confusion arises between the need for a "reasonable excuse" in addition to the "genuine reason" that is already defined in the Act and is enshrined in the National Firearms Agreement.

We ask the committee to consider whether the requirement to have a "genuine reason" could be applied to the acquisition and possession of replica firearms.

Amendment to the *Racing Integrity Act 2016*

The Foundation has no comment

Thank you for the opportunity of making the submission.

Any further correspondence should be directed to:

Mr Stephen Bendle
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Mob: [REDACTED]

[REDACTED]