


~~Bill read a first time.~~

~~Referral to the State Development, Infrastructure and Industry Committee~~

~~Mr DEPUTY SPEAKER (Mr Ruthenberg): Order! In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.~~

## WEAPONS AND OTHER LEGISLATION AMENDMENT BILL

### Introduction

 **Hon. JM DEMPSEY** (Bundaberg—LNP) (Minister for Police and Community Safety) (7.47 pm): I present a bill for an act to amend the Weapons Act 1990 for particular purposes and to make consequential amendments to the Corrective Services Act 2006 and the Penalties and Sentences Act 1992. I table the bill and the explanatory notes and I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Weapons and Other Legislation Amendment Bill 2012.

*Tabled paper:* Weapons and Other Legislation Amendment Bill 2012, Explanatory Notes.

I am pleased to introduce the Weapons and Other Legislation Amendment Bill 2012. The bill fulfils the government's commitment to crack down on the unlawful use of firearms by introducing mandatory minimum sentencing for serious firearm offences. The introduction of this new sentencing regime will give Queenslanders the toughest gun laws in Australia. The bill amends the Weapons Act to introduce mandatory minimum periods of imprisonment where a person unlawfully and without a reasonable excuse carries on the business of trafficking weapons where one of those weapons is a firearm; supplies firearms where one of those firearms is a short firearm; possesses a firearm that has been used in the commission of an indictable offence; possesses a firearm for the purpose of committing or facilitating an indictable offence; and possesses a short firearm in a public place including a vehicle.

The mandatory penalties dovetail into the existing tiered penalty regime. The new provisions are supported by amendments to the Corrective Services Act and the Penalties and Sentences Act to ensure that any date set for parole does not fall before the expiry of the mandatory minimum term of imprisonment. The mandatory minimum sentencing will not apply to any person under the age of 18 years. The new sentencing regime is not intended to capture licensed firearms owners who fail to renew their licence or find themselves unlicensed due to administrative processes beyond their control.

In this regard, the bill provides each person charged with an offence to which a mandatory minimum sentence applies with the opportunity to raise a reasonable excuse. While what constitutes a reasonable excuse for the purposes of the mandatory sentencing provisions will be objectively determined by the courts, the bill explicitly states that it will be a reasonable excuse to a charge under the new mandatory sentencing provisions for a person to show that in the 12 months preceding the commission of the offence the person possessed a valid and appropriate licence and that licence had not been surrendered, suspended or revoked under the act. This reasonable excuse does not abrogate a person's obligations under the Weapons Act and so where a person raises a reasonable defence the court will retain the capacity to impose a penalty from the existing sentencing provisions.

A firearms amnesty will coincide with the introduction of the new sentencing regime. The amnesty will comprise a voluntary hand-back and registration scheme. Any member of the community who does not hold a firearms licence will be able to surrender their firearms during the amnesty period without penalty. Similarly, a person with an unregistered firearm will, during the amnesty period, have the opportunity to register that firearm without penalty. Previous firearms amnesties have proved successful in Queensland.

The government has identified a range of specific initiatives to reduce the red tape associated with weapons licensing in Queensland. In this regard, I would like to thank the Departments of National Parks, Recreation, Sport and Racing; Agriculture, Fisheries and Forestry; Health; and Natural Resources and Mines. I particularly thank Vaughan Johnson, Howard Hobbs and their staff for their valued contribution to identifying these initiatives. I also thank the Weapons Advisory Panel for the work it has undertaken examining these initiatives.

The initiatives will extend the term of a firearms licence for category A and B firearms from five years to up to 10 years; remove the obligation for an approved pistol club to provide an annual report under section 140 of the act; extend the reporting time for licensed dealers to provide an annual return under section 72 of the act; extend the reporting time for theatrical ordnance suppliers to provide an annual return under section 121 of the act; introduce a power of delegation under a new section 18D of the act to allow the representative of a shooting club to delegate functions to a member of the club's governing body or board; double the term of a permit to acquire from three months to six months; remove the obligation under section 24 for licensees to automatically deliver their firearms licence to the

officer in charge of police when a change in the licensee's circumstances occurs; allow an interstate or international firearms licence to be used as a criterion in deciding whether an applicant for a firearms licence has an adequate knowledge of a firearm; and extend the term under which a licensee with an expired licence is required to demonstrate an adequate knowledge of a weapon. These initiatives demonstrate the government's commitment to reducing the red-tape associated with legitimate firearms ownership. It is anticipated that further red tape reduction initiatives will be identified by the Weapons Advisory Panel, which has agreed to continue to work with me during a second phase of weapons review. I commend this bill to the House.

### First Reading

 **Hon. JM DEMPSEY** (Bundaberg—LNP) (Minister for Police and Community Safety) (7.53 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### Referral to the Legal Affairs and Community Safety Committee

**Mr DEPUTY SPEAKER** (Mr Ruthenberg): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

## ~~APPROPRIATION (PARLIAMENT) BILL~~

### ~~APPROPRIATION BILL~~


#### ~~Consideration in Detail (Cognate Debate)~~

#### ~~Appropriation Bill~~

#### ~~Legal Affairs and Community Safety Committee~~

### ~~Report~~

~~Resumed from p.2296.~~

 **Hon. JM DEMPSEY** (Bundaberg—LNP) (Minister for Police and Community Safety) (7.54 pm): I would like to thank the committee chair, the member for Condamine, for his management of the budget estimates proceedings and the other members of the committee for their questions. This estimates process provides an important opportunity for scrutiny of government business. This government has a powerful mandate for change from the people of Queensland and we have energetically set about implementing many important initiatives. In the portfolios of Police and Community Safety, I welcomed the opportunity to explain and outline a number of issues, and I thank the committee for the opportunity to do this.

One of the most important initiatives is our commitment to provide 1,100 new police over the next four years at a total cost of \$358.3 million. We aim to revitalise front line policing services and deliver safer streets for Queensland communities. Since April 2012, recruit intakes have been increased to achieve an additional 300 police officers inducted before 30 June 2013. As at 30 September 2012, 459 recruits have commenced in the recruit training program and a further 336 are scheduled to commence training over the next four months to ensure the additional officers are inducted before 30 June 2013.

I would also like to thank the committee for the opportunity to explain why we are cracking down on the problem of hooning. This government is set to introduce tough new laws designed to get those offenders off our streets. Under these laws, anyone committing a hooning offence could face automatically having their car clamped and off the road, at their own expense, for three months for their first offence. Anyone who commits another hooning offence within a five-year period after the first offence faces forfeiture of their vehicle, which can then be sold or crushed.

Another major initiative I was pleased to explain to the committee was our weapons amendment legislation. The new bill aims to do two things: crack down on criminals who use guns and ensure they serve jail terms for their actions; and free up legitimate firearms owners, such as sporting shooters and farmers, from pointless red tape and bureaucracy. Therefore, we will be amending the Weapons Act to