

Ms Libby Mettam; Mr Mark Folkard; Mr Vincent Catania; Mr David Scaife; Mr John Quigley; Acting Speaker; Mr Paul Lilburne; Mr Simon Millman; Mr Peter Tinley; Ms Sabine Winton; Mr Chris Tallentire; Ms Hannah Beazley; Ms Caitlin Collins; Mr Peter Rundle; Ms Jessica Shaw

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## **FIREARMS AMENDMENT BILL 2021**

### *Second Reading*

Resumed from 24 November 2021.

**MS L. METTAM (Vasse — Deputy Leader of the Liberal Party)** [4.17 pm]: I rise as the lead speaker in the Legislative Assembly on the Firearms Amendment Bill. The opposition has some concerns about this bill, but we will not be opposing it. We will certainly be supporting what this bill seeks to achieve, and we will potentially be supporting this bill once some issues are resolved. Some professional shooting groups and the agricultural industry are seeking some clarification on the bill, and we hope that we will be able to fully support this bill when it goes through the Legislative Council.

From the outset, we support what this bill seeks to achieve. There is no doubt that the Western Australia Police Force should be commended for the outstanding work that it has undertaken in keeping our community safe. WA police are certainly challenged by their task to try to cut down outlaw motorcycle gangs, issues surrounding firearms and certainly the issues that this bill seeks to address, and they deserve to be commended. As I stated, we have since received some feedback from a number of registered firearm groups, whether from the farming industry or the Sporting Shooters Association of Western Australia, who would like some clarity on some of the definitions in the bill and some of its unintended consequences.

An extraordinary incident was witnessed by the WA public in December 2020, when a single bullet tore through the air at Perth Motorplex in the city's south amid a roar of spectators and engines. The assassination of bikie boss Nick Martin certainly sent shockwaves throughout the WA community. In response, police officers within Taskforce Ravello apprehended and charged the criminal involved, who was subsequently convicted of the murder. Those officers need to be commended for the outstanding work they did in the face of such a horrific and violent incident, which, as I stated, sent shockwaves throughout the WA community.

There is no doubt that the WA Police Force has the support of all sides of this chamber. We will certainly endeavour to ensure that the police have the tools they require to undertake the outstanding job they do in the community. In the face of that incident in December 2020, it is understood that 100 officers were assigned to the massive effort of Taskforce Ravello. They successfully raided the clubhouses and homes of gang members and their associates. There were 102 charges laid against individuals for 267 offences, and more than 50 firearms were seized. That was an extraordinary event.

The intent of this legislation is to encourage people to get out of gangs or get out of WA. The opposition needs clarity on how or the extent to which this will be achieved without creating unintended consequences. The purpose of this bill is to amend the Firearms Act 1973 and make consequential and related amendments to other acts, such as the Criminal Organisations Control Act 2012, the Prohibited Behaviour Orders Act 2010, the Restraining Orders Act 1997, the Children and Community Services Act, the Court Security and Custodial Services Act and the Prisons Act 1981. This bill will introduce provisions for firearm prohibition orders and firearms technology, offences aimed at tackling the illegal manufacture of firearms, and a permanent general amnesty under the Firearms Act 1973. It will also increase the penalties for the stealing of firearms and the possession of stolen firearms, and modernise out-of-date definitions within the act.

A number of key stakeholders were consulted on the bill, but we also understand that a number of other organisations did not feel that they were fairly consulted on the bill. I know that some of my colleagues have heard from some organisations, such as the Sporting Shooters Association of WA and other Western Australian industry groups, that have raised some concerns about what this legislation will mean for lawfully registered firearm owners who are just trying to undertake lawful activities. Although we have been advised that licensed firearm owners and those not engaged in any unlawful activity will have nothing to be concerned about with this bill, issues have been raised by shooting groups and the farming sector around what this proposed legislation could lead to in light of the lack of consultation on it. One industry group raised concerns that the legislation does not distinguish between what is considered to be a repair to a licensed firearm and what would be considered normal maintenance. To quote one organisation —

It seems that licensed firearms owners will now have to take their firearms to a licensed repairer for routine maintenance tasks which they now lawfully do themselves. This is like forcing a motor vehicle owner to go to a qualified mechanic to change a car tyre.

It was talking about simplistic repairs.

A government member: Are you able to tell us which organisations?

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**Ms L. METTAM:** It was a couple of organisations, which I will be able to clarify. One was the Sporting Shooters Association of WA. They raised that the consequences for gun owners in regional and rural WA, such as farmers, will be far-reaching, given that they often have to travel considerable distances to towns where licensed businesses could carry out those repairs. This could be a costly task when the level of maintenance is, in the scale of things, very minor. Section 19(4) of the existing act outlines the offence for unlawfully repairing a firearm or ammunition, which carries a penalty of five years' imprisonment. However, the bill will delete section 19(4) from the act and replace it with proposed section 23AD, "Unauthorised repair of firearms and other things", which carries a penalty of imprisonment for 14 years. We were told that the WA Police Force has no intention of amending the bill. It advised that licensed firearm owners might want more clarity on which maintenance activities they will be able to do on their own firearms without it constituting a repair under the legislation. We were told that this information will be updated on the WA Police Force website to provide guidance to licensed firearm owners. Some assurance has been given by the WA Police Force about what that will mean, which will obviously be of some comfort to these lawful groups, but we would like some clarity and confirmation of that from the minister.

Concerns have also been raised that repairs or even maintenance will have to go through an approval process with the police commissioner. In the same vein, there are concerns about the potential for the reloading of ammunition to be an offence. Another industry group said that clarity around this point is critical, given this is a common, everyday activity that licensed firearm owners undertake. The WA Police Force has advised that section 16(1)(a) specifies that a licence holder is entitled to possess, carry and lawfully use ammunition from a firearm. That is the information that we have been provided with by the WA Police Force through that briefing. WA police also confirmed that this will cover reloading.

The other question that has been raised is whether it is the intent of this bill to criminalise the reloading of ammunition by licensed firearm owners in the state of Western Australia. On behalf of those who have contacted opposition members, we would like some clarification on that.

In relation to firearms technology offences, this bill will make it illegal to possess or use firearms technology to manufacture plastic 3D firearms. WAPOL advises that it will be targeting those incidents that we hear about of people manufacturing firearms in backyard sheds through the use of 3D technology. It is certainly a worthy endeavour to give police the power to crack down on this level of activity, which can, obviously, lead to some serious offences. The consistent issue that has been raised by a number of people who have looked at this legislation is the potential for unintended capture. Proposed section 23AF is headed "Participating in unauthorised manufacture, repair or dealing in firearms and other things." A "thing" includes any number of the equipment that is commonly found in home workshops. I am flagging this ahead of the minister's response, and also ahead of consideration in detail, but questions have been raised about how firearms technology manufacture offences will be applied to manuals and magazines. Firearms manuals could contain instructions for repair and technical drawings that could fall under the definition of "firearms technology". The people who have raised concerns with us are seeking some more clarity around that issue as well.

I understand that the illegal manufacturing component of the bill arose from a national agreement through the Ministerial Council for Police and Emergency Management in October 2018. New South Wales and Western Australia are the only states that have developed bills to specifically enact the agreement; however, it is expected that all other states will update their legislation in the future. Questions have been asked about how that will work, and we will raise that in consideration in detail.

Peter Heggie from the Shooters Union of Australia WA has stated —

"It's not just about the firearm prohibition orders. Some of the concerns we have are things like making a simple repair to your firearm could actually fall you foul of the law under this new belt ...

...

"If we take for example a farmer who lives 2000 kilometers away from the local gunsmith—if they need to replace a trigger that they need on their firearm for pest control, technically under this new bill that is now illegal ...

He also fears people without guns could be targeted by the law.

"Say for instance if you have grandad's 'book of military firearms' and it's got schematics of old World War Two rifles in there—under this bill ... you've just become a criminal ...

I am flagging with the minister the issues that have been raised as part of getting feedback from industry groups. They highlighted that if there had been more of a consultation process, some of these issues might have been addressed.

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From the outset, we certainly support the intent of this bill. There are some issues that need clarification. We look forward to going through that process in consideration in detail, and, importantly, in the other place, where the shadow Minister for Police will be leading that debate.

I would like to take the opportunity to thank WA Police Force and the minister's advisers for their support in ensuring that the opposition had the time to be briefed on this piece of legislation. Many of the concerns raised have received some clarity from WA Police Force. There certainly has been some feedback that people with concerns would like to hear that clarity from the minister as well.

I will leave my comments there. I am sure that other people would like to speak to this bill. I will finish by stating that what this bill seeks to achieve by cracking down on the possession of firearms by outlaw motorcycle gangs is a very worthy objective, and we will certainly not get in the way of the government in that endeavour. I will leave my comments there.

**MR M.J. FOLKARD (Burns Beach)** [4.35 pm]: I rise to speak on the Firearms Amendment Bill 2021. For those who do not know, I was a police officer for a long time before I came into this place. I have seized thousands of firearms. I have been shot at. I have been to countless events at which firearms have been discharged. I have chased armed offenders throughout the state. When it comes to firearms and this particular piece of law reform, I am absolutely in favour of it.

In Western Australia, firearms law reform is not new. The original Firearms Act was proclaimed in 1973. I believe it was a Labor government that brought that piece of legislation before the Parliament. The Western Australian firearms laws of 1973 were seen as the toughest in the world, let alone Australia. Western Australia was the only state that licensed the owner of the firearm. We were also the only state that licensed the firearm. We were the only state that required the owner of a firearm to demonstrate a genuine need to have that firearm. The last part of our law was that as a condition of a firearms licence, the owner of a firearm had to have an appropriate area in which to use that particular firearm. What does that mean? I will simplify it. A person could not use a large bore firearm or a long arm if they had a small property of only a couple of acres. A good example would be a calibre similar to a .308, which is similar in size to a military round, when they had basically nothing more than a couple of thousand square metres of land on which they could use it; it was not appropriate, and it should not take place. The police force at that time, in its wisdom, would refuse to grant those types of licences. In my early days as a constable, we used to spend hours checking firearms licences and comparing them with properties to see whether those properties were suited to the calibres of those firearms. We would physically visit those properties and interview the owners. We would then go back and check with the firearms licence owners, because we would often find that numerous large landholders would sign letters for people in exchange for a carton of beer so that those people would be able to use those firearms on their properties. That was wrong, so we had to tidy that stuff up.

Back in the days when I was a young constable, the firearms legislation made it almost impossible for a person to own a military style firearm. Western Australia was the only state in the country where it was near on impossible for a person to own what was referred to as a pistol grip. That is because there was virtually no justification or need for people to have such a firearm. I was out there enforcing these laws. But in 1996, the Port Arthur massacre occurred. That changed firearms laws and firearms culture within this country. I am not a fan of John Howard, but he was responsible for the modernisation or, for want of a better term, the removal of fully automatic firearms from our community. When he first started this process after the massacre at Port Arthur, he tried to create a national firearms register. Western Australia nearly turned its back on him because at the time our laws were seen as the best in the country. As a result of our stance in that environment, the national laws basically replicated the Western Australian firearms legislation. The key to that success was the gun buyback scheme. I will talk more about that later.

In 1997, there were approximately 1.2 million licensed firearm holders in the community. In 2020, there were about 870 000 licensed firearm holders, which is a reduction of around 330 000 licensed holders since 1997. In the community, we had about 6.5 firearms per 100 people, and now we have got it down to 3.4 firearms per 100 people. That is a good thing, having had the wretched things pointed at me far too many times. Any firearm that we can remove from the community is a good thing.

The Firearms Amendment Bill 2021 continues on with the firearms amnesty; that is brilliant. People often find firearms after having had the misfortune of going through a deceased person's estate. They then hand them into the police station for correct disposal. I have had families produce firearms at the police station when they feel that granddad has become too—what is the word?—old, and everyone is happy for those firearms to be removed from his possession. I have had some interesting firearms produced at the station. One of the old guys came into the police station with a Lewis gun that he had found hidden in the back shed. For those who know of it, the Lewis gun is a famous machine gun from the First World War, let alone the Second World War. He also brought in the associated ammunition. That happened years ago when I was a young constable at Subiaco.

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Approximately 3.5 million firearms are still out in the Australian community. In 1997, this figure was only 3.2 million. The only reason I can put that down to is possibly the growth in the population, but we have fewer licensed firearm owners now than we had back then. What concerns me is that approximately 260 000 unregistered firearms are still out in the community; that is a lot. I actually think that that number has been under-reported significantly. My experience when we had the gun buyback scheme, as I was one of the officers involved in recovering a heap of firearms during those times, was that when we went to a residence to make an inquiry about firearms, we would often find a firearm that was not licensed. I suggest that the number of unregistered firearms in the community may be as high as 500 000. They could be stolen, unlawful or whatever, but they would not be on any register that I know of. From my research, the exact number of licensed firearms in the Australian community as at 2020 is 3 778 025. I do not care what anyone says; that is a lot.

Howard's reforms worked. He introduced a ban on the importation, ownership, sale, resale, possession and manufacturing of all self-loading rifles, whether military or not. The ban also included all self-loading pump action shotguns and all self-loading rim-fire rifles and pistols. For those who are not firearms enthusiasts, a rim-fire rifle is basically a smaller version of a .22-calibre gun and centre-fire rifles have a larger calibre, but all automatic guns were banned—the best thing he ever did. The brilliance of the scheme was a temporary increase to the Medicare levy. Howard actually came up with a way for people to hand back their firearms and be compensated.

When I was working at Eucla, one of our jobs was to go up to the mission country. I can remember going up to the Ngaanyatjarra Lands north of Rawlinna and collecting all the firearms and doing the paperwork et cetera. This young Aboriginal fella turned up and he had this firearm and, I kid you not, it was basically a firearm wired to a stick. I thought that there is no way known that this could work. He goes, "Yes, boss. This is as good as with anyone else." I thought he must be kidding me. We used to have these little statues that were steel cut-outs of chickens and I paced one out at about 50 metres. He fired three shots at it and he made that little cut-out dance with virtually a homemade firearm. Under the buyback scheme, we managed to find him \$300 for that firearm, and I still laugh about it to this day. That scheme changed the culture within this country. In the 20 years prior to the Port Arthur massacre, there were 13 mass shootings in Australia. Since those firearms reforms, we have had none.

I can remember working on the highways out near the Nullarbor. We used to seize that many firearms out there that it was scary. Just after the buyback scheme started, we pulled over this Queensland couple who were towing a caravan. The wife looked a bit uncomfortable; I could read her body language. Being the inquisitive young copper I was, I looked in the car and saw a spent cartridge case sitting on the back seat. I thought, "Hmmm." I got him to open up his caravan and I went into the back of it. The bed folded up like a cantilever and sitting under the bed were six firearms. I found a .22-calibre that had a silencer, another .22-calibre handgun and a big long rifle—it was a massive firearm. Sitting beside that he had an SKS rifle. Those from the military will know what I am talking about. For the non-gun people here, in easy language it is a semiautomatic version of the AK-47. It had a folding bayonet on the end of it and beside it was a drum magazine that could fit 1 000 rounds. This was a firearm that one would never want to see in the community. I can remember joking to him and I said, "Why have you got that?" He turned around and said to me that it was for protection and self-preservation. I looked at him and said, "Mate, are there screaming hordes out here? Is there something that I need to know?" He said it was to protect him and his wife, but I seized every one of those rifles. I remember going back to the station and this guy turned up and said, "I am licensed to hold", and I said, "You're not licensed to hold that firearm, champ, and you're not licensed to have that magazine for it. That has been illegal, and definitely in Western Australia, for years." But he was still adamant. He fought the court process, and we won, and I can remember taking the firearms back to Perth. We used to take them into the firearms branch where there was a huge guillotine at the back. The firearms were chopped up—as they should have been. That was great. But I digress.

I referred to those mass shootings, and the American National Rifle Association. The NRA still makes stuff up and attacks that figure. The firearms reform in this country makes us world leaders. Western Australia has had this legislation as far back as 1972, but I do not remember any significant reforms since then. If there have been, I do not remember them coming through, but WA has a record of good firearm reform. However, we have fallen a little behind and have not kept up with the trends of the day. This bill is arguably the most significant reform to the Firearms Act since 1974. It will introduce firearms prohibition orders, and I will talk to those a bit later. It will enhance provisions for the manufacture of firearms, including firearms and the modern technology that can be used. I think that is an excellent, outstanding progression. It will increase penalties for the possession of stolen firearms; that is overdue. It will also introduce a "firing a firearm to cause fear" provision. I suggest that will be very good in the drive-by space. In recent times, there was a shooting incident at the Mindarie Marina involving bikies. The individuals involved have been apprehended and they are probably still before the courts. I like the idea of increased penalties in that space.

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Will these reforms stop outlaw motorcycle gangs? The illicit drug industry in this country is worth over \$15 billion. No, I do not think it will stop outlaw motorcycle gangs in that space, but this legislation dovetails into the consorting laws that our great Attorney General put before us. Will it make it harder for them to do business? Absolutely, yes. OMCGs are about power. My experience is that when that power is taken away, they cry like little babies and behave like little sooks in a playground.

[Member's time extended.]

**Mr M.J. FOLKARD:** I worked years ago in the vehicle crime unit. I remember a task to pull over a vehicle that had been acting suspiciously in the Girrawheen area. We followed him, and I remember coming down Wanneroo Road onto Newcastle Street. In my memory, there was an old horse supply shop. Anyway, he came off Wanneroo Road or Charles Street, wherever it was, and we forced him off the road as only vehicle crime unit drivers could do. We were very good at what we did. I remember that we forced him into the car park. I remember going up to the vehicle and as I approached the side of the vehicle I remember seeing this stainless steel thing. It was a gun. I remember the guy reaching for it. Firearms instructors will love this. They all use the old phrase, “secure, stun and separate” when dealing with your own firearm or anyone else’s. If you can achieve that, then happy days. I remember this guy reaching for his firearm and I reached in through his window, grabbed the firearm, threw it out the window and at the same time stunned the individual and separated it out. I then drew my firearm and removed him from the vehicle. It turns out it was a Desert Eagle handgun. It was a cannon. Looking at the vehicle further, the guy had a set of numberplates. He had a button inside the car that he could hit and the numberplates would roll over and change. Sitting in the back seat of the car was a brick. “Brick” is an old phrase that druggies would use—maybe the Attorney General may add to this at another time—and was how they used to trade their drugs. A brick would be about \$250 000 in cash. It would be taped up so that it could be seen, and that is how they used to trade large quantities of drugs. I never found out whether he was going to purchase or whether he had purchased. All I know is he had this hand cannon in the front seat of his car while he was driving around. It was an interesting day at the office!

This bill introduces firearm protection orders. Someone of a commander rank could approve the order and that will stop a person from being anywhere near any part of a firearm or gun. I love it. If this gives the organised crime community a hard time, happy days. It will empower our anti-consorting laws by stopping the associations. If a person goes anywhere near a firearm, good doogs. The next thing the legislation will do is improve and strengthen penalties, with 14 years’ prison or \$75 000. That is one year less than a capital sentence, which is 15 years. That is, or used to be, the minimum penalty for murder.

The bill will also deal with the illegal manufacturer of firearms. A firearm can be made these days using a 3D printer. I will not go into the details of that, because if people listen to my speech, they may be stupid enough to attempt to do it. This bill will outlaw the software needed to make these firearms. It will also allow a non-warrant examination of computers or allied equipment to gather evidence to make sure that good prosecutions are done. Because it can make this stuff, 3D printing is frightening. People can actually make firearms depending on the quality of the printer, and we may have problems detecting the firearms made.

The bill will introduce greater penalties for the possession of stolen firearms—happy days—and significant penalties if the possession of those firearms are in circumstances of aggravation, with again 14 years’ prison, just shy of the capital crime of 15 years. That is where this stuff sits.

I have a couple of concerns about the bill, but I will not go into them. The McGowan government has given our police officers ballistic vests. We never used to have them. When police are out there working on the roads, and as young coppers, the last thing they wanted to wear was a visibility vest because of the number of firearms we were seizing back in those days. There is a round out there called a “cop killer”. It is designed to pierce ballistic vests. There may be a way for this legislation to deal with that; I do not know. But they call them cop killers because these rounds shoot straight through those ballistic vests. They may be in this bill; I do not know. I will wait for the Attorney General’s response. The other one that the bill does not refer to are flechette rounds. These are a firearm round that strip the flesh when they hit the body. They are horrific. They are outlawed in every modern society. The United Nations finds them abhorrent. But guess what? They can still be bought in America. They can still be purchased over there. I am hoping, and am certain, that there are ways to deal with them in the bill, because I know that they are outlawed coming into the country, but I am concerned about the possession of them, because they are a deadset thing.

I spoke earlier about some of the shooting industry’s concerns and where it sits with all this stuff. Two of them were approached by the Shooting Industry Foundation of Australia through some correspondence and I have read their concerns. They are in support of the act, which I think is good. I am certain that the police force will work through the concerns about the actual mechanics of how the act works in relation to maintenance, as they worked

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through concerns about the firearms buyback scheme in the past. This is not new. This skill is within the agency. It has done this before with the firearms buyback. I suggest that the way WA police handled the firearms buyback scheme and this modernisation of the Firearms Act will be again a credit to them. That is their business. They are professional in that space.

I am sure that the police will work through the concerns about licence holders, possessing parts et cetera. Everyone forgets that it is a privilege to have a firearm. It is a privilege to be a licensed firearm holder. With that privilege comes obligations. Those obligations mean that the licensee is responsible for every part of the firearm they are licensed to own. Every firearm that is removed from our community is a good thing, because unless someone is a professional or has a serious hobby, I do not see the need to have them.

I thank the minister for this excellent piece of legislation that is modernising the environment. I hope we see a change in the organised crime and outlaw motorcycle gang environment, because they are running riot with their firearms at the moment. Every time they use them, our great police force locks them up, so with some good penalties we will put a few more of them away. I thank you for your time.

**MR V.A. CATANIA (North West Central) [5.02 pm]:** It was great to hear some of those war stories from the member for Burns Beach, but it would be interesting to see whether those stats that he provided are verified. If he is saying that there are all these unlicensed guns out there, what has the Western Australia Police Force been doing? I think the member has to be careful with the facts—unverified facts—that he is trying to present here in this house —

**Mr M.J. Folkard** interjected.

**Mr V.A. CATANIA:** — when around 90 000 law-abiding licensed firearm holders in this state do the right thing. The opposition supports the crackdown on outlaw motorcycle gangs. In his second reading speech on the Firearms Amendment Bill 2021, the Minister for Police said —

The Firearms Amendment Bill 2021 includes significant reforms that advance the McGowan government's commitment to community safety and combating serious and organised crime in Western Australia. These new laws target criminals and other dangerous people's access to, and possession of, firearms. The reforms aim to take firearms, including handguns, out of their hands and off our streets.

He said the legislation will target serious organised crime. If the government were really concerned about crime, it would not have taken 12 months to act on the crime that is occurring in the Kimberley. No action has been taken against the crime that is occurring in Carnarvon, Meekatharra or Newman. When we hear the government saying it is getting tough on crime, it is all smoke and mirrors and targets law-abiding citizens. It targets people who have licences for firearms because they need to use firearms in their daily role—pastoralists, farmers, roo-shooters and people with plantations who need to deal with vermin. It targets people who use firearms in sporting competitions. We have seen the police use legislation to their own advantage to target those law-abiding citizens who are licensed gun holders in my community. I know they have been targeted by the police using an interpretation of the legislation to benefit their cause. I do not know what that cause is.

The member for Burns Beach has said it: one gun in the community is one gun too many. That is a glass-half-empty approach to firearms in Western Australia, because there is a need. As I outlined, there is a need for our farmers and pastoralists and those in businesses to target vermin in agricultural areas. There is a need. There are sporting clubs in communities throughout Western Australia. Members, it is all very well to say we should not have guns in our community, but there is a need. We have legislation that is grey and targets law-abiding citizens. We have seen that with what has happened with the ability to transport firearms and ammunition around regional WA; it does not exist. It puts lives at risk when dealers have to drive hundreds, if not thousands, of kilometres to move stock because of this government's refusal to allow ammunition and guns to be transported by couriers, Australia Post or other means. It is okay to have ammunition and guns in the back of a car going from Perth to Carnarvon on a regular basis because there is a need for ammunition in our community.

I will be interested to see what percentage of law-abiding citizens who have firearm licences actually commit crimes. The Minister for Police is tough on crime and bikies, but he is not very tough on crime in regional areas. Over the past 12 months, we have seen the government's inaction on crime. It would be nice to know how many firearms owners break the law, if the minister can provide that information.

But members, I have a letter from the Shooting Industry Foundation of Australia, which has concerns as well —

**Mr P. Papalia** interjected.

**Mr V.A. CATANIA:** Shooting Industry Foundation of Australia.

**Mr P. Papalia** interjected.

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**Mr V.A. CATANIA:** Yes, but it raises some very important points that are backed by the Sporting Shooters' Association of Australia, of which I must declare I am a proud member. I am a proud member of the Sporting Shooters' Association of Australia. The letter from SIFA reads —

Licensed firearms holders will now require approval from WA Police for possessing firearms parts such as interchangeable stocks and replacement triggers, which have lawfully been held by these licensed holders so they can replace these items to keep firearms in safe working condition.

It will be interesting to see what the local police think. Local police who are at their wit's end dealing with crime will have to check whether the maintenance on a firearm is lawful. It will be interesting to see what police say about that. I know that local police do not really want to deal with firearms issues because they are too busy. I want to know whether the minister is referring to local police, because what if someone is several hundred or a thousand kilometres from a town with a police station? Does that person have to travel all that way to the police? Will they go into the police station and present this firearm and the police will go, "What do you want me to do with that? I do not know much about guns"? That is what will happen. It will be interesting to see how the minister will allow for this new piece of legislation, which will become law because the government has the overwhelming numbers and will put this through without too many questions. I think the government maybe has one amendment.

We hear a lot about the co-design of legislation—it is the new buzzword—yet we are not having any co-design with a very important industry. As I said, there are nearly 90 000 licensed firearms holders in this state. That is a very significant number of people. Why did the government not sit down and co-design legislation that is realistic—not fanciful and not grey. It should not allow for the interpretation of the police in the licensing department to make decisions, knowing that if someone has an issue and they want to take it further, often we hear reports of, "We've got deeper pockets!" What often happens is that the deeper pockets win, not allowing a law-abiding firearm owner to challenge what police describe as a firearm that they should not have. The law is quite specific, but it is interpreted in different ways for many situations, including licensing firearms. I am not having a crack at the police here. I am questioning —

**Mr P. Papalia** interjected.

**Mr V.A. CATANIA:** You are incompetent, minister, anyway. I am not talking to you. I do not want any interjections, Acting Speaker, because the minister is quite incompetent.

**The ACTING SPEAKER (Ms A.E. Kent):** Member for North West Central, maybe you can direct your comments through the chair, rather than —

**Mr V.A. CATANIA:** I would be happy to.

**The ACTING SPEAKER:** Thank you.

**Mr V.A. CATANIA:** The interpretation of the police in firearms licensing will have major consequences. The majority of police find some of the decisions that are made quite amazing. I am talking about local police under this legislation being put in a position to be able to make decisions about whether a firearm has been altered, repaired or maintained in a particular way. That is going to create more pressure for local police. The incompetent Minister for Police keeps shaking his head; perhaps he can stand up and explain that to everyone.

The letter continues and states that licensed firearms holders will need to gain WA police approval for every part of a licensed firearm that requires replacement. This will obviously add further red tape for firearms that are rendered unusable for an extended period. How is that going to work? Given the level of crime that is occurring in Western Australia, police are busy dealing with day-to-day operations. The letter also states that there has been no information from the WA police on what the process will be to gain an approval for replacement parts, particularly on how long this process will take and how much it will cost. As I said, police cannot operate with the current workload, let alone adding this other layer of bureaucracy. It seems that the customisation of firearms for legitimate purposes, such as competitive shooting, will become illegal under this legislation. The letter says that this will have a significant impact on the industry. That is so true. The differences in laws between states causes problems for competitors coming over to Western Australia. This will constrain these people who are part of a big industry. It is a tourism industry as well. We have a station called Ella Valla station—I know the minister knows about it—which has been targeted by the police who want to close down its range. The range holds international shooting events; people come there to shoot on the station, which is 80 kilometres south of Carnarvon. It is a tourism drawcard. People come there to be able to shoot their weapons, which are legal, and spend time in the region. It is a tourism drawcard, yet these processes will create further red tape. I think that will start to hamper, yet again, the sport of competitive shooting for people who come to Western Australia from the east coast.

The letter continues and states that the legislation will not distinguish between what is considered to be a repair to a licensed firearm and what is considered normal maintenance. Firearms parts will have to be replaced by a licensed repairer rather than a licensed firearm holder themselves. As the minister may be aware—I am sure he is—for new

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firearms, licensed firearm owners have the ability to repair and clean their firearm, but under this proposed legislation, they will have to go to a licensed repairer. For people on stations or farms that are very far away, firearms are needed to be able to carry out normal daily activities. When something goes wrong with a gun, people cannot always take it to a licensed repairer; rather, they fix it themselves, which they are able to do with many new firearms.

Another question that the letter has raised is that there have not been any transitional arrangements outlined for licensed firearm holders who possess firearm parts and other items that are currently unregulated but will become regulated when this legislation comes into effect. Will licensed firearm owners require retrospective approval from WA police for those items or will they be expected to surrender them? If they are to surrender them, will there be any compensation? It is also unclear whether the legislation will permit licensed firearm holders to reload and permit the production of the reloader's own components, such as casting lead bullets. This is critical for the industry, given that most licensed shooters would already reload their own ammunition and possess the equipment that is required to do so. It is very common. It would be a very costly exercise if they were to purchase bullets every time they used them. Often, people, especially at sporting shooting clubs, collect their casings and reload them to save money. They also balance their firearms for the competition they are facing. They look at what amount of gunpowder suits an individual's handgun or rifle. These are the questions that the minister needs to answer because they will have a huge effect on our law-abiding licensed firearm owners.

The definition of firearms technology has the potential for significant unintended capture. It is critical that licensed firearm owners can still access and possess the necessary information such as drawings or instructions when disassembling a firearm part for cleaning and for reference data when loading ammunition to ensure that the loads are safe and do not exceed industry specifications. The legislation will also prohibit licensed repairers from repairing firearms from outside Western Australia, as they will repair only those firearms licensed under this legislation. This is a restraint on trade and will have significant impact on the industry, especially on competition.

Questions were raised by the opposition at a briefing and the answer was generally that licensed firearm owners who are not doing anything illegal have nothing to worry about. Many law-abiding firearm owners have continued down the path of doing what is legal and what is right by being able to manage their firearms. This legislation will make a lot of law-abiding firearm owners do things that are against the law, simply because it is not realistic. We have not had a co-design process in which the government has sat down with the Sporting Shooters' Association or the Western Australian Firearm Traders Association to understand the distances faced by people in regional Western Australia, and their need to have firearms simply because they are part of their tools of trade. Members forget that firearms are the tools of trade for pastoralists, farmers, vermin control businesses, individuals and so forth. Also, sporting shooters are a large part of the social fabric in regional communities.

I hope the minister takes some of his own advice and questions what has been put in front of him by the police, to make sure that this legislation reflects reality and does not put law-abiding firearm owners in the same category as outlaw motorcycle gangs. That is the portrayal he is putting out there in the community. It is not correct. He should also not put more pressure on police to deal with these mundane exercises. Let them do their job to catch real criminals in the community—something for which he perhaps needs to provide more police in areas other than those he chooses for political expediency. How about the minister resolves some crime issues in Western Australia before he starts targeting law-abiding firearm owners?

**MR D.A.E. SCAIFE (Cockburn)** [5.21 pm]: What an absolutely despicable contribution to the debate on the Firearms Amendment Bill 2021 that we have just had to sit through from the member for North West Central. A national bipartisan approach to firearms control has existed for more than two decades, yet the member for North West Central thinks that just because he can make a point, he should make a point. It might be nice for once for him to actually think about the consequences and the meaning of what he is saying before he says it. I certainly picked up on one thing he said; I know that the Minister for Police did as well. He came straight out of the gate and undermined the Western Australia Police Force in his contribution. That is absolutely shameful! This is the same member who comes in here and complains day after day about crime throughout the country and pretends that he is somehow on the side of WA police. Nothing could be further from the truth, and he is absolutely showing his true colours today. I would say to all members of the WA police: this is the true face of the member for North West Central. He will use any issue if it suits his political agenda. If it is expedient to him, no issue is too sacred or too serious. No issue that has enjoyed bipartisan national support, elevated to the level of Prime Ministers of this country, both Liberal and Labor, for many years, is too big for this member to use for his own cynical purposes. He literally said in this debate that WA police use gun laws to their own advantage. He implied that the WA police misapplied the laws and used them for ulterior purposes. I will be frank about what that means. It means that the member for North West Central has alleged that WA police are involved in deliberate, corrupt behaviour. He said on *Hansard* —

**Mr V.A. Catania** interjected.



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**Mr D.A.E. SCAIFE:** They are your words; you will have to own them! The reason that you, member for North West Central, are piping up is that you know that you stuffed up. You know that the mask slipped.

*Point of Order*

**Mr J.R. QUIGLEY:** I am trying to listen the debate, but I cannot hear over the stupid interjections of the member for North West Central.

**The ACTING SPEAKER (Ms A.E. Kent):** Member for Cockburn, are you inviting interjections?

**Mr V.A. CATANIA:** Clearly, that was a stupid point of order raised by the Attorney General.

**The ACTING SPEAKER:** There is no point of order.

*Debate Resumed*

**Mr D.A.E. SCAIFE:** I am more than happy to take interjections from the member for North West Central, because the reason he is piping up is that he knows the mask slipped. He knows that he showed his true colours and he was caught out. He pretends to be a friend of the WA police, but he said in this chamber in a debate on a bill of national significance that the WA police are out there misusing the law for their own benefit. It is an absolutely shameful performance from the member for North West Central! He always thinks he is the best performer on the opposition side, but he should absolutely watch out for himself because he is truly his own worst enemy on this stuff.

**Mr P. Papalia:** He hasn't got a lot to hide behind.

**Mr D.A.E. SCAIFE:** That is true—he has to be the best of six. The point is well made, minister.

It is just extraordinary that we had a contribution from the member for Vasse that, although I did not agree with all of it, was relatively moderate in nature. She deliberately chose her words carefully, and expressed that the opposition will supporting this bill. That could not be told from the member for North West Central's contribution. Anyone listening to him would think that the opposition intends to oppose this bill and efforts to crack down on outlaw motorcycle gangs and —

A member: Terrorists!

**Mr D.A.E. SCAIFE:** Terrorists—I will get to that because it goes to the same language we heard earlier today in this chamber and we have heard time and again from this opposition. They are apologists for outlaw motorcycle gangs and people who involve themselves in aggressive and violent behaviour. We have seen it in the anti-vaccination movement, and we have seen it today from the member for North West Central.

Going back to the point about the member for Vasse's comments, it makes sense that the member for North West Central undermines the police in this chamber, because he also undermines the member for Vasse. The member for Vasse identified herself as the lead speaker for the opposition on this matter, and she set out in quite careful words the opposition's position. It bore no resemblance to what the member for North West Central had to say.

**Mr P. Papalia:** They're not on the same team.

**Mr D.A.E. SCAIFE:** They are not on the same team and that is the truth. This opposition calls itself an alliance, but I do not think that word means what they think it means is all I will say on that. You are supposed to work together, guys. You are supposed to be on the same team, and quite clearly you are not. It is absolutely despicable for the member for North West Central to come in here and undermine the Deputy Leader of the Liberal Party, which is not the official opposition now, but is the alternative party of government. I can assure the member for North West Central that although the Nationals might have become the official opposition through mistakes of history, it will never be the governing majority party of a coalition government; that is for sure. The member has shown that he should not be trusted with being the major party in a governing coalition as well, because he will use any issue to score cheap political points.

The member for North West Central was caught out by the Minister for Police as well because he was quoting concerns raised by the Shooting Industry Foundation of Australia, which is not a Western Australian representative group. It is an east coast lobby group engaged in a national campaign against the national agreement that was reached by governments of all political stripes across the commonwealth, state and territory levels. The member has given voice to its concerns when it does not have a legitimate voice in Western Australia. It is despicable, but not surprising, to hear members of the Liberal and National coalition opposition giving voice to the concerns of the eastern states. Time and again, they have prioritised the views of east coast lobby groups and east coast commentators on the pandemic, and now on sensible gun control as well. I too, like every other member in this place, was approached by the Shooting Industry Foundation of Australia, and I think it should be put on the record that we were approached by a lobbyist. When I get lobbied by other organisations, I get lobbied generally speaking directly

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by them. If it is Alzheimer's Australia or any other organisation, they approach directly. However, in this case, this organisation had the managing partner of a Perth consultant lobbying firm approach members of Parliament in this place. This is clearly a well-organised, well-resourced campaign against gun control. It is reminiscent, minister—that is right—of the tactics of the National Rifle Association in America. It is absolutely disgraceful that the member for North West Central comes into this place and speaks on this bill pretending to be on the side of law-abiding gun owners, when really he is putting forward the views of a narrow, moneyed, corporatised, well-organised, well-resourced group of people who do not have a legitimate voice in Western Australia. It is an absolute shame that we had to listen to that.

I will conclude shortly, but I want to make the point that this bill is very important. It is a bill, as I said, that has been elevated at a national level. It is part of a long-running bipartisan approach that has been taken by major political parties to gun control in this country. A lot of people give credit to John Howard for these reforms and, by all means, I do as well. But do members know who I really give credit to? I give credit to Tim Fischer, who was the Deputy Prime Minister at the time and Leader of the National Party. To put it bluntly, it was a little bit easier for John Howard, as the then member for Bennelong and Leader of the Liberal Party, which gets the majority of its electoral support in urban areas, to make a call on gun control. It was much, much harder for Tim Fischer, the then Leader of the National Party, a political party that draws support primarily from the regions where there are likely to be more law-abiding gun owners than in any other part of the country due to farming, agricultural activities and the need to hunt vermin and the like. He stood shoulder to shoulder with John Howard, as Prime Minister at the time, and, really, it was Tim Fischer's support that got those laws over the line, because he was the one who had to do the really hard work. I want to put on the record my support for the late Tim Fischer when he was Deputy Prime Minister in making that brave move.

I want to make the point that sometimes these debates can seem a little bit far removed from people, but the increase in gun crime is a real issue that our communities have had to deal with lately and that has been seen in a few different ways. The first, of course, which was raised by the member for Vasse, was the assassination of Nick Martin at the Perth Motorplex, which was an absolutely horrific event. It is unimaginable to have a professional assassination carried out essentially in the backyard of my communities in Cockburn. There was also a large gun theft only three years ago in my own electorate in Yangebup, which is the suburb that I live in. There is a light industrial area behind where I live, with a gun retailer who stores guns at their premises, and there was a very sophisticated operation in 2019, clearly by organised criminals. They cut through the concrete wall from the shop next door and stole well over 1 000 firearms or something of the like. It brings home that this is an issue of national importance that has local effects as well, and we always have to improve our gun-control laws and make sure that they are up to date. One way that this bill will do that is in relation to the changes in technology in firearms manufacturing, particularly the rise of 3D printers and the like. I am very pleased to see the provisions in the bill that will crack down on people owning schematics and electronic diagrams that are used for the manufacturing of firearms. All I would say to the member for North West Central is that if he says that he is here only on behalf of law-abiding gun owners, I cannot imagine what a law-abiding gun owner needs to have a schematic for 3D printing a weapon for. There is literally no reason. The member for North West Central attacks this bill, despite the fact that it has those provisions that clearly can be directed only towards people who are engaged in convert and criminal activity.

This is a very good bill. It will modernise our gun-control laws. It will impose higher penalties. It will keep up to speed with the latest developments in technology. It was an absolute shame to see the member for North West Central lower the tone of the debate in the way that he did. I trust that we will not see a repeat of that from any further speakers from the opposition. I would certainly be disappointed if we did see that. There are ways to raise issues and questions without engaging in a political speech designed to undermine the Western Australia Police Force and without essentially being an apologist for organised crime and undermining his own colleagues in the National Party.

**MR P. LILBURNE (Carine)** [5.35 pm]: It is my privilege today to support the Firearms Amendment Bill brought forward by the McGowan Labor state government to crack down on the illegal possession and/or manufacturer of firearms in Western Australia. The Minister for Police, Paul Papalia, CSC, MLA, introduced into state Parliament in November 2021 legislation to give the Western Australia Police Force new powers to get guns out of the hands of criminals and off the streets. The Firearms Amendment Bill 2021 is central to the new legislation and the firearms prohibition order, or FPO. It is designed to target bikies and other serious organised crime figures. Under the scheme, police will be able to ban anyone reasonably suspected of posing a threat to the community from holding a gun licence or from living in a house where guns are stored. Once an FPO has been served on a person, police will have the power to stop and search that person and anyone in their company at any time, as well as enter their home, car or workplace at any time to search for illegal firearms. Those people found to be in breach of an FPO could face jail terms of up to 14 years and fines of up to \$75 000.

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In a recent study in the *Medical Journal of Australia* titled “Gun violence in Australia, 2002–2016: a cohort study”, published online on 27 September 2021, the author highlighted some of the effects of gun-related violence. The results of the study showed that in New South Wales, for example, firearm-related injuries were recorded for around 2 390 people, of which 36 per cent were caused by assault alone. This dreadful figure needs to be curbed by proactive state governments like that of which I am a part.

In a media release on 18 October 2018, James Cook University Associate Professor Richard Franklin confirmed that a major global report confirms the number of gun-related homicides, suicides and accidents had been falling in Australia after the introduction of anti-gun laws, and that the effect of such tough laws is similar elsewhere. Professor Richard Franklin joined hundreds of academics and organisations around the world to produce a report that looked at firearms deaths outside of war zones between 1990 and 2016. I quote —

“In Australia we went from 614 firearm deaths in 1990 to 274 in 2016. That’s a fall from 3.4 deaths per 100,000 people to 1 per 100,000 people in 2016,” he said.

Dr Franklin said that the Australian National Firearms Agreement, enacted following the murder of 35 people in Tasmania in 1996 by a lone gunman armed with high-powered weapons, has been closely linked with declines in firearm deaths in Australia.

The police minister said in his press release of Wednesday, 24 November 2021 —

“These reforms are part of our ongoing focus on disrupting organised crime and there will be more to come.”

The social impact of drug abuse on community life by organised criminal syndicates is an area of concern to me as a father, a teacher and a member of this Parliament of Western Australia. Organised crime facilitates and produces drug abuse problems in our society. Drug abuse is often accompanied by a devastating social impact upon community life. My speech will focus on the adverse effect of drug abuse on industry, education and training, and the family, as well as on its contribution to violence, crime, financial problems, housing problems, homelessness and vagrancy. The economic costs of drug abuse associated with organised crime is staggering. Approximately \$120 billion is lost in productivity, mainly due to labour participation costs, participation in drug abuse treatment, incarceration and premature death. There is also \$11 billion in healthcare costs for drug treatment and drug-related medical consequences. This legislation goes some way towards solving these problems.

The Western Australian government develops plans and strategies, funds programs and research, and works with other organisations to help reduce the harmful effects of drugs and firearms in our community. The Western Australian McGowan government provides funding to research centres to make sure it has the data it needs to make better decisions. The initiatives and programs that assist include the National Alcohol and Other Drugs Hotline, the Alcohol and Other Drugs Knowledge Centre initiative, the local drug action team program, the Positive Choices initiative and the Drug Help campaign. The McGowan government’s goal is to reduce drug-related activity by participating in committees and groups involved in these areas and, of course, creating legislation that cracks down on organised crime.

School Drug Education and Road Aware, or SDERA, is the WA government’s primary drug and road safety education strategy for all government and non-government schools and early childhood services. SDERA aims to prevent road-related injuries and the harms of drug use in children and young people. One such campaign run by SDERA is the Be Ready campaign, which attempts to inform children of the importance of good choices and facing challenges positively and proactively. The strategy hopes to build resilience within young people and encourage leadership amongst groups and individuals. Building resilience in communities is a key element of the SDERA strategy of the Western Australian government. The program highlights that young people can develop a sense of control by setting small goals and working towards them each day. It outlines the importance of walking away from a difficult situation or location if the child is feeling stressed, pressured or angry with someone or an incident. Importantly, by walking away from a pressured situation, the child gets some time to decide what is the best action to do and, then, to do it. My favourite part of the program is the talk strategy, which encourages that a problem shared is a problem halved. Encouraging trust and effective communication channels between children, parents, the police, trusted adults and teachers is a crucial mechanism that children need to be taught. For example, the SDERA strategy gives guidance to year 7 students on enhancing coping skills for when they are exposed to stresses and life difficulties. Worksheets and group activities highlight the importance of communication with parents, police, responsible adults and teachers. If young people feel trapped by their circumstances, the strategy suggests the advantages of talking to a counsellor on a helpline or in a youth support service.

The SDERA program divides drugs into four main categories depending on their effect on a person’s central nervous system, be they depressants, stimulants, hallucinogens or multi-action chemicals. The provision of information by suitably qualified personnel within an educational setting helps to facilitate effective group learning in a fear-free

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environment. During my teaching career, I had the privilege of teaching these programs to students under my care whilst employed in the education department of Western Australia. My implementation of this strategy was highlighted by my opinion that a safe and trusting learning environment must exist prior to these strategies being instigated. It is my experience that children seek accurate and truthful information from teachers and police. For example, I was asked by the principal of a school at which I taught to teach health education to a class of year 7 students. The principal said that the student cohort at the school trusted me as a teacher, and the students knew that my classroom environment was a safe one in which to ask questions about these types of topics.

The SDERA strategy also highlights to young people in schools the importance of first aid. Learning the basics of first aid, such as DRSABCD, can help people cope with an emergency that might be linked with drug use. Students are taught and reminded to look for dangers, think about and action the best response, send someone to help, ensure the airway is clear of obstruction and that breathing is normalised, apply CPR if needed and, finally, use defibrillation if required.

The Western Australia Police Force highlights on its various social media platforms the problems the agency encounters daily with drugs in our community generated from organised crime. Alcohol and drugs have a significant impact on the community and on the frontline resources of the Western Australia Police Force. The police encounter a range of drug-related problems, including the possession, trafficking, cultivation and manufacture of drugs. Research shows that drug users commit property crime not only to generate income but also when under the influence of drug intoxication. Police confront violent crime, assault, family violence, sexual assault, drink-driving and drug-driving. There are also dangers to police from clandestine labs, violence and needlestick injuries, as highlighted by the member for Burns Beach.

If anyone is concerned that a friend believes that their drink has been spiked or drugged, they should stay with that person and seek medical attention. It is important that they contact the police on these occasions, especially if a robbery or assault has occurred. It is critical that children are taught to have that level of trust in our police.

I would like to conclude with an extended quote from an article by Jenny Mouzos published in the Australian Institute of Criminology's publication *Trends and issues in crime and criminal justice*, number 198. The article is headed "Firearm-related morbidity in Australia, 1994–95 to 1998–99", and reads —

While there has been a declining trend in firearm-related hospital separations in Australia, this does not imply that we should reduce our efforts towards minimising the mishandling of firearms in our community. There are still too many Australians who are injured and require hospitalisation as a result of the misuse of a firearm. The yearly monitoring of both firearm morbidity and mortality rates in Australia by the Australian Institute of Criminology is essential to gauge the level of firearm-related injuries and the possible effect of strategies incorporated into the Australian regulatory regime.

I thoroughly support the McGowan state government's legislation to crackdown on the illegal possession and/or manufacture of firearms in Western Australia.

**MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary)** [5.49 pm]: I rise to make a brief contribution to the debate on the Firearms Amendment Bill 2021. This is the latest in a long line of legislation that has been brought before this Parliament and the fortieth Parliament by a McGowan government that is committed to effective reform in the area of law and order. Once again, the Minister for Police and the Attorney General are working in concert to tackle the law and order issues that confront our community and our society and putting that at the centre of the work that they do. They formulate and bring to this Parliament, entirely appropriately, legislation that is designed to assist our hardworking WA Police Force in its efforts to tackle outlaw motorcycle gangs. This is not the first time that this minister and the Attorney General have worked in concert to achieve this laudable aim. This bill is the latest and one of the most effective examples of that.

Other members have spoken at length about the importance and effect of this legislation. I want to pick up where the member for Cockburn left off. I listened to the contribution of the member for Vasse and, subsequently, the member for North West Central. I was surprised and amazed, and then shocked and dismayed, that the member for Vasse could so clearly and unambiguously, and sensibly, articulate the opposition's position, which is supportive of this legislation, but with some reservations, only to have the member for North West Central, her comrade in the alliance, come in and completely undermine both her position and the work that has been done by the WA Police Force and the Minister for Police. That was a shameful display by the member for North West Central. It does him no credit and it does this debate no service.

All the members who have spoken in this debate have touched on how fortunate we are in Australia to have a situation whereby because of the actions that were taken by the conservative federal government in the mid-1990s, we do not have the same level of gun violence that is experienced in jurisdictions such as the United States. That does not

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absolve us of the obligation to make sure that we continue to update our legislative framework to ensure that it is contemporary, modern and responsive to the new challenges that we are being presented with.

Last year, I spoke about some legislation that had been introduced by the Attorney General, the Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill. During that contribution, I talked about something that I would like to touch on again today—that is, the rise of right-wing extremism and the threat that it poses to civil society, law and order, and general peace and civility.

I want to quote from a number of articles that touch on this issue. The reason this issue is more relevant today than it has ever been is that we are seeing the insidious effect of social media and the peddling of extreme right-wing ideology, piggybacking on the anti-COVID sentiment that has been fomented by people like Clive Palmer and Craig Kelly, to undermine the efforts of governments worldwide to impose sensible vaccine mandates and encourage vaccination throughout their communities. I was very heartened to hear the clear and unambiguous statement by the Leader of the Opposition during question time today when she said that she supports vaccine mandates. She said that everyone in this chamber—I think she chose her words wisely—supports vaccine mandates. However, I have this question for the Leader of the Opposition: What about those in the other chamber? What about those like Hon Nick Goiran, who talks about informed consent and does everything he can to undermine what this government is trying to do to put in place the safest possible system to protect the lives and livelihoods of Western Australians in front of the global pandemic?

A member interjected.

**Mr S.A. MILLMAN:** We have all been vaccinated!

It is this blatant attempt by elements within conservative politics in Australia to play nice with the far right and to cultivate the anti-vaxxers as a source of votes. As the Premier said today, is this the new base of the Liberal and National Parties in Western Australia? If it is, they can say goodbye to the people of Mount Lawley ever voting for the Liberal Party again. The people of Mount Lawley and the people of Churchlands will not stand for this sort of behaviour. They know exactly why the McGowan government has put in place the public health and social measures. They see the extraordinary success of our policy on vaccine mandates. There is not a jurisdiction in the world that comes close to Western Australia in the number of people who have been vaccinated in such a short period of time. That is because of the policies that have been put in place by the McGowan government. Those policies enjoy the overwhelming support of the vast majority of the population and, happily, it seems that they also enjoy the support of the Leader of the Opposition. I just wish she was capable of demonstrating greater leadership in her so-called alliance and could bring some of her recalcitrant backbench and shadow minister members to heel and get them to express the same sensible sentiment. That starts with the member for North West Central. What an absolute disgrace! He is giving comfort and succour to those people who are seeking to undermine our democratic institutions.

I want to bring all these points together by going a little bit back in time. I want to go back to a time that we have all forgotten, a time pre-COVID that we may remember, because it was during the presidency of Donald Trump. I want to quote from an opinion article in *The Guardian* of 7 August 2019. The author of the article is Michael Fuchs. He is a senior fellow at the Center for American Progress and a former Deputy Assistant Secretary of State for East Asian and Pacific Affairs. This article is headed “The American right wing is enabling a dual crisis: gun violence and white supremacy”. When we are talking about gun control measures, it is worth seeing exactly what sort of beneficial effects these measures will have for the community. The author says

The increasingly intertwined threat posed by gun violence and white nationalist terrorists is real, evil and deadly—and it is being enabled and encouraged by Donald Trump and the right wing that he has emboldened and embraced.

Gun violence —

This is pre-COVID —

is the deadliest violent threat facing America today. The Centers for Disease Control reported 39,773 deaths by firearm in 2017. And while it pales in comparison with the gun epidemic, white nationalist terrorism is a growing threat made more deadly by the availability of guns. The Anti-Defamation League —

That is an organisation that tackles anti-Semitism in the United States —

noted that of the 50 deaths caused by domestic extremists in 2018, “white supremacists were responsible for the great majority of the killings”.

If this many Americans were killed in a war or foreign terror attack, the US government would be in crisis mode. The President would be convening meetings of the cabinet and state and local officials. Congress

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would be rushing legislation through the door quicker than legislators could read the bills. The media would cover the issue as religiously as it covers Trump's tweets.

And yet, these issues hardly register in national policy debates, and the reason is the American right wing.

For a long time, the right wing have thumped their chests in an attempt to show how tough they are on national security ...

Perhaps the right wing feels the need to show how "tough" they are because they know they are aiding and abetting a genuine national security threat. —

I am quoting from the article, but I will return to this point, because it is a point that I raised in the contribution that I referred to earlier about the Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill —

The systematic rightwing effort to make it easier to access guns, alongside policies and rhetoric that spew racism and bigotry, make the rightwing enablers of mass murder and inspirations to white nationalist terrorism.

Ask just about any expert, law enforcement official, or national security professional who is focused on the issue and they will tell you that commonsense gun-violence-prevention legislation can significantly reduce gun violence.

That is precisely—these are my words; I am no longer quoting from the article—what this legislation is. This is commonsense gun violence prevention legislation. This is legislation that is targeted at one of the most insidious groups in our society—outlaw motorcycle gangs—yet the member for North West Central stood and criticised this legislation. It is inexplicable.

For the purposes of *Hansard*, I am returning to quote from the article, which continues —

A glance at other countries with stricter gun laws and virtually no gun violence confirms this fact. And yet, the right wing is not only opposed to these laws that would save lives—it has been working for years to make it easier for Americans to obtain assault weapons.

While guns kill tens of thousands every year, white nationalists are using them more and more to carry out their terrorist attacks. —

I am quoting the article, which in turn quotes *The New York Times* —

A New York Times report showed how murders by white nationalists are not only growing around the world—they are also becoming more and more connected. —

Members will recall the contributions from the members for Hillarys and Cockburn during the sentencing legislation debate. The member for Hillarys talked about the tragic massacre in Christchurch and the member for Cockburn talked about the tragic massacre in Norway, both of which were right-wing extremist terrorist attacks carried out as a result of readily available access to firearms. The article continues —

And the right wing in the United States are helping these terrorists by leading the way with hateful, racist language and policies that terrorists cite in explaining their murderous acts.

*Sitting suspended from 6.00 to 7.00 pm*

**Mr S.A. MILLMAN:** Before the break, I was quoting an opinion article from *The Guardian* titled "The American right wing is enabling a dual crisis: gun violence and white supremacy". It quotes from an article in *The New York Times*. It states —

While guns kill tens of thousands every year, white nationalists are using them more and more to carry out their terrorist attacks. A New York Times report showed how murders by white nationalists are not only growing around the world—they are also becoming more and more connected. And the right wing in the United States are helping these terrorists by leading the way with hateful, racist language and policies that terrorists cite in explaining their murderous acts.

I refer members to the contributions made by the members for Cockburn and Hillarys late last year when we were debating the Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill 2021. The author of the article continues —

While some think this shouldn't be a political issue, it is. It is because the killers are telling us it's political in their manifestos. It's political because progress—getting legislation passed—requires politics. And it's political because it is overwhelmingly one side of the political spectrum that is fueling the threat.

The author concludes —

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But until they change, let everyone make clear that the actions of the right wing are undermining the safety and security of the American people and enabling mass murderers. We can't beat around the bush any more with pleasantries and thoughts and prayers.

Members will be aware that was written in the pre-COVID Trump era. I will move forward, but will continue to reference the American political debate, by referring to an article by Matt Ford in *The New Republic* of 29 October, which was post-Trump and in the midst of the COVID era. Bearing in mind the previous point was about the rise of right-wing extremism and right-wing terrorism, Mr Ford's article is headed "The right's embrace of political violence is escalating". If the warnings were not stark enough in 2019, they are particularly stark now in the wake of the United States Capitol riots in January 2021 and also in light of the opinion expressed by Mr Ford. His article starts —

Charlie Kirk, the prominent leader of the right-wing Turning Point USA group, fielded a disturbing question from an audience member at an event in Idaho earlier this week. "At this point, we're living under corporate and medical fascism," the audience member told Kirk. "This is tyranny. When do we get to use the guns? ...

Kirk, perhaps recognizing the optics of the moment, immediately told the audience member that he was "going to denounce that." He then expressed sympathy for the underlying sentiment and blamed an unspecified "them" for inciting it. "Because you're playing into all their plans, and they're trying to make you do this," Kirk said. "They are trying to provoke you and everyone here. They are trying to make you do something that will be violent that will justify a takeover of your freedoms and liberties, the likes of which we have never seen."

The troubling thing is that this captured in blunt terms what a good amount of the conservative discourse on political violence ... sounds like these days ... Republican elected officials, falsely tell their fellow conservatives that America is on the verge of an irreversible shift into tyranny and authoritarianism ...

The article goes on —

In recent years, that normalization of political violence has seeped into other aspects of right-wing discourse. Conservative media outlets celebrated figures like Kyle Rittenhouse, who shot and killed two people in Kenosha, Wisconsin, during last year's civil unrest, as well as a Missouri couple who brandished guns at Black Lives Matter protesters who marched through their gated community. Former President Donald Trump himself had issued his own threats of bloodshed last summer, writing on Twitter at one point that "when the looting starts, the shooting starts," ...

...

While many conservative figures invoke the American Revolution, those references often appear to be a means of legitimizing acts of violence. Ali Alexander, a right-wing activist who organized some of the "Stop the Steal" rallies in D.C. on January 6, often made the same comparison in the weeks ahead of the inauguration ...

He said that invoking 1776 as a violent reaction is always an option. The article continues —

Barely disguised intimations of violent resistance aren't limited to the 2020 election or to false claims of election fraud. Mark Levin, a popular conservative radio host, complained last month that vaccine mandates ... amounted to "incremental tyranny" ...

The link that I have been trying to make is that the right wing is now using sensible public health measures, the sorts of public health measures that have delivered a vaccination rate that is the best in the world, to be an "incremental tyranny". They then take that and expand it as a justification for violence. The article continues —

This hasn't stopped right-wing pundits from denouncing a relatively modest testing-mandate proposal as something far more insidious. "Joe Biden's weaponization of OSHA to force all companies ... to ... mandate vaccines or test their employees ... is tyrannical," ...

This is the language that the right wing is using. "They're using vaccine mandates and other big government policies to destroy your rights and freedoms", the right-wingers say. The article continues —

"When do we get to use the guns?" is a shocking question for any American who values civil peace or free government or the rule of law—or just happens to oppose murder, really ... The query is the culmination of years of inflammatory right-wing rhetoric and the tacit embrace of violence as a political tool by a disturbing number of conservative politicians.

I will come back to that point before I conclude my contribution.

[Member's time extended.]

**Extract from Hansard**

[ASSEMBLY — Tuesday, 22 February 2022]

p499b-531a

Ms Libby Mettam; Mr Mark Folkard; Mr Vincent Catania; Mr David Scaife; Mr John Quigley; Acting Speaker; Mr Paul Lilburne; Mr Simon Millman; Mr Peter Tinley; Ms Sabine Winton; Mr Chris Tallentire; Ms Hannah Beazley; Ms Caitlin Collins; Mr Peter Rundle; Ms Jessica Shaw

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**Mr S.A. MILLMAN:** I have been referring to the right-wing movement in the United States because it operates as a beacon for right-wing extremists in Australia, but I will now bring the debate back to Australian shores. I will now quote an opinion piece by Andrew Leigh, who members will know is a member of the House of Representatives. Mr Leigh wrote an article titled “Australian conservatives took on gun control. It worked” for *The Washington Post* in October 2017. It states —

Australia experienced its deadliest mass shooting in 1996 after Martin Bryant killed 35 people in and around the Port Arthur tourist site. Twelve days later—before all the victims had been laid to rest—Australia’s police ministers met and unanimously agreed on measures to tighten licensing and registration requirements, restrict access to semiautomatic weapons and limit sales.

The national government coordinated a buyback program, which paid market prices for guns that were handed back. Over the next year, more than 600,000 firearms—about one in five of all guns in Australia—were handed into police stations. Given the harrowing loss of life in the United States to gun violence, it’s worth understanding the impact of these reforms.

Did the Australian buyback stop gun massacres? Following the tragic mass shooting in Las Vegas this week, some have dismissed Australia’s buyback as ineffective, asserting that mass shootings were too rare in Australia prior to the buyback to show any clear evidence of progress.

... that is not correct. Australia experienced an average of one mass shooting—defined as the killing of five or more victims in one incident—per year in the decade prior to 1996. In the decade after, no mass shootings took place. The chance of this being due to luck alone is less than 1 in 100.

But most gun victims don’t die in mass shootings. The person most likely to kill you with a gun is yourself, followed by your spouse and other household members. After the Australian reforms, I —

That is, the author Andrew Leigh —

set out with Wilfrid Laurier University economist Christine Neill to analyze how the reforms impacted gun homicides and suicides.

We first looked at national trends and found that the rate of gun deaths had been falling ... prior to 1996 ... that the reforms had caused the death rate to fall ... faster.

In a second study, we then looked across states, to see whether those places where more firearms were bought back also experienced a larger drop in gun deaths. We found a clear pattern: The greatest drop in guns per person occurred in Tasmania, which also saw the biggest fall in firearms suicide. The smallest reduction in the firearms ownership rate was in Canberra, which also saw the smallest drop ...

Overall, we estimated that the Australian firearms reforms of 1996 save around 200 lives per year ... Given that the buyback had a one-off cost of around half a billion Australian dollars, this makes it one of the most cost-effective public health measures in Australia’s history.

At the time that we published our research, I was an economics professor at the Australian National University.

This is Andrew Leigh who today sits in the Australian House of Representatives as a member of the opposition Labor Party. This quote is important —

It isn’t in my partisan interest to praise the results of the 1996 reforms; although my party supported them, they would not have happened without the leadership of conservative Prime Minister John Howard —

The member for Cockburn made this point eloquently —

and his deputy Tim Fischer. Their reforms saved lives, but they paid an electoral price during the 1998 election ...

The article continues —

Australia still has an active shooting culture. My morning run sometimes takes me past both the rifle range and the handgun club. When there are too many kangaroos in the bush behind my house, the government calls in the shooters to cull the numbers.

But what we don’t have is a culture in which loaded guns are kept in bedside tables, stowed in gloveboxes and tucked into the waistbands of young men out on a Saturday night. On a per-person basis, the United States has a gun ownership rate that is seven times higher than Australia’s and a gun death rate that is 11 times higher.

How did Australia manage to act quickly and save thousands of lives? Leadership.



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I am going to come back to that point. I want to finish my story. That was Andrew Leigh's article of October 2017. I want bring us up to date within the Australian geographical context with an article of 16 August 2021, published in the midst of COVID. I refer to an opinion piece in *The Sydney Morning Herald* by Associate Professor Debra Smith, who is a researcher on violent political movements at Victoria University; Lise Waldek and Dr Julian Droogan, who are researchers in terrorism and violent extremism at Macquarie University; and Dr Muhammad Iqbal, who is an industry research fellow at Victoria University. The article is titled "Right-wing extremism weaponises democracy against itself", and reads —

The recent national expose on right-wing extremists seeking to achieve radical political change through violence parallels ASIO's warning of a national escalation in right-wing extremism. These extremists' commitment to paramilitary training and, especially, a desire to acquire weapons should worry us all.

...

Collectively, we have conducted comprehensive research into right-wing extremism in Australia. We identified two distinct yet connected threats posed by this growing movement ...

The first is a creeping threat to our social fabric arising from a strategy of "playing the long game". This means shifting the parameters of acceptable political and social discourse to a point where it challenges political and social norms —

For example, vaccinating yourself against a virulent disease —

most importantly our acceptance of a diverse and functioning multicultural democracy. The promotion of white supremacy and rejection of equality clearly leads to the end of a democratic Australia as we know it. This end-state, they believe, can be accelerated by undermining trust in democratic institutions and exploiting cracks in social cohesion —

I emphasise this point —

including the current tensions caused by COVID-19.

The second threat is that of real-world violence perpetrated by armed extremists. As we saw in the Christchurch terrorist attack, there are individuals who celebrate and advocate the use of violence to promote their cause, undermine trust in social and governmental institutions, and achieve eventual revolution ...

It is clear from our research that right-wing extremists are opportunistic. They routinely seek to appropriate conservative political narratives —

That is the language around freedom or informed consent, as the shadow Attorney General has intimated in his social media posts —

and beliefs to provide a facade of legitimacy for their radical political agenda ...

Right-wing extremist movements take their cues from the opportunities provided by the increasing reliance on hyper-polarised political debate. When our leaders use dog-whistle politics to construct certain sections of Australian society as perennial outsiders, they send messages of legitimacy to right-wing extremists and provide them with political opportunity to present themselves as a realistic alternative to the mainstream. Consistently, Islamic leaders have called out the misappropriation of their faith by violent extremist groups such as Al-Qaeda and Islamic State.

I emphasise the next point —

It is the responsibility of conservative leaders to do the same now that right-wing extremists are gaining ground and seeking to pervert conservative values for radical violence.

I will finish on this point. I heard the Leader of the Opposition during question time explain in animated terms that she is not an anti-vaxxer. She clearly and unambiguously stated that she is in favour of vaccination and she wants everyone in Western Australia to get vaccinated. I genuinely believe that that is her firmly held personal view. I believe that she believes in the efficacy of vaccines. The trouble is that these commentators, these experts, are calling for leadership. The Leader of the Opposition is the leader of the state opposition, so as long as members of her so-called alliance thumb their noses, as they do, at mandates, border controls and all the public health and safety measures that this government is trying to put in place—those efforts to keep the people of Western Australia safe—it exposes the nobleness of her words but the hollowness of her actions. Her noble words are hollow for as long as she does not pull those members into line. Leadership requires her to publicly rebuke those members of the Liberal Party and the Nationals WA who continue to thumb their noses and criticise and undermine the legitimate steps that the McGowan government has taken to protect the health, safety and wellbeing of the people of Western Australia. I have a tip for the Leader of the Opposition. When she starts to pull these people into line, she

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can start with the scandalous contribution from the member for North West Central. She can tell him that what he did is entirely inappropriate and undermines our efforts to keep people safe not only from COVID, but also gun violence. Unlike the member for North West Central, I wholeheartedly support the efforts of the Western Australia Police Force in tackling gun violence and the Minister for Police for bringing this legislation before Parliament. I congratulate the minister for keeping the community of Western Australia safe. Thank you.

**MR P.C. TINLEY (Willagee)** [7.16 pm]: I want to make some remarks on the Firearms Amendment Bill 2021. I congratulate the government for following through on its, and most sensible Western Australians', long-held position on the control of some of the most lethal things in our community. It is not just the guns, but also those people who would wield them for ambitions or objectives that are not in the interests of the community.

We have been advised through various channels that there are an estimated 260 000 unregistered firearms in this country. That is a lot of firearms. I wager that, like my experience, the vast majority of those unregistered firearms have fallen out of use and are sitting in various places—houses, farms and so on—and are no longer in active circulation. They are nonetheless lethal weapons that are being left unattended. I was one of those people. As a young soldier, I had a few weapons. Obviously they were always maintained in the armoury, but they fell out of registration. They were always properly housed. People lose interest in them, like they do with most other passing hobbies, and they move on. They were handed in in the first amnesty under then Prime Minister Howard, and that was the end of that. It was an easy way to get rid of them.

A lot of people who have unregistered firearms know where there are, but just leave them there because they do not know how to dispose of them properly and they are too frightened to hand them in, fearing some form of sanction. That is not the case with the standing arrangements around the gun amnesty identified in this bill. It is a very significant piece of legislation that will allow us to attend to gun safety in terms of the volume of guns and weapons in the community. The notes I have been given state that during the period of July last to December this year the Western Australia Police Force received a total of 901 firearms under the amnesty. There were 71 handguns, which is worrying because they are more dangerous; 165 shotguns; and 665 rifles and associated parts—not to mention a whole bunch of ammunition, too, I am advised. That stands testament to a great piece of public policy that allows us to get more weapons out of people's hands.

This bill is not about gun safety or public safety in the direct context of gun ownership in that they are used, locked and housed correctly and licensed and registered. This bill will provide a structure and piece of architecture to fight criminals and organised crime. That is what it is about. The amendments to the firearms act will arm police—pardon the pun—with the capacity to apply both the consorting orders and firearm prohibition orders. They will work in tandem because, let us face it, quite frankly, an FPO or anything else would not necessarily deter an outlaw bikie.

This is not about deterrence. This is about providing the Western Australia Police Force with the wherewithal, through connected sections of state acts, to work together to tackle organised crime. We often focus on bikies as the most visible part of organised crime, but there is a much more insidious group that makes them look like amateurs in the organised crime community. This group operates in a grey zone in and out of our borders—international and regional. We will defeat those various organisations, and some of the perpetrators of international crime, by working with our regional police force and the regional intelligence community.

The origins of this bill go way back. This bill intersects with Australian National Security's *National Counter-Terrorism Plan*. The bill will not only allow us to attack organised crime and secret terrorist organisations, but will assist in providing another layer, if you like, in our fight against terror. Terrorism has not gone away. The idea of terrorism has taken a backseat as the global COVID pandemic rips through the world, but terrorism is still present. There are still people out there in Al-Qaeda and Taliban-sponsored organisations in places like Afghanistan, and they are coming back into power. It is important that this country defends itself in a way that allows it to identify and neutralise threats.

This amendment bill came about as a result of an incident that people might remember that occurred way back in 2014. On 8.30 am on 15 December 2014, Man Haron Monis walked in the Lindt Café on the corner of Martin Place and Phillip Street in the heart of Sydney's commercial district. Shortly thereafter, he produced a gun and ordered that customers and staff be locked inside as hostages. After a stand-off lasting around 17 hours, the siege ended in gunfire and three people died: two hostages and Monis himself. Several of the other hostages sustained injuries. There were hundreds of rounds of gunfire exchanged in the assault on that cafe and, as a result, there was concern amongst security organisations about the reaction of the security forces, the state government and the federal government in that siege situation.

In 2014, people might recall that the national security threat level was extremely high. The Australian Security Intelligence Organisation's own threat assessment was that a terrorist attack was likely. There was an atmosphere of extreme threat. It was some years after 9/11 but there was still an underlying current of concern. Having

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260 000 firearms in the community makes for sober contemplation of them ending up in the hands of a person like Monis. We all know that Mr Monis suffered significant mental health issues. It was sad to see that some people co-opted this tragedy on the basis of some sort of ethnic stereotyping of Monis as being part of a terrorist organisation, but they came through it. The recommendations of a joint inquiry by the New South Wales and federal governments identified several recommendations that related to the justice system, immigration and the intelligence community. Recommendation 6 on firearms is important to note. The report reads —

6. The Commonwealth, States and Territories should simplify the regulation of the legal firearms market through an update of the technical elements of the National Firearms Agreement.
7. CrimTrac, in cooperation with Commonwealth and State Police and law enforcement agencies, should prioritise bringing the National Firearms Interface into operation by the end of 2015.

I am not convinced that nationally this has been properly integrated and that CrimTrac is doing what it was intended to do. Again, it is a challenge for the Federation of Australia to bring that all to book and make sure that the recommendation delivers the sorts of things it ought to do to allow the operational level of the police force and other security forces to engage with each other. The report continues —

8. States and Territories' police forces should conduct an urgent audit of their firearms data holdings before the National Firearms Interface is operational where this has not already occurred.

Again, I am not convinced that all the states and territories have made a full-throated commitment to make sure that the database is as comprehensive as it can be. The report continues —

9. The Commonwealth and the States and Territories should give further consideration to measures to deal with illegal firearms.

That is where this inquiry's recommendation falls neatly in with this bill. Monis was a licensed firearm holder for one period, so he was known to the authorities and he was not deemed a threat. This shows that the casual interaction between Monis and a firearm "can have devastating consequences", as it did in this case. The report states —

Monis entered Martin Place with a pump action shotgun. It was short, having been sawn off at the barrel and at the end. The Coroner has announced that his inquiry will examine in detail the gun used by Monis. On the information available to the Review, it appears that the firearm used by Monis may have entered Australia lawfully and became a 'grey market' firearm when not returned as part of the 1996 National Buy Back program.

Monis was at no time issued a firearms licence, and at no time did he legally own or import a firearm. He did hold a security guard licence from 1997 to 2000 which would have allowed him to carry a pistol while on duty ... Relevant laws were subsequently changed and from 1 July 1997, Monis would have no longer been able to carry a pistol in his capacity as a security guard.

That was incidental and irrelevant to the inquiry. The report continues —

Through its considerations of the issues in this area, the Review has identified shortcomings in the accuracy and consistency of firearms data in Australia.

I again go back to the point about cooperation between the states and the commonwealth. It continues —

The Review recommends that State and Territory police forces should conduct an urgent audit of their firearms data holdings ...

The Review understands that Monis used an illegal firearm. The Australian Crime Commission has advised there are in the order of 250,000 illegal firearms in Australia. The Review recommends that the Commonwealth and the States and Territories should give further consideration to measures to deal with illegal firearms.

We saw the devastating consequences of somebody who is motivated, in this case through significant mental health challenges, of course, and comes in casual contact with an illegal weapon from that grey market area, as mentioned in the report. We have found this in our own state, but principally a litany of recent break-and-enter offences and police actions have identified a significant number of people who in any other set of circumstances may well go on to do something quite devastating. One of the most ribald ones, if you like, was the gun store heist in Yangebup, which found 100 weapons that were stolen from a Claremont firearms dealer. Those are the types of weapons that end up in the grey market or the black market, whichever way it is described, and gives criminals the opportunity to use them.

As other members have said, the other important aspect of this amendment bill relates to the updating of technology. From international terrorist organisation activities, we know about the advent of ceramic guns—or ones from

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non-metallic sources—that are 3D-printed. They cannot be detected by X-ray and a range of different technologies, so it is important that we head off the use of not just their hardware but software. This amendment bill deals with that.

My final comment on this bill is to always give a nod to civil liberties that we as a community have to give up. The idea of unfettered gun ownership is a thing of the past, for very good reason, not least for community safety but for the crime and terrorism that they might feed. That also relates to how we attend to the war on terror. This is a contiguous piece to that and follows from the 9/11 attack. In Australia, like everywhere else, we have had significant changes to our way of life. Sixty-one different amendments to laws or laws have been enacted that have restricted the citizens of Australia since 9/11. In some ways, we could say that terrorism has had an impact on us. It has changed the way we live and view the world. In some ways, it has made us adapt to fear. Fear is the one thing that terrorists always want to instil in us, hence the word “terror” because it creates an uncertainty and foment a great deal of anxiety, particularly towards the government of the day and the established order that a civil society provides. Terrorism is a scourge. It is the acid of a community. We have to continue to do the sorts of things we do. We are constantly weighing up the liberties of the individual citizens of Australia and the safety of the whole nation. As members who spoke before me said—they made direct reference to this—terrorism finds parallels in the current global pandemic. Governments all around the world are making decisions on the basis of the greater good. They are enacting policies in the best interests of what they think will keep the majority of people safe. Western Australia has an enviable record of doing that because of the leadership of this government, the strength of the public sector that has supported it and the compliance of a community in Western Australia that gets it and is open to the leadership that has been provided, keeping us safe and making sure that we are making the best possible decisions that are in support of everyone in our community, not just those who feel that their civil liberties are so impinged that it warrants them to take drastic action. God forbid, as we have seen some very angry protesters here, they should take such action as putting a firearm in their hands to make a point. With those remarks, thank you, Acting Speaker.

**MS S.E. WINTON (Wanneroo — Parliamentary Secretary)** [7.31 pm]: I, too, rise to make a short contribution to the Firearms Amendment Bill 2021. Prior to the dinner break, I very much enjoyed the contribution from the member for Cockburn. I do not know where the member for North West Central is, but I am sure he is pretty bruised and battered as he got slapped around quite a bit. It is a shame that he can come in here and carry on but when he gets called to order, he does not have the ticker to sit and listen to the debate.

During my contribution to the Firearms Amendment Bill 2021, I want to take the opportunity to highlight the McGowan Labor government’s commitment to community safety in all its forms. Since coming into government in 2017, we have made safety of the community a priority. Whether it be through supporting and properly resourcing our hardworking police officers, through the challenging but essential work of breaking the cycle of disadvantage and desperation that fuels crime, through supporting Western Australians to feel safe in their homes—in particular, our seniors—or taking an unapologetic tough stance on organised crime, the McGowan government has always made community safety one of its key priorities and continues to. This legislation is a critical part of that commitment to our community. Our community supports our stance as it gives our police officers important new powers to get guns out of the hands of criminals and off the streets.

This bill essentially comes out of 17 recommendations that were made as part of the Law Reform Commission review, which was tabled in Parliament in November 2016. The four key reforms are: the firearm prohibition orders; the illegal manufacture of firearms; importantly, increased penalties for certain firearm offences; and the permanent firearms amnesty. This bill builds on other measures we have put in place, such as the anti-consorting legislation that passed through Parliament late last year.

We are now giving police the further tools that they need to disrupt the activities of bikies and organised crime. Under this legislation, police will be able to ban anyone who is reasonably suspected of posing a threat to the community from holding a gun licence or from living in a house where guns are stored. These firearm prohibition orders have worked effectively in other jurisdictions. I particularly note that other members highlighted that this is a national bipartisan approach, something that the member for North West Central failed to acknowledge or realise. It is squarely aimed at sending a strong message to those involved in gun crime and the illegal gun trade. It has paid dividends in other jurisdictions around Australia where such laws have been enacted.

The second key part of the bill refers to the illegal manufacture of firearms. The Western Australia Police Force comes across incidents of illegal manufacture of firearms on almost a weekly basis. As part of the briefing we received, we learnt that there are many examples of police coming across the illegal manufacturing of firearms in our community. I will not go through those examples. People in my community are well aware of many examples that they read about in the media. The provisions being introduced by this bill, particularly those relating to the illegal manufacture and unauthorised use of firearms technology, will provide—this is important—greater scope for charges and enforcement action when police come across those instances.

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A particular incident occurred at the end of 2020, I think. I am not sure of the date but I remember it really well because it shocked the community. I am talking about when the president of the Rebels Motorcycle Club was publicly executed at the Perth Motorplex in Kwinana in front of hundreds of people. I think that was a real awakening for some people in the community. Sometimes we get a little desensitised when we occasionally hear news of a drive-by shooting or people being arrested with firearms, but this took organised crime and the brazenness of it to a whole new level. Everyone can imagine being out in public at one of hundreds of events that occur in Perth every day and be right in the middle of such a brutal, cowardly and outrageous act that most of us would want to see only on television, yet it happened in Perth. I commend the police for their swift work on that investigation. These laws are really important to make sure that we do not see those kinds of events happening in Perth anymore.

The third aspect of the bill that I want to mention relates to increased penalties, which will be very welcomed by the community. They reflect the severity of these offences that are being committed and the expectations our community has of penalising such acts. I wanted to highlight these increases to my community. For theft of a firearm, the penalty will rise to 10 years' imprisonment. Interestingly, 132 firearms were stolen from July to December 2021, which amounts to about five firearms a week. The second penalty increase relates to being in possession of a stolen firearm. The penalty will increase from three years to seven years. Thirdly, in circumstances in which a person fires a gun to cause fear—that has happened recently, particularly in the northern suburbs—the penalty will increase from seven years and a \$12 000 fine to seven years and a \$36 000 fine.

The last part of the bill, which is really important—various members mentioned it—relates to a permanent firearms amnesty. The member for Willagee gave us the statistics of how many unlicensed firearms are in our community. He rightly pointed out that there is not necessarily a sinister reason for that, but they create a danger when left lying around in the community. I found the statistics that he mentioned particularly interesting. Last time the police held an amnesty, in July last year, 71 handguns, 165 shotguns, 665 rifles and nearly 30 000 rounds of ammunition were handed in. Having a permanent firearms amnesty that supports the agreement reached by all ministers nationally to introduce a national amnesty is a really important move for our state. This tough stance is what our community expects, and the Firearms Amendment Bill 2021 will strengthen the Western Australia Police Force's enforcement activities to combat serious and organised crime as part of this government's determination to disrupt and dismantle bikie gangs and organised crime.

Our commitment to support our police force is unrivalled. Members will remember that last year we passed the landmark Police Amendment (Compensation Scheme) Bill 2021. For more than a century, medically retired WA police officers who suffered a work-related injury or illness did not have a compensation scheme. When we talk about organised crime, we cannot do so without acknowledging the work of our police officers. They now have a proper compensation scheme; it is quite amazing that it took that long, but the McGowan Labor government delivered it to our police officers. Police officers who can no longer serve our community due to work-related injury or illness now have certainty that they and their families will receive financial support on top of their post-service medical benefits.

Of course, the formation of that historic legislation came about under a previous Minister for Police, the member for Midland. She definitely left a strong legacy with her commitment to her portfolio and the people who serve us. During her time as police minister, she was also very interested in community safety. I was very happy to host her at a community safety forum we held in Wanneroo. Our current Minister for Police is continuing strongly where she left off. I am very grateful that soon after he became minister, he made it a priority to visit all the police stations around the state, and I know that the officers at the Wanneroo Police Station appreciated his efforts in coming and seeing them to talk to them in person. The minister knows that we have a fantastic police station in Wanneroo, and the work they do on our behalf is extraordinary and very much appreciated. To Senior Sergeant Mo Livingstone and all the team, I thank you on behalf of the residents of Wanneroo. I have a wonderful relationship with Mo and all his officers, and they are fantastic in supporting our community—not only in tackling crime, but also in doing important work in the prevention of crime and working with youth in the area. I look forward to working with Wanneroo police to host our new Minister for Police at a future forum in Wanneroo when time permits.

My community has also responded really positively to the government's announcement of the return of the safety and security rebate for our seniors. WA Seniors Card holders can once again claim a \$400 rebate to assist with the purchase and installation of home security equipment. This is a \$12 million program, delivering on the McGowan government's election commitment to enhance community safety and resilience as part of the 2022 state budget. I recently held a forum for the seniors at Belgrade Park Village. My electorate officers and I provided support and information on the ServiceWA app and, very importantly, detailed information on tapping into the safety and security rebate. I want to publicly acknowledge and thank Sergeant Adam Bulloch from the Wanneroo Police Station, who joined us and provided his insights and advice to the seniors on the specific kinds of products and devices that are most useful for residents, to keep them safe in their homes. That was just fantastic.

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As members will be aware, the rebate is available to all our seniors for the purchase and installation of devices such as home alarms, CCTV systems and a range of other devices that make people's homes safer, build resilience and create a stronger community. Quite often when the McGowan government has announced the return of this rebate, some local people have suggested that it was a Liberal–National government initiative. It might have been, but that government abolished it and took it away from seniors in 2015. In common with many other local members, I am very proud that seniors are taking up this rebate in droves, to assist them in feeling safe in their homes.

I want to spend a couple of minutes highlighting another aspect of my community. I listen to my community and residents, whether through forums, chatting in my office or out on the street, or at various community events. I also speak very often with the local police and the City of Wanneroo, which also plays a very important partnership role with the police in community safety. We need to support our police to allow them to support us. Mo highlighted to me that CCTV surveillance is an increasingly important tool used by our police. These are state-of-the-art mobile units that enable WA Police to view live footage, and they provide the capacity for police to communicate remotely through built-in speakers. The solar-powered units also include high-resolution numberplate recognition cameras. This improves road safety, because they allow police to identify offending vehicles. Mo has been very generous with his time in actually showing me footage and how these systems work so that police can play their very important role in keeping our communities safe. Another important aspect of these CCTV units is that they are mobile, so they can be deployed in hotspots throughout the community when the police or the City of Wanneroo receive complaints about antisocial behaviour. I am very proud to have delivered on my election commitment of \$100 000 to the City of Wanneroo to deploy these new mobile CCTV units to enhance the security and safety of our community.

I recently met with the Mayor of the City of Wanneroo, Tracey Roberts, and Sergeant Mo to have a look at how the CCTV units were operating in Banksia Grove. My community is really happy with this election commitment and we certainly want many, many more of them in our community. A previous speaker mentioned how outstanding Mayor Tracey Roberts is for our local community. I very much concur with that. She will be an awesome member for Pearce, I must say. She has served for nearly 13 years, since 2011, at the City of Wanneroo, as both councillor and mayor, and I cannot help but compare her with the Liberal Party's candidate for the seat of Pearce; we might want to refer to them as a serial candidate.

[Member's time extended.]

**Ms S.E. WINTON:** I have worked very closely with the City of Wanneroo for a very long time, not just on community safety but on many other issues, whether it is delivering on community spaces for scouts, supporting local road projects or providing upgrades to sporting facilities in the community. I will be very pleased to potentially have the opportunity to work with Tracey Roberts in her new capacity as our federal voice in Canberra.

The McGowan government's commitment to our police force is well demonstrated and continues. It is also reflected in our budget, unlike that of the opposition, which repeatedly cut the police budget. Our budget saw record investment in our frontline police force to the tune of \$1.686 billion in 2021–22. That is quite phenomenal. Additionally, of course, there is capital investment of over \$80 million to make sure that we refurbish and expand our police stations. In October 2020, we pledged to recruit an additional 950 police officers over four years. I think that the Minister for Police goes to more police graduation ceremonies than we go to high school graduations at the moment, which is fantastic. That is a phenomenal achievement, given the historic low unemployment we have in this state at the moment, and shows the success of the state government's Let's Join Forces campaign, which has resulted in record numbers of people applying to join the police force. It is a massive investment in police, which will result in an unprecedented 15 per cent expansion of WA's police force over the next four years—the biggest in history.

The McGowan government is committed to making WA a safer place to live by putting more police on the streets. Very importantly, it is not only putting more police on the beat, but also actually supporting frontline police operations by providing the equipment that the police need to do their jobs effectively. Through this legislation we are also providing the police with the legal tools they need to tackle the scourge that is organised crime. I commend the police for the work they do, I commend the minister for bringing this bill to the house, and I, along with all the residents of Wanneroo, support this bill that will keep Western Australians safe.

**MR C.J. TALLENTIRE (Thornlie)** [7.51 pm]: I rise to speak on the Firearms Amendment Bill 2021. I offer my full-throated support for it and commend the Minister for Police on bringing it to this place. I come to this debate with a strong knowledge of the relevance of firearms in certain circumstances. I am not a gun naive at all. I can recall my first gun experience as a youngster. I can remember almost a primal instinct being awakened when I think I was hunting rabbits or pheasants or something in the UK. As I walked along a ridge, I can still remember almost every rock, flower and plant along the trail. It is very interesting how in some part of the subconscious, that notion of being a hunter was awakened by that particular pursuit. It is an interesting thing. That is a little bit of my personal history.

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Members would not believe it: back in 2015 when I was the shadow Minister for Environment and we had a Liberal–National government, there was a campaign to allow shooting in national parks, or at least in state forests. That campaign was moving along and we were very taking a very strong position against it; in fact, we managed to make it so hard for the government that it did not go with it in the end. Thankfully, we were able to win. There was a funny thing. I was a little more fresh-faced in 2015 than I am now. There was an article—if members would pardon the pun, almost a hit job—done on me in the national *Sporting Shooter* magazine. It included a big photo of me, using one of my campaign photos at the time, not at all photoshopped. I have to read this out to the house. The article was doing some analysis on our Labor position, and it rightly stated that we totally opposed the extension of what we were calling hobby hunters. We rightly pointed out that it was a very expensive and ineffective method for controlling feral pests. It was part of the Liberal–National government’s argument that allowing access to national parks would control some feral animals. The article stated —

For his part Chris Tallentire, who doesn’t look like he has ever even been outside let alone hunting or fishing, says that claims of the conservation benefits of hunting are ‘rubbish’ and that rec hunters on public [land] would require “extensive supervision”.

I wonder whether this debate might rekindle that sense of animosity that *Sporting Shooter* has towards me. I do not really understand why it would have wanted to attack me so personally as to say that I did not look like I had ever been outside. It might have done a little bit of checking on the matter to know about my outdoor recreational pursuits. In fact, I would hazard to say that I spend far more time outside than any recreational shooter, I reckon! Anyway, we could always do that analysis and use my Strava account on my bike to make the comparison.

Like other members have said, one of the issues that came up in that debate in 2015, which was the last time I really put my mind to this whole issue of gun control, was that extremely rare moment in Australian political history when I actually found myself in full support of what the then Prime Minister did back in 1996 after the Port Arthur massacre—the National Firearms Agreement. That is something that we achieved as a nation. I heard the member for Mount Lawley actually quantify in human lives and other metrics how much of a benefit that has been to our country. That was absolutely essential. However, other countries, especially the United States, are always looking around for ways to chip away at anything they perceive as gun control.

I heard other members mention it and I also received a letter from a lobbying firm expressing a few details and quibbles about the legislation. Members, do not doubt it: that is a tactic of the National Rifle Association in the US. It is a tactic of all the pro-gun lobbyists to just go quiet for a moment but then keep chipping away, come back, suddenly put on a gun show down at Claremont Showground, as we had a couple of years ago, and just keep trying to roll back any controls that are there. That is what they will do at any given moment. This was really well documented. Members might recall an Al Jazeera documentary by a wonderful journalist at Al Jazeera called Peter Charley and an amazing man called Rodger Muller. Rodger Muller went undercover for three years. He created a fictitious organisation called Gun Rights Australia. The documentary that Al Jazeera put together called *How to Sell a Massacre* was first aired in March 2019. It told this story with lots of hidden camera usage. Rodger Muller, who was an actor and then became a journalist, pretended to be the head of Gun Rights Australia. I have to say, he really looked the part. He had the right sort of somewhat overweight look, with his Akubra, and he had what I have to say was a National Party look about him. He fitted exactly what you would expect from a Gun Rights Australia chief. He then went to the US and made contact with the National Rifle Association. He became a confidant of members of the NRA, and they saw that if they could possibly help Australia roll back our level of gun control, that would then be a means for them to counter arguments that they were continually getting—they would still be getting them today—saying, “Look at the gun controls in Australia and how effective they have been.” I suppose that was why the chiefs at the NRA were so happy to entertain Rodger Muller when he went into their organisation in a clandestine way, pretending to be the head of Gun Rights Australia. Then the story got even crazier, because Rodger Muller managed to win the confidence of One Nation’s Pauline Hanson, James Ashby and a fellow called Steve Dickson. These people from One Nation thought, “Right, we can get money out of the NRA to fund our campaign.” They were over there telling the National Rifle Association chiefs, “If you give us \$10 million, we think that we can win a couple of seats. Give us \$20 million and we can definitely win and then we’ll have the balance of power in the reps and we’ll probably have it in the Senate already. We’ll be able to change the gun laws in Australia and you’ll see people out there in Australia with guns again and so you’ll no longer be threatened by this argument that you’ve got to watch out because the gun laws in Australia are working.” The One Nation team and Gun Rights Australia were trying to say that they could solve the problem the NRA had and that they could help the NRA win against the argument that Australia is actually a safer place because of the gun controls brought in since 1996.

I give that as some background to my position on this legislation. I will point out a few local things I have noticed. It absolutely amazes me when I travel along Albany Highway in Bedfordale and pass the Southern Districts Rifle

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Club and see on the median strip—the dual carriageway—the rifle club’s sign that says visitors welcome. Maybe visitors are welcome and then there is a very careful selection process. This is a rifle club. That sign suggests to me that almost anyone could rock up and say they want to fire off a few rounds. I find that quite frightening. Perhaps my concerns are not justified and perhaps that when people go in and say they are visiting because they noticed the sign saying visitors welcome, they are put through an intensive grilling. I know that most of the Sporting Shooters’ Association of Australia membership are very careful about how they store their guns. One of the ways people can access guns is through a gun club and the guns are locked up at the club, but it worries me that it seems so open. It has to be said that the Sporting Shooters’ Association of Australia does very well out of this state. I recall back in the time of the Barnett government in this place when a peppercorn rent agreement was put through so that the SSAA could access state forest 65. It more or less got free land for its gun club. I am sure it has a strong membership body and that they are all upright citizens who very carefully manage their recreational activity of target shooting, I think, primarily. I imagine that is what it is. They have access to state land for, if I recall correctly, a humble sum of money. They are just a few things I wanted to point out.

I want to pick up on some reports that have probably been addressed about the findings in the report. I heard the member for Burns Beach talk about the time when to get a gun licence, people had to say where they were going to shoot. Family members who were property owners encountered situations when someone who they barely knew at all would say, “Perhaps you could do me a favour and when I sign my gun licence application, you could say that I’m allowed to shoot on your property and in that way I can get my gun licence.” If people proved they had a property, they could get a gun licence, often for legitimate reasons. But if they could not do that, a property letter, as it was called, was a way to get around it. One set of statistics on this showed that about two or three rural properties of a couple of thousand hectares had hundreds of people attributing their licence for their permission to shoot on the property. I am sure we have well and truly moved on from that. I know there were some problems around the nature in which the gun register was kept and around gun licensing.

I recall, again in 2015, because I had quite strong interest in this matter, asking some questions. I wanted to make a comparison because members would think that it was logical that if a gun owner was ever issued with a violence restraining order, we would want to take the gun off them and not have them maintaining gun ownership. I was very keen to see whether there were any statistics on how many firearms owners had had violence restraining orders taken out against them and what percentage of the population that equated to. However, it was not possible at the time to get that information. I was told that it was not a given that someone who was issued with a violence restraining order would automatically have the gun taken away. I will quote the response from Minister Harvey, as she was at the time, who said —

“A court making a violence restraining order against a person may order that, for the term set by the court or until a court orders to the contrary, the person be disqualified from holding any licence ...

A court making a violence restraining order against a person “may” order that the person be disqualified. It seems that was the problem with getting that information from the gun register. It was an interesting point.

The general message is that we have to continue to advance gun laws as technology advances to make sure that people who can manufacture guns illegally cannot get away with it. We must ensure that we do not go down the route of American-style gun culture. I recall an ABC journalist, Andrew O’Connor, being particularly upset that I would suggest that if we were to allow more shooting in the conservation estate, effectively, that was taking a step further towards American-style gun culture. I think there is a connection between that very strong tradition that exists in the US around hunting, especially in some communities, and their connection with the NRA and the political manipulation that the NRA engages in and the rise of Donald Trump and right-wing politics in the US. There is definitely a connection. We have to avoid at all costs the danger of creating a US-style gun culture because it is incredibly dangerous. We can be incredibly proud that on the global stage we are seen as a shining example of what can be achieved when a country has good, sensible gun controls. I thank the minister for bringing this legislation forward because it is a continuation of our journey towards strict gun control. It is adapting to the new circumstances and to the realisation—other members have touched on this—that when a family member of a deceased estate finds a gun in a cupboard, there is a permanent amnesty so that the guns can be handed in efficiently and without any qualms. I value that provision in this legislation.

I began by saying that I have a historic connection to gun use. I am very aware of farming circumstances. I have been on pastoral leases when a sheep is ill or flyblown and know that people would not get a vet out to deal with that. I can understand using a gun as a veterinary tool.

[Member’s time extended.]

**Mr C.J. TALLENTIRE:** I can understand that in those circumstances there is the necessity for a firearm. I do not see that this legislation constrains the use of firearms by professionals who need them. I have not seen it yet, but



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I believe the topic of *Four Corners* last night was the brumbies in Kosciuszko National Park. That is an interesting situation in which conservationists are asking for the brumbies to be culled. I understand that that is the situation. Members might be able to correct me, but perhaps those who are more National Party inclined are arguing for the preservation of the brumbies in Kosciuszko National Park.

**Mr W.J. Johnston** interjected.

**Mr C.J. TALLENTIRE:** There is definitely a National Party connection, yes. I will not profess to have a strong understanding of the impact of brumbies in Kosciuszko National Park. People love horses as well, so I can understand that there could be an alliance between the National Party and animal welfare people on this issue. That could be very interesting.

My point is that professional shooters need to be employed from time to time when there is a feral animal problem. In the south west, piglets have been released into areas of state forest so that people can go in and shoot those piglets. We have had those sorts of anomalies. There is a complexity around a lot of those arguments that are sometimes used to justify the prevalence of firearms in rural communities. We have to be very clear that people need to be highly trained professionals and they need to have the justifications properly lined up before they are able to use their guns.

I want to conclude by saying that the police officers whom I meet at the Gosnells and Canning Vale Police Stations are the guys and girls, men and women, who are out in the community day in and day out, pulling over vehicles. I imagine that there is always a degree of apprehension, because they never know whether someone will pull out a gun on them at some stage. That is something that they accept as professionals. They live with that fear. They do a fabulous job. They deal with the challenges of their job incredibly well. I am very lucky to have such able police officers in my electorate. I think this legislation is a further way in which we as a Parliament can ensure that we have the best and most up-to-date legislation to help reduce the risk of police officers encountering illegally manufactured and maintained guns. This piece of legislation will help make their jobs a little less risky. For that reason, along with all the others that I have mentioned, I absolutely commend this bill to the house and again thank the Minister for Police for bringing it forward.

**MS H.M. BEAZLEY (Victoria Park)** [8.12 pm]: I am pleased to rise today—I will take off this mask as I present—to speak in support of the McGowan government's Firearms Amendment Bill 2021. I congratulate the Minister for Police, Hon Paul Papalia, for all the work involved in bringing this important bill to Parliament.

Australia remains an example to the world on the necessity for careful and strict gun control. Most Australians know that Australia's gun laws were toughened and tightened after the Port Arthur massacre on 28 April 1996. As a result of this massacre, 35 people were killed and many others were injured. The lives of those many others—families, friends and those who cared for the wounded—remain terribly affected 26 years on. Just three months before Port Arthur, a gun was used by a man in Hillcrest, Queensland, to murder six members of his family and himself. Two years before that, in 1994, 70 Australians were victims of intentional killing by means of a firearm. It has been 26 years since the Port Arthur massacre. In looking at massacres only in which multiple people die in a single incident, in the 26 years since Port Arthur, 46 people in Australia have died by guns in massacres. In the 26 years prior to, and including Port Arthur, 118 people in Australia died by guns in massacres. Gun control works.

The Firearms Amendment Bill 2021 is designed to keep Western Australians safe and to hopefully save lives that we do not even know yet have been saved. The Firearms Amendment Bill introduces a suite of amendments to tackle serious and organised crime and offending that involves, or may involve, firearms, including domestic violence. The bill proposes to make four key reforms. The first is the introduction of firearms prohibition orders. The second is the prohibition of illegal manufacture of firearms, including the introduction of firearms technology offences. The third is to increase the penalties for certain firearms offences relating to stolen firearms and firing a gun in a way that causes fear. The fourth is the introduction of a permanent firearms amnesty.

The most significant of these reforms is the introduction of firearms prohibition orders, or FPOs. Five other Australian jurisdictions currently have FPO schemes in place—New South Wales, the Northern Territory, South Australia, Victoria and Tasmania. Although I know that this reform is being brought in to target outlaw motorcycle gangs and serious organised crime in Western Australia, it will also have very strong implications for those on various terrorist and other watchlists and people known to police due to family and domestic violence.

Under the FPO scheme, the Commissioner of Police or their delegate will be able to make an FPO against anyone if satisfied of any of the following: that possession of a firearm by the person will likely result in undue danger to life or property; that a person is not a fit and proper person to possess a firearm; or that it is otherwise in the public interest to make an FPO against the person. Once served with an FPO, a person will become a prohibited person. This means that they will be subject to a number of conditions, such as being banned from holding a firearms licence or from living in a house in which firearms are stored. Other important conditions include that all licence

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permits, approvals and authorisations issued to a prohibited person under the Firearms Act will be revoked. The prohibited person must surrender all firearms, parts and ammunition. The prohibited person will be prohibited from acquiring, possessing or using firearms, major firearms parts, prohibited firearm accessories and ammunition. The prohibited person will be prohibited from entering or remaining at certain places, including places at which firearms are repaired, manufactured or sold. This will extend to shooting ranges. The prohibited person will be prohibited from associating with persons in possession of a firearm, parts or ammunition. There is a lot of prohibition in there!

Hefty and deterrent penalties will apply to persons who break any of these conditions. These penalties are commensurate with the severity of the offence. For instance, failure to surrender firearms will result in imprisonment for seven years and a fine of \$35 000, with this penalty increasing to imprisonment for 14 years and a fine of \$75 000 if the firearm or part is related to a handgun or prohibited firearm.

The bill will also introduce a number of police powers to support the enforcement of FPOs. This includes stop-and-search abilities on the prohibited person and a person who is in their company, and the ability to enter and search any place occupied by, or under the control of, the prohibited person, including any vehicle. FPOs will give police powers to get guns out of the hands of criminals and off the streets. I, for one, am relieved by this measure. In the suburbs of my electorate of Victoria Park, in 2021, there were a total of 25 firearms offences. Most of these offences were for possessing a firearm, and, thankfully, these figures were down from those of the previous year. I am also thankful that police were able to prosecute possession before the firearm was used. I congratulate my local police on such great work, and I know that our local police stations have benefited from our government's increased funding to police.

As a local member, I am helping too many victims of domestic violence who are continuing to live in fear for their lives and the lives of their children, even after they have successfully left their partner, let alone when they are in the grips of terror at home. The proactive nature of these new FPOs will, I hope, give a substantial number of domestic violence victims and survivors a measure of confidence that the perpetrator of violence against them may not be able to access a firearm. The bill will insert new offences for the illegal manufacture of firearms so that a person who unlawfully manufactures, repairs or deals in a firearm, a major firearm part, a prohibited firearm accessory or ammunition will be committing a crime. These provisions are intended to target and disrupt the business model used by those who manufacture firearms and all those associated with the illegal manufacture, repair and dealing of firearms. There are also new offences related to firearms technology, including making it illegal to manufacture 3D plastic firearms, with anyone caught doing so facing a maximum 14 years in jail. A maximum 10-year jail penalty will also apply to anyone caught in possession of instructions or plans on how to make them. As other members noted, there is no good reason to have instructions on how to make a gun, and 3D printers can manufacture fully functional plastic firearms that are capable of firing live bullets. They can also produce functional key components for semiautomatic assault rifles and fully automatic machine guns and handguns. I do not know about other members, but I find that terrifying. This type of technology, which has been on the rise in America, has thankfully been infrequently observed in Western Australia to date. But more recently and worryingly, there has been an increase in these devices being observed. Needless to say, I am very pleased that the McGowan Labor government is staying ahead of this very worrying trend and is amending legislation now to outlaw these devices for those uses. New provisions are also being made to target those involved in the backyard manufacture of traditional firearms, major firearms parts and ammunition.

A key reform of this bill will increase the penalties for certain firearm-related offences to better reflect the severity of those offences. That includes increased penalties for firing a gun in a way that causes fear. Recently, there have been shootings of guns that have caused fear, particularly drive-by shootings. Drive-by shootings are commonly linked to outlaw motorcycle gangs. In the past 12 months, there have been at least three incidents in which outlaw motorcycle gang members have fired shots into premises owned by rival gangs or those who owe debts. This included firing shots into homes in suburban streets. The bill will amend the relevant section of the Firearms Act to increase the penalty for the discharging of any firearm or shot bullet, missile or other projectile from a firearm in a manner that causes fear—that is, drive-by shootings. Currently, that is deemed only a simple offence and the penalty is imprisonment for three years or a fine of \$12 000. The bill will appropriately elevate that offence to a crime and increase the penalty to imprisonment for seven years and a fine of \$36 000. Penalties will also increase for being in possession of a stolen or unlawfully obtained firearm. It will trigger a situation in which special circumstances will apply and the penalty will rise from seven years' imprisonment to 10 years.

The most notorious firearms thefts relate to coordinated attacks on commercial firearm dealers. Over the last five years, there have been three highly organised attacks on commercial firearm dealers; at least two of those three incidents have been linked to outlaw motorcycle gangs. The attacks resulted in hundreds of handguns and rifles being stolen to be sold and used in further serious criminal activity.

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This leads me to the fourth major amendment of the Firearms Amendment Bill 2021—a permanent firearms amnesty. The amendments in the bill support the agreement made by police ministers across Australia to introduce a national permanent firearms amnesty from 1 July 2021. Although the amnesty is national, arrangements for the surrender of firearms and parts will be managed by individual states and territories. The amnesty amendments in the bill provide a framework to enact the national amnesty. These amendments mean that members of the WA community will be able to hand in any unlicensed firearm, major firearm part, prohibited firearm accessory, sound suppresser and ammunition without fear of prosecution. Providing the community with the opportunity to surrender firearms is an important part of ensuring unlicensed firearms do not end up in the hands of criminals. The WA Police Force has previously seen great success in amnesties. During the 2017 national firearms amnesty, approximately 57 000 unlicensed firearms were surrendered across Australia. More than 1 200 of those were surrendered in Western Australia. During the last six months of 2021, WA police received a total of 901 firearms under amnesty. They included 71 handguns, 165 shotguns and 685 rifles and parts. In addition, almost 30 000 rounds of ammunition were surrendered as part of that amnesty. I shudder to think of the damage and heartache that could have been caused by those guns and ammunition if used maliciously.

I am very pleased to be part of a McGowan government that is strengthening penalties around the manufacture of firearms and those recklessly and unlawfully discharging firearms. I am also relieved that this bill allows the WA police to take proactive measures to help to ensure that those who pose a threat to the community do not have lawful access to firearms and that we are getting ahead of the technology curve by ensuring there is no loophole that would allow those with malicious intent to use 3D printers and the like to manufacture guns and ammunition. These reforms are part of the McGowan government's ongoing focus on disrupting organised crime and protecting our community, whether it is people living on a suburban street who have experienced a nearby drive-by shooting and know that fear or a victim or survivor of domestic violence who needs all the possible tools available to them to ensure that the perpetrator of violence cannot access firearms.

The events at Port Arthur 26 years ago focused the attention of all Australians on whether and how such occurrences could be prevented. The tightened gun laws that followed were remarkable, given the backlash that gun safety experts and politicians received during that time at the mere suggestion of reform. Nonetheless, those reforms got through and positioned Australia as a model standard in gun control. On that note, many MPs mentioned former Prime Minister John Howard and rightly commended him for his leadership on this issue and the National Firearms Agreement. I agree with the member for Cockburn, who particularly highlighted the support and leadership of former Deputy Prime Minister and Leader of the National Party the late Hon Tim Fischer. I would like to add one more name in leadership at that time—the current Governor, His Excellency Kim Beazley, AC.

A member interjected.

**Ms H.M. BEAZLEY:** Exactly! In 1996, the Governor was the federal Labor opposition leader and John Howard was the newly minted Prime Minister who had assumed office only six weeks before the Port Arthur massacre. His Excellency Hon Kim Beazley approached the Prime Minister to encourage strong gun control and offered his and the Labor Party's support for such. The Prime Minister pursued that reform and was able to do so with the confidence of bipartisan support, as was the Deputy Prime Minister Tim Fischer. All major parties got together to save lives. I hope the same will happen here, despite the fearmongering of the member for North West Central earlier today.

It is our responsibility as decision-makers in this place that the intent of that National Firearms Agreement in 1996 and the will of the community from that point on is not eroded, that we maintain tough gun control and are proactive in trying to ensure that guns do not end up in criminal hands and in the hands of those with malicious intent. Gun control is not just about mass shootings, which are comparatively rare. Gun control is also about violence prevention in general, which is what this bill seeks to do in a very comprehensive and fulsome manner, and I am proud to support it. I commend the Firearms Amendment Bill to the house and again congratulate the Minister for Police, Hon Paul Papalia, on presenting this important bill to the house and guiding its passage.

**MS C.M. COLLINS (Hillarys)** [8.28 pm]: I, too, rise to make a contribution to the Firearms Amendment Bill 2021 and to give my full support to it. As we have heard tonight, 17 recommendations from the Law Reform Commission review of the Firearms Act in 2016 are incorporated in the bill before the house today. The main purpose of this much-needed review of the Firearms Act is to address the increasing frequency of interactions with criminal gun owners by our police force. All other states and territories already have some sort of firearms prohibition order scheme in place. They have recognised the need for the introduction of stronger and more wideranging firearms prohibition orders for the protection of their citizens.

The most significant of the key reforms is the introduction of new part 8, "Firearms prohibition orders", in clause 53. This scheme is designed to specifically target members of outlaw motorcycle gangs, other serious organised crime

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figures and those who pose threats to community safety. The foreword to the Law Reform Commission's report on its review of the Firearms Act, which was tabled in 2016, states —

Firearms have continued to be at the forefront of community attention, particularly as a result of reports of tragic mass shootings elsewhere in the world as well as reports of criminal activities in our own backyard. Scarcely a day goes past without firearms being mentioned in daily news bulletins.

Six years on, this legislation is more relevant. I am confident that the firearms prohibition order scheme will be broadly supported in the wider community. The review will give the Commissioner of Police or their delegate the power to issue an FPO against anyone they believe to be closely associated with, or actively involved with, anyone in illegal possession of a firearm that could likely result in undue danger to life or property in the community. It will also, therefore, allow the commissioner or their delegate to identify a person as not being fit or proper to possess a firearm and for whom it is in the public interest to make an FPO against. Once served with an FPO, a person will be banned from holding a firearms licence or residing in a house where firearms are stored or associating with any organisation or business concerned with firearms. This will not only give the police greater powers, but also instil a greater confidence in the community that police can, additionally, force such prohibited persons to surrender all firearms, parts and ammunition.

The intent of this review is therefore twofold: to remove firearms out of the hands of criminals and outlaw motorcycle gangs, and to remove the ability to manufacture, alter or adapt any illegal firearms in circulation. Our own daily newspaper, *The West Australian*, regularly publishes articles on illegal firearm activities in and around the suburbs of metropolitan Perth and in regional Western Australia. We read stories of violent and bloody turf wars between rival gangs and criminals. If we take a snapshot of articles in *The West Australian* relating to illegal firearm activity since the murder of Rebels boss Nick Martin on 12 December 2020 at the Perth Motorplex, we see that they are both an indication of the growth of these gun-related crimes and also a reflection of the fear and anxiety being felt in the community. Bloody turf wars and violent power struggles between gangs have no place in this state. I printed a number of articles from *The West Australian* that have headlines like “Shotgun slaying”, “Another suburban murder”, “Wrong man shot dead in home—a case of mistaken identity”, “Twin shooting charges”, “Cops probe drive-by shootings”. The articles appeared in the paper over a short period.

Importantly, at least three well-organised break-ins to licensed gun dealerships in Perth and across the state in 2021 resulted in several hundred firearms of all calibres and designs entering the illegal gun market. Additionally, multiple police raids have uncovered numerous backyard firearms manufacturers and tool shops capable of adapting and converting stolen or unlicensed firearms for an apparently flourishing black market. There is ample evidence of the evolving skill set of those involved in this illegal gun racket. Along with guns, police are finding more and more evidence of internet downloads of detailed technical blueprints and instructions on how to repair and construct guns, and how to adapt them from semiautomatic to fully automatic. What is even more mind-blowing to me is that 3D printers are capable of printing vital components for and even whole guns. People are using this sophisticated technology. I have a 3D printer at home. My partner prints small miniatures that he uses when playing *Dungeons and Dragons*. We know that 3D printers are necessary in the medical world and have been a wonderful technology for making prosthetic limbs and so forth, but in this case they are being weaponised.

In most cases, those arrested have clear connections with or are members of outlaw motorcycle gangs and often have parallel or secondary evidence of involvement in the illegal drug trade. Members, these people police have to contend with on a daily basis are not simply gun enthusiasts. The review before us addresses the concerns of legitimate gun dealers that it may impede their ability to repair guns for their customers. However, there are ample protective provisions and clarification in the wording of the review to minimise any impacts on the legitimate business of licensed gun dealers and responsible gun owners. The sole intention of this review is, therefore, to strengthen the range of strict penalties on those who wish to live outside the established gun laws in this state already.

Additionally, the FPOs, together with clause 60, will insert a permanent amnesty into the Firearms Act. This will provide a framework to enable members of the Western Australian community to hand in any unlicensed firearms in their possession without fear of prosecution. This will also include any firearm parts, prohibited accessories, sound suppressers or silencers and ammunition. Madam Acting Speaker, providing the community with the opportunity to surrender firearms is an important part of keeping unlicensed firearms out of the hands of criminals. Today we heard many members in this house speak about the actions of former Prime Minister of Australia Hon John Howard and, as the member for Cockburn mentioned, former Deputy Prime Minister the late Tim Fischer. They received plaudits for introducing a national amnesty and buyback scheme after the Port Arthur massacre in 1996. That temporary amnesty proved very successful. During the 2017 national amnesty, 57 000 unlicensed firearms were surrendered across Australia. The WA Police Force has also recorded great success in previous temporary amnesties, with 1 242 surrendered in WA. More recently from July 2021 until December 2021, the Western Australia

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Police Force received a total of 901 firearms under an amnesty. It therefore goes without debate that the legally vetted gun-owning community and the Australian public in general are fully supportive of control measures by the police.

Two of the key reforms of this bill that I have addressed, the FPO and the permanent firearms amnesty, will complement the broader suite of legislative reform being brought in. I am confident that law-abiding Western Australians will welcome anything that disrupts and dismantles the activities of outlaw motorcycle gangs and serious organised crime figures. This bill will make WA the most hostile jurisdiction for these groups to pursue their criminal activities. It should be noted that the criminal subculture of illegal guns does not exist in a vacuum. The use of these illegal weapons and the bloody impacts from the use of these illegal weapons is not confined to just members of the criminal underworld. The growing number of so-called random drive-by shootings we are now witnessing on quite a regular basis do not discriminate between criminals and innocent citizens. It is time to stop this violent culture.

The member for Wanneroo in her contribution mentioned her election commitment to fund mobile closed-circuit television cameras. The member inspired me and the member for Joondalup, Emily Hamilton, to give a similar commitment to the City of Joondalup for \$150 000 to purchase mobile CCTV cameras that can capture all sorts of antisocial behaviour on the roads with plate-recognition technology. That, coupled with this bill, will be an excellent start to stamping out some of this illegal activity. I commend the bill to the house.

**MR P.J. RUNDLE (Roe)** [8.40 pm]: I take this opportunity tonight to make a brief contribution in light of a few issues on this bill that have been brought up with me. Firstly, as stated by our lead speaker, the member for Vasse, the opposition will not oppose the bill, which is very important. We understand the general intent of the bill. Our job is to question some of the unintended consequences on behalf of licensed firearm holders, gun repairers and the like, of which I am one. I have a firearms licence. As the member for Thornlie pointed out, when one is farming, a firearm is occasionally required for vermin control and, unfortunately, stock that has to be put down. Most farmers have to go through that situation. I certainly support the general intent of the legislation.

I will clarify some points for the Minister for Energy, while he is present. I, too, saw last night's *Four Corners* program on brumbies in Kosciuszko National Park. It was quite an interesting program. As the minister pointed out, it presented both sides of the argument. There was a National Party connection to a group of people who were concerned about the destruction of the brumbies in Kosciuszko National Park. There were varying descriptions about the number of brumbies in the park, ranging anywhere from 2 000 to 18 000 and up to 20 000. That was the first disparity between the parties. It was interesting because the former National Party member had links to Parliament, where he had, over time, managed to get legislation introduced regarding the culling of the brumbies. He had gathered a band of people with a like interest. On the other side was the federal Department of Agriculture, Water and the Environment and the environmental lobby. From looking at some of the aerial photographs, I could see how the brumbies had destroyed quite a bit of the undergrowth and a lot of the trees in the park, and eroded the creek lines where they obviously came along to drink, jump over and the like. It was interesting to hear both sides of the argument and, in some ways, people were aligning in a way that I would not normally have expected.

**Mr W.J. Johnston:** My brother is a farmer in New South Wales. He is now in New England, and I can tell you that he does not vote National. I must point out he may not vote Labor either. He farmed at Adaminaby, which is obviously in the high country, before he went to his current location. He has great sympathy for the high country horsemen. Whenever I talk to him, he raises both the issue of the cattle and brumbies. It is interesting that the feral cattle got to the tablelands before white people because they escaped from the farmers on the coast and found their way over the mountains into that territory before the white people arrived. There is a long history of those beasts in that area, so I understand the angst of the high country cattlemen and horsemen. However, it is very clear that those animals are doing a lot of damage. Those guys are saying, "Well, you're getting rid of the horses, but what are you doing about the skiers?" Their perspective is that skiers do as much damage as animals. The skiers damage themselves when they drive their cars too fast on Monaro Highway. There needs to be a solution and I do not know that just letting the brumbies roam is the solution, but because of my own personal connection, I have a clear understanding of the cultural issues involved with the brumbies.

**Mr P.J. RUNDLE:** Thank you, minister. I found it really interesting to hear the different sides to the argument and, unusually, the different people involved in the different sides. I thought that was quite informative. I am sure the minister will convince his brother to see the light.

**Mr W.J. Johnston:** He is on the farmers' side. He's helped a number of Independents run against Barnaby!

**Mr P.J. RUNDLE:** I am sure it will be a subject that will be front of mind for quite a while. It is almost like the kangaroo population in the south west of WA. We are getting to the point where, apart from panelbeaters, a lot of people are concerned about the number of kangaroos there. It is becoming a real issue. It is amazing how quickly the kangaroo numbers build up in the south west, and we can also see that with the exponential increase in the number of brumbies in Kosciuszko National Park.

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One of the other things I will comment on is that, by coincidence, on the weekend I saw the film *Nitram*, which was about Martin Bryant. I was concerned about the way he was able to acquire an artillery of weapons in a fairly easy fashion at that time. From what some other members have said tonight, I understand that John Howard's gun amnesty resulted in guns being handed in, including in WA. In Australia, we have a much better track record than the likes of the United States, where guns feature a little too much for my liking.

The intent of this legislation is good and, as I said, the opposition will not oppose the bill. From our perspective, we will make most of our comments at the consideration in detail stage and will ask questions on behalf of various licensed firearm holders, gun repairers and sporting shooters associations. There are not many gun repairers left around the state, and distance is a real issue in pastoral areas and places that are a bit further away from the metropolitan area. I know of only one or two genuine gun repairers in my electorate. Some of these issues relate to the distance that people have to travel to get their guns repaired or maintained. We will be asking questions about some of those issues during consideration in detail.

Some concerning statements have been relayed back to us. One of those statements is that licensed firearm holders have nothing to worry about. I always have concerns when those sorts of statements are made. From the information that I have received, I believe that more work should have been done on the drafting of the legislation. I always worry when I look at legislation and we have a minister, as occurred with the Aboriginal Cultural Heritage Bill, who keeps saying, "It's no problem; we'll sort it out in the regulations." It really worries me what will come out in the regulations. At the moment, we do not know what will be in the regulations. I would be very comfortable if the Legislative Council referred the bill to a committee.

**Mr P. Papalia:** How many firearms have you got?

**Mr P.J. RUNDLE:** I have two.

**Mr P. Papalia:** When was the last time you had either of them repaired?

**Mr P.J. RUNDLE:** I believe that a small repair was done on the .22 about four years ago. To be honest, I am not a big fan of guns.

**Mr P. Papalia:** I get the thing about distance from repair, but I don't think people get them repaired that frequently. So, I'm not sure how big an issue it is.

**Mr P.J. RUNDLE:** Minister, we have just heard the overriding concerns of the industry. We will certainly be asking those questions during consideration in detail. As I said, my real concern is whether there has been enough consultation. Will there be unintended consequences for the shooting fraternity? As I said, a comment was made that licensed firearm holders will not be impacted. That probably remains to be seen. A lot of it always comes back to interpretation by the police and whoever at the time when the legislation comes in. I will be looking for the minister to provide more clarity in relation to the ambiguity about definitions, and the ammunition side of it. I see that an amendment came in this morning related to ammunition and so on. I look forward to the minister clarifying that amendment.

The minister also mentioned maintenance and repair. There is a difference between someone like me, who rarely uses my guns in the gun cabinet, compared with a sporting shooter, a clay target shooter or someone who puts a lot of rounds through their gun and might need their stock or the trigger replaced or whatever. That is the difference. A lot of people around the state use their guns on a regular basis. That is why I am here; it is about unintended consequences for the regular users.

Over the last couple of years, I understand that 81 430 firearms licences were held by people. Of those, 61 687 of those licences include multiple guns. There is certainly a large contingent. People deserve to have answers. As I said, there are interchangeable stocks and triggers that have been lawfully held by repairers or licensed firearms holders. How will it play out if someone at the back of Leonora breaks the stock on their gun and they need it repaired? I have concerns about what I think is probably the potential for some pretty heavy-duty bureaucracy when licensed firearms holders will have to gain WA police approval for every part of a licensed firearm that requires replacement. Will the licensed firearm holder require retrospective approval for holding parts or will they have to surrender them? I have heard previous speakers talking about the surrender of firearms and the like. Will compensation be payable for the surrender of those firearms? I understand that this scenario will play out. I will ask the minister whether there will be compensation. We will outline that during consideration in detail. I worry about the people who have several firearms. If they surrender some or all of them, what are the government's plans for compensating them? That will be an interesting element.

I agree with the provisions in the bill relating to 3D printing and the like. I fully understand the implications of what can occur when backyard operators, bikie gangs and so forth manufacture those weapons. I will also be seeking clarity on how this legislation affects people who genuinely have manuals, diagrams, videos et cetera who are genuine

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licence holders. How will that play out? Will they be picked up in the legislation? Repairers will also fall within that scenario.

There is a genuine intent from the government and I understand where the minister is coming from. We certainly will not be opposing the bill. As I said, the unintended consequences are the real concern for me. There are only a few firearms repairers and dealers around the state. We have also seen issues with the transport of firearms, which has created difficulties for various licensed firearm holders throughout the state. The member for Vasse, the member for Moore, whom I know is interested, the member for Central Wheatbelt, the member for North West Central and I will be taking the opportunity to clarify many of these things.

[Member's time extended.]

**Mr P.J. RUNDLE:** We have asked questions of the WA police and have tried to get some clarity. We had an interesting response about the difference between manufacture and repair when we tried to clarify whether the repair of ammunition is a component of the repair offence. It will not be a component. The WA Police Force said it will be updating the information on the website to provide guidance. That is good, but I would like some clarity right here at the table. I certainly look forward to having that opportunity. I will be interested to see how the issues of compensation, maintenance and repair, reloading and ammunition, as per the amendment that the minister lodged this morning of which we received notice, plays out. I certainly understand the intent of the bill. I will not be opposing its general intent. I will leave my contribution there. We may have extra speakers. If not, we will certainly be well and truly present during consideration in detail.

**MS J.J. SHAW (Swan Hills — Parliamentary Secretary)** [8.59 pm]: I also would like to make a contribution to the debate on the Firearms Amendment Bill 2021 this evening. I note that the legislation is intended to target outlaw motorcycle gangs and other serious organised crime figures and persons who pose a threat to community safety, but I would also like to discuss this evening the unintended outcomes that could potentially flow from the passage of this bill. I refer to not only the potential outcomes raised by the member for Roe, which have also been raised by constituents of mine, but also some other outcomes that I will get to. I know there is a bit of interest in this bill in my electorate, so for the benefit of those who may watch the footage or read the *Hansard*—they may be sleepless, who knows?—I would like to quickly run through the key features of the bill, and then I will discuss the concerns of my constituents and, as I say, some of the potential unintended outcomes of the bill.

The four key reforms contained in this bill relate to firearms prohibition orders; the illegal manufacture of firearms, including firearms technology offences; increased penalties for certain firearms offences relating to stolen firearms and firing a gun in a way that causes fear; and provisions for a permanent firearms amnesty. The first aspect of the bill is the most significant, and that is the institution of a new firearms prohibition order scheme. The intent of that is to target members of outlaw motorcycle gangs, and it complements a broader suite of legislative reforms instituted by this government that aim to disrupt and dismantle these motorcycle gangs and organised crime more broadly in Western Australia, and make it the most hostile jurisdiction for these groups to pursue their criminal activities.

The first part of the reform was the Criminal Law (Unlawful Consorting and Prohibited Insignia) Act, which was passed last year. This legislation builds on that legislation, making it harder for outlaw motorcycle gang members and members of other organised crime groups to access firearms. Under the firearms prohibition order scheme, the Commissioner of Police or their delegate, ranking commander or above, will be able to make a firearms prohibition order against anyone if they are satisfied of any of the following—this is an important point, and I will return to it later on this evening: firstly, if the possession of a firearm by a person will likely result in undue danger to life or property; secondly, if the person is not a fit and proper person to possess a firearm; and thirdly, it is otherwise in the public interest to make an FPO against the person. The police then have a number of powers to support the service of an FPO. Once served with an FPO, a person becomes a prohibited person and is subject to a range of conditions. They are banned from holding firearms licences or living in a house where firearms are stored. They have to surrender all their firearms, parts and ammunition, and they are not able to acquire, possess or use firearms, major firearms parts or prohibited firearms accessories and ammunition. They are not able to enter or remain in certain places, including places where firearms are repaired, manufactured and sold; this extends to shooting ranges and paintball clubs, and we have quite a few of them in the seat of Swan Hills. They are also prohibited from associating with persons in the possession of a firearm, parts or ammunition. There are a number of offences associated with failing to comply with an FPO that have a range of significant consequences, including jail terms of up to 14 years, and financial penalties of up to \$75 000. That is really quite a considerable increase in the consequences for undertaking these sorts of prohibited activities.

The second aspect of the legislation relates to two new divisions targeted at disrupting the unauthorised manufacture of firearms. There is a division 3 set of offences relating to manufacture, repair and dealing in firearms and other things; and a division 4 set of offences relating to firearms technology. The division 3 provisions aim to encompass

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all persons involved in the manufacture, repair and dealing of unauthorised firearms, major firearms parts and prohibited firearms accessories and ammunition, and it is basically intended to target the business model used by those who manufacture firearms, and all those associated with their illegal manufacture, repair and dealing.

The division 4 provisions introduce the concept of firearms technology. Including firearms technologies is essential to this bill, enabling police to keep up with the new ways in which illegal firearms are manufactured. This increasingly includes the use of technologies such as 3D printers. It is actually quite interesting to read about the use of 3D printers in this regard. They are able to manufacture plastic fully functional firearms capable of firing live bullets. They also produce functional key components for firearms, including semiautomatic assault rifles and fully automatic machine guns and handguns.

I am trying to remember; there was a movie I saw many years ago that I think had Billy Bob Thornton in it, and he built a plastic gun and assassinated a President. I am sure it was Billy Bob Thornton; anyway, it was quite interesting, because he had to pass through all the metal detectors, and because the guns were made of plastic they were completely undetectable. Obviously, guns need to be detectable, but really, we should not be able to manufacture them in our backyards. That is quite a considerable, and growing, problem in Western Australia. Their manufacture has been infrequent to date, but it is increasing. In fact, when I did my research I was really interested to discover their prevalence. In June last year, a backyard 3D printing set-up was uncovered, down the road from my nan's. That was quite a surprise to me. Quite a significant number of weapons were seized. It just goes to show that this stuff is happening, and that we need to institute provisions to control it.

As I said, once these amendments have been introduced, WA police will be able to respond to the illegal use of these devices and prevent them from becoming more common. The definition of "firearms technology" is important to run through, because it is one of the issues that my constituents have raised with me. Firearms technology is defined in the bill to include digital or electronic technical drawings, plans, software or instructions, including printed hard copies for the design, manufacture or repair of a firearm or major firearm part, prohibited firearm, accessory or ammunition.

The bill will introduce three specific offences relating to unauthorised activity regarding firearms technology: the unauthorised possession of that technology, the creation or development of the technology, and the dissemination of the technology. The penalty for those offences is imprisonment for 10 years, and the summary conviction penalty is imprisonment for three years. There are a number of exceptions, and I will be interested to understand how they operate.

The third aspect of the legislation is increased penalties for firearms-related offences in order to better reflect the severity of these offences and to target the serious organised crime groups often linked to the types of offending. The penalties are being increased relating to the theft of a firearm, being in possession of a stolen firearm, and offences relating to circumstances in which a person fires a gun to cause fear. It has been just terrible to see those incidents in Perth.

The final aspect is the establishment, under clause 60, of a permanent firearms amnesty. This will support agreements made by police ministers across Australia to introduce a permanent national firearms amnesty from 1 July 2021. That is a really important provision and will really encourage the community to surrender firearms. As many other members have noted, that will help ensure that unlicensed firearms ended up in the hands of criminals. There have been some very successful previous amnesties. Under the 2017 national firearms amnesty, 57 000 unlicensed firearms were surrendered across Australia, with 1 242 firearms surrendered in Western Australia.

The members for Roe and Vasse talked about the indirect outworkings of this bill, and that is something that has been raised by my constituents. The seat of Swan Hills is the largest seat in the metropolitan area by both geographical area and population. I have a 20-square-kilometre area of Ellenbrook, which is highly urbanised, and another 1 500 square kilometres of space that has broadacre farming, rural residential living and rural lifestyle properties. A lot of people in the hills part of my electorate are farmers and, indeed, sporting shooters. I also have the Swan Valley in my electorate, and many people there undertake pest eradication programs—shooting programs—of rainbow lorikeets, to try to control their strike on grapes. The provisions relating to the utilisation of guns are actually very relevant in Swan Hills. I did not realise this until very recently, being a person who has never actually held a gun, but I have certainly learnt quite a bit about it, and I would like to thank the current Mayor of the City of Swan, David Lucas, for enlightening me. I know that David Lucas, as a former police officer, has a great interest in this area and has indeed advocated to me.

One of the things that Mayor Lucas raised is the definition of "firearms technology" and the inclusion of hard copies of drawings, plans and software. He said that there are many responsible gun owners who own manuals, paraphernalia and old magazines. He showed me some magazines from the 1980s and some really quite complex, technical drawings detailing the different parts of the guns and how to care for them. He said, "Look, Jess, I'm very concerned



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that this legislation will make my possession of these magazines illegal, so I'm very interested to understand how the exceptions that are outlined in the bill will apply in such circumstances." People have also raised concerns with me about responsible gun owners' ability to repair and maintain their firearms. Other members have raised that, and I am sure it will come up at the consideration in detail stage.

They are the sort of indirect outcomes that have been raised, but there are others that I want to speak about. They are the positive indirect outcomes that are perhaps not front of mind as we consider this bill but I think should be—that is, the impact that this legislation will potentially have on measures to meaningfully tackle family and domestic violence. As I have mentioned before, under proposed part 8 of the legislation, the criteria by which the Commissioner of Police or their delegate can make a firearms prohibition order are that he or she must be satisfied that possession of a firearm by the person will likely result in undue danger to life or property, that the person is not a fit and proper person to possess a firearm, or that it is otherwise in the public interest to make a firearms protection order against the person. There are measures currently available for the control of firearms in domestic violence situations and it is important that we acknowledge that, but one of the things we talked about in our briefing on the bill is the potential for this act to be an additional tool available to WA police to control access to firearms, particularly in light of the criteria that I have just outlined.

Without doubt, we have a problem with family and domestic violence in Western Australia. It is an issue in the cities, the suburbs and the regions. In 2021, two-thirds—about 63 per cent—of assaults in WA reported to police were family and domestic violence-related, with eight FDV-related homicides last calendar year. One in five Western Australian women reported experiencing partner violence since the age of 15. One in five Australians believe domestic violence is a normal reaction to stress and that sometimes a woman can make a man so angry he hits her without meaning, and one in three Australians believe that if a woman does not leave her abusive partner, then she is responsible for the violence continuing. In my own electorate, family and domestic violence is a very real issue. The most recent data that I have available from WA police shows that in 2019–20 there were a total of 3 970 family and domestic violence incidents reports in the Midland district, in which my electorate sits, which is the third highest in the metropolitan region.

The McGowan government has taken unprecedented action to address FDV in the state, investing an additional \$126 million since coming into government to keep victims safe, hold perpetrators to account and stop violence against women before it starts. Our key achievements include appointing our first ever Minister for Prevention of Family and Domestic Violence. Having been appointed her parliamentary secretary, being in that job for a few weeks now and watching the way that she operates, I know that she is wholly committed to ensuring that we have a sustained whole-of-government focus on implementing effective systemic changes to stop violence against women. Under her leadership, we have introduced *Path to safety: Western Australia's 10-year strategy to reduce family and domestic violence 2020–2030*, which outlines the steps that this government will take to build safer communities.

Alongside our unprecedented investment of \$126 million over the past five years, the McGowan government has made significant progress, including investing more in community-based services, including two new women's refuges; establishing our first FDV one-stop hubs, making it much easier for women experiencing violence to come forward and seek help; and implementing significant and progressive family violence legislation reform to keep perpetrators accountable and to better protect victim survivors. That includes shuttle conferencing so that victims do not have to face their abusers, and amending the Residential Tenancies Act to make it easier for victims to leave abusive environments or to make security upgrades to properties. We have increased the capacity of systems to identify and respond to family and domestic violence, including training for frontline police and introducing antenatal screening in hospitals. We have prioritised raising awareness of the drivers of violence so that we can stop it before it starts, including implementing the Respectful Relationships program in schools and introducing the highly successful annual 16 Days in WA campaign to stop violence against women. The McGowan government has committed over \$60 million this term to continue building on these achievements by expanding programs to support survivors, tighten legal protections and drive collective community and government action to stop violence against women. These are great steps forward, but I believe that this legislation could be another part of the tool kit available particularly to WA police to address the scourge of family and domestic violence, because it is without doubt a fact that firearms play an insidious role in FDV.

The World Health Organization shows that the United States—it is well known—has the western world's worst homicide rate, with about five persons killed per 100 000 people, compared with just over one person per 100 000 in Western Australia, and 50 per cent of murders in the United States involve guns. Disturbingly, American women are six times more likely to be killed in a domestic violence incident if a gun is present at the time, and every month in the United States an average of 70 women are shot and killed by an intimate partner. According to the US anti-gun organisation Everytown for Gun Safety, nearly one million women alive today have reported being shot or shot at by intimate partners, and 4.5 million women have reported being threatened with a gun by an intimate partner.

Ms Libby Mettam; Mr Mark Folkard; Mr Vincent Catania; Mr David Scaife; Mr John Quigley; Acting Speaker; Mr Paul Lilburne; Mr Simon Millman; Mr Peter Tinley; Ms Sabine Winton; Mr Chris Tallentire; Ms Hannah Beazley; Ms Caitlin Collins; Mr Peter Rundle; Ms Jessica Shaw

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[Member's time extended.]

**Ms J.J. SHAW:** Everytown also notes that the effects of firearms in the hands of an abuser extends far beyond the intimate relationship itself. They affect the children who witness or live with it, family members, co-workers and the law enforcement officers who have to respond to it. It observes that guns further exacerbate the power and control dynamic used by abusers to inflict emotional abuse and exert coercive control over their victims.

I have been reading some of the literature on this topic. I read *The Journal of the American Academy of Psychiatry and the Law Online*, volume 49, issue 4, dated 1 December 2021. It contains an article called “Domestic Violence, Firearms, and Mass Shootings”, written by Liza Gold. Obviously, she observes much of the commentary in the US around gun control concerns mass shootings. When people think about mass shootings, we often think of an incident with multiple fatalities and a lone gunman who opens fire on random people in a public space. Domestic homicides involving intimate partners and other family members confined to a residence are often not considered or counted as mass shootings, but if we think about that type of crime, between 2009 and 2018, at least 54 per cent of mass shootings in the United States, defined as shootings in which more than three people are killed in one event, were related to domestic or family violence. The article notes —

... domestic homicide often extends to additional victims linked to the primary perpetrator or victim, either through a preexisting relationship or through physical proximity to the violence.

The article references earlier studies that demonstrate that firearm use is associated with increasing instances of multiple homicide victimisation, especially in domestic situations. The study finds —

Prohibiting firearm access for those with a history of domestic violence has proved effective in reducing rates of intimate partner homicide. This suggests that, in the context of domestic violence, identifying additional areas where prohibition might decrease access to firearms and effectively enforcing restrictions that already exist may also decrease mass shootings, both inside and outside the home.

There have also been studies into this aspect of violence in Australia. In an article published in September 2001 in *The Medical Journal of Australia* titled “Gun violence in Australia, 2002–2016: a cohort study” found that undoubtedly men are the major victims of gun-related crime in Australia. However, in Australia, the injured person was a female for one in 10 firearm assaults. The article notes —

Domestic and family violence is a major health and welfare problem in Australia, and the risk of domestic partner violence escalating to homicide is 11 times as high in households with access to firearms.

It is considerably higher in the US, but it is still 11 times higher in Australia. Similarly, the Women's Legal Service Queensland, quoting a range of sources, states —

2. Gun use in domestic violence homicide is still common  
Gunshot wounds are the third most common cause of death for Australian victims of domestic homicide.

Something that I think the Nationals WA should have regard to in particular, is that —

4. Rural, regional and remote women are at increased risk  
Higher rates of gun ownership in non-urban communities is a serious concern of survivors of domestic and family violence and increases “women's vulnerability to serious harm and death”.

This is an issue for not only metropolitan women, but also regional women. It is important that we are all alive to those risks.

The work done by the Women's Legal Service Queensland also notes —

5. Access to firearms is associated with more serious domestic violence  
Women whose abusers use or threaten to use a weapon are 20 times more likely to be killed.  
Violent intimate partners who have access to firearms engage in more severe domestic violence than those who do not.

There is a clear link between firearms and domestic violence. Currently in Australia, only 11 per cent of domestic violent homicides involve guns, but that is far too many. In the United States, where the gun laws are much more liberal, the figure is 50 per cent. The Women's Legal Service Queensland found —

Female gun homicides significantly declined in Australia after 1996 gun law reforms

It was interesting to look at the graphs that detailed that. I found a couple of other articles that discuss the same matter. Members can see in the charts that there was a dip in male-related gun homicides, but there was a marked

**Extract from *Hansard***

[ASSEMBLY — Tuesday, 22 February 2022]

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Ms Libby Mettam; Mr Mark Folkard; Mr Vincent Catania; Mr David Scaife; Mr John Quigley; Acting Speaker;  
Mr Paul Lilburne; Mr Simon Millman; Mr Peter Tinley; Ms Sabine Winton; Mr Chris Tallentire; Ms Hannah  
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dip in female-related homicides following the 1996 gun reforms. Other members this evening have spoken about what a key moment in time those reforms were and about the remarkable bipartisanship at the time. It is good that today we have seen the same level of bipartisanship from the opposition indicating its support for the bill, obviously, subject to nutting out some of the issues that my constituents have raised with me.

I believe this legislation represents another step forward in gun reform. Let us hope that a positive indirect benefit of this is that it adds yet another string to WA Police Force's bow and assists the police to further address family and domestic violence. As I said, the criteria by which the police commissioner or the commissioner's delegate can make a firearms prohibition order are that he or she must be satisfied that the possession of a firearm by the person will likely result in undue danger to life or property, that the person is not a fit and proper person to possess a firearm, and that it is otherwise in the public interest to make a firearm prohibition order against the person. I argue that those criteria apply in many a family and domestic violence situation.

This legislation is, no doubt, a great step forward in addressing outlaw motorcycle gangs. I know that is a real priority of the minister and the Attorney General. In addition to those existing measures that we have available to us to address the risks posed by firearms in family and domestic violence situations, let us hope that these measures can also be utilised in our ongoing efforts to tackle family and domestic violence.

Debate adjourned, on motion by **Ms C.M. Rowe**.