



Speech by

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MEMBER FOR CALLIDE

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WEAPONS [HANDGUNS AND TRAFFICKING] AMENDMENT BILL

Mr SEENEY (Callide—NPA) (Deputy Leader of the Opposition) (12.45 a.m.): I rise to participate in the debate on the Weapons (Handguns and Trafficking) Amendment Bill and to lend support to the comments that were made on behalf of the opposition by the opposition spokesman, the member for Gregory. The bill before the House tonight places further controls on the calibre of hand guns that may be possessed by members of the community. It is an area that is already highly regulated and tightly controlled. It has always been that way—as so it should be. This bill, however, does tighten up controls on a section of the hand gun owning community. It should be noted that those people who use hand guns as part of their occupation will not be affected by this legislation. That, of course, includes a lot of constituents of mine, who have expressed concern about the further tightening of gun legislation generally.

I think that concern that is expressed about further controls on gun ownership and the tightening of gun legislation needs to be understood as something of a carryover from the quite tragic circumstances that occurred at Port Arthur in Tasmania, the way that 'long arm' laws were changed and the manner in which they were changed. With the benefit of hindsight and the marvellous opportunities that gives us all to look back at what happened in the weeks, months and years that followed that tragedy at Port Arthur it is easy now to recognise how genuine gun owners who had been law-abiding and honest citizens for all of their lives were suddenly made to feel as though they were somehow potential mass murderers. They felt very much aggrieved by the way that the gun laws were changed. It was more the way that the gun laws were changed than the actual changes themselves, even though there are still particular elements of those gun laws that are impractical in their application at the ground level and are clearly ridiculous. Those gun laws have been well and truly bedded down now. They have been accepted to a great extent, even with their imperfections and the quite ridiculous elements that do still exist within those laws.

The residual angst, frustration and hurt that was felt by honest people who owned firearms at that particular time still lingers in the community. It is understandable that it should do so and it is understandable that those people did feel aggrieved by the way that legislative process took place at the time.

It is proper to note that I do not believe the legislation before the House has the potential to create the same sort of impact on the community. I think the whole process has been carried out in a very different way. It certainly has not been tainted by the hysteria and the sensationalism that occurred immediately following the Port Arthur tragedy, even though this particular legislation also had its genesis in a very sad and tragic incident at Monash University in October 2002. Two people were killed in that incident and a number of other people were seriously injured by a very irresponsible gun owner who used a concealable weapon in a way that none of us would ever support and no-one in the gun owning community would ever support. As a result of that incident the Prime Minister indicated his desire for the tightening of hand gun controls and put in place the process, the culmination of which we see in the parliament here tonight.

It is worth reinforcing the comments that were made by the member for Gregory: that from what we know about the details of that tragic incident at Monash University, the gunman who was involved in that could never have obtained possession of those concealable weapons under the existing Queensland law. I do not believe that would have been possible in Queensland, nor should it have been. However, the bill before the House tonight will make it even more certain that people like the person who was involved in the incident that led to the formation of this legislation should never get access to hand guns in this state. That broad thrust and that concept at least should be supported, and I think will be supported, by the great majority of Queenslanders.

The process that was put in place has been outlined by previous speakers in the debate. It involved a Council of Australian Governments—or COAG—meeting which laid down 28 resolutions and set the parameters for the legislation which each state needed to draw up. There was a recognition that there needed to be due regard for the rights and the interests of relevant shooting organisations. That recognition has led, I think, to the fact that this legislation has been accepted, albeit with some reservations on the part of people who still harbour some resentment about the way in which gun owners were treated in the past.

There has been participation by the gun owning community in the preparation of this legislation. I think there is a recognition now that responsible, honest gun owners need to be part of the process to protect their own future as gun owners. Sporting shooters need to be involved in these processes to protect the future of their shooting clubs and to protect the future of their sport from the hysterical and unwarranted attacks that are sometimes visited upon them. It is a credit to those people, I think, that they have recognised the need to be involved in this process, and they have taken part in the process that has led up to the consideration of this legislation in the House tonight.

The COAG agreement set out to reduce the number of hand guns in the community and to strengthen control over access to hand guns. It involved an amnesty and a compensation scheme. Both of those elements were an essential part of getting any new legislation or any regulatory regime accepted. The compensation payments were funded by some \$15 million that remained from the 1996 firearms buyback, and the provisions under the agreement allowed for that money to be used first and then for any further cost to be shared by the federal and state governments.

In his second reading speech the minister quoted some statistics indicating that there are 11,500 licensed sporting shooters in Queensland who hold some 27,000 licensed, concealable hand guns. So we are talking about a considerable number of licensed shooters and a considerable number of concealable weapons.

The COAG agreement requires that further restrictions be imposed on historical collectors in regard to the guns that they collect—temporarily inoperable weapons—and it requires the introduction of a graduated system for graduated access to hand guns for people who want to enter the shooting sports. That graduated access makes a lot of sense to me, because it is all too easy for people who have not had any experience with weapons or a background in the handling of weapons to believe that they are much more capable than they really are. I am particularly pleased to see this system of graduated access.

I am a bit like the member for Gregory in that I grew up in an environment where we learnt to handle weapons as part of the growing up process, and things that are probably natural and almost instinctive to us are things that other people who are not from that particular background have to learn in a graduated process. I think that the graduated access element that is included in this legislation is an important part of ensuring the safe and efficient operation of shooting clubs into the future.

The COAG agreement also required minimum participation rates in hand gun shoots for sporting shooters. This provision has caused a degree of concern on the part of some people who have contacted me. They feel that meeting those participation rates could prove to be somewhat of a challenge and that it would be difficult to meet them in particular circumstances, especially when they live in isolated areas and the sporting shooting opportunities are somewhat limited. There is not a shoot on every weekend, as there is here, where people could probably participate in a shoot every weekend should their schedule allow it. I am sure there is a shoot on at places like Belmont on most weekends.

However, when you get out into areas where there are not opportunities to shoot every weekend unless you are prepared to travel a long way, there has been some concern expressed about that minimum participation element. It is an important part of the legislation, I think, to ensure that the people who do obtain access to hand guns under this sporting shooting provision are genuine sporting shooters. I do support that concept of minimum participation rates, even though some concern has been expressed about how that will be met.

There are other provisions in the COAG agreement which required hand guns under a prescribed barrel length to be banned and the banning of hand guns over a .38 calibre. There is no doubt that people who own hand guns who do not fall into those categories will not be pleased by the fact that those hand guns are no longer going to be able to be possessed. However, I think, as in all

things, the lines have to be drawn somewhere. The boundaries have to be set somewhere, and by and large the boundaries that have been set in this legislation in regard to defining those categories of hand guns that can and cannot be possessed have been generally accepted by the sporting shooting community.

There are also in the COAG agreement increased reporting requirements for shooting clubs and increased responsibilities for clubs in the acceptance of new members. As I said earlier in this contribution, I think it is in the interests of those clubs to ensure that those processes have integrity within their own club to guarantee their continuation, and to guarantee that their members are able to continue to participate in the sport.

The COAG agreement also involved broader licence revocation powers to allow licences to be revoked on the basis of criminal intelligence or for negligence. I do not think that there can be any argument about those revocation powers from people who are prepared to recognise that they must abide by the regulations for the storage and general possession of hand guns.

The COAG agreement also involved indemnities for regulated health practitioners who play an important role in providing information about the suitability of a licensee to continue to hold the licence and involved a review of the legislative requirements for safe storage of concealable firearms. It also involved substantial penalties for the illegal possession of a firearm. Once again, all of those elements were agreed upon in the COAG agreement and they have generally been accepted by the gun owning community. The bill before the House amends the act in relation to the possession and use of hand guns by those sporting shooters. It does that by a number of amendments that address the categories of firearms, the maximum calibre of .38 of an inch and the minimum barrel length of 120 millimetres for automatic hand guns and 100 millimetres for revolvers and single shot hand guns.

The bill will allow sporting shooters to retain hand guns with calibres over .38 but not over .45 for specifically accredited events that specifically require higher calibre firearms. The bill before the House will also impose a 10-shot magazine limitation on concealable firearms that are held by sporting hand gun shooters. It also proposes an improvement to the participation regime, with hand guns to be divided into four classes with sporting shooters linked to the class of pistol that they own. The bill sets out the participation conditions that were outlined in the COAG resolution and makes it a condition that eight competition shoots will be required to occur over eight days. It also provides for hand guns that are prohibited under those COAG agreements because of either their calibre or their barrel length to be surrendered for compensation. That is a fair and proper approach to ensure that those hand guns are surrendered and do not become part of the unfortunate black market that already exists.

The bill will also impose a statutory obligation for hand gun clubs to notify police about concerns that they have about either existing members or potential members who may become unsuitable people to possess a firearm or who may become unsuitable because of behavioural changes of the particular individual to remain a member of the club. The club, under the legislation, will be able to take steps to ensure that those people who fall into those categories no longer remain members of that club. It is important that clubs themselves have the ability to regulate and tightly control not only who become members of their sporting shooters clubs but who remain members of their sporting shooters club. There is a recognition that clubs have a responsibility to take responsibility for that regulation pretty much themselves to protect themselves and ensure that they have a future.

The bill introduces the 12-month graduated process that was part of the COAG agreement and sets out that an applicant will be only permitted to acquire two firearms during the first 12 months, and I made some comments earlier about my support for that approach. It also addresses the COAG agreement with regard to the requirements for a collector wishing to possess hand guns that were manufactured before 1946 and sets out a range of increased penalties for unlawful possession. The bill before the House is in response to the COAG agreement that was agreed upon between all Australian governments in the Council of Australian Governments insofar as state legislation is being drawn up in each individual state. It will provide a nationwide consistency for the possession and the ownership of hand guns.

I conclude by echoing the comments I made at the start. It is unfortunate that there is still within the community that I represent and within the communities that most of us represent something of a residual resentment towards the way that gun laws have been handled in the past. Every time we as a parliament consider changes to gun laws we need to be aware of that residual resentment and understand why it is the way it is. It is too easy to brand those people who are still aggrieved by the way gun laws were changed with all sorts of unfair and unfortunate stereotypes. There are a large number of very responsible and honest and law-abiding gun owners who have every right to pursue their chosen sport, and they should always be allowed to do that within all of the communities that we represent. I hope that the legislation before the House will help to ensure that sporting shooters who use concealable firearms and who use hand guns will be able to pursue their chosen support for many years to come.