

FAMILY AND DOMESTIC VIOLENCE — FIREARMS ACT REFORM

477. Mrs R.M.J. CLARKE to the Minister for Police:

I refer to the McGowan Labor government's unprecedented efforts in tackling family and domestic violence and protecting victims of this heinous crime. Can the minister update the house on how this government's proposed reforms to WA's firearms laws will not only keep firearms out of the hands of criminals, but also help protect the victims of family and domestic violence?

Mr P. PAPALIA replied:

I thank the member for her question and for her advocacy for better responses to the scourge of family and domestic violence in Western Australia. I can tell the member that the number one thing we are doing is rewriting the Firearms Act, which has not been tackled for almost 50 years. That rewrite will pre-eminently elevate community safety as the number one consideration in the act. That is not currently the case, and that is probably the most concerning matter with respect to the Firearms Act. Community safety is a secondary consideration when it comes to a lot of different cases in which the police commissioner has deemed a person to be not a fit and proper person and not worthy of holding a firearms licence. Those decisions can be appealed to the Supreme Court, and people are regularly winning.

I draw the member's attention to an excellent piece by Shannon Hampton in *The Sunday Times* last week that drew out this argument and illustrated the case. Right now before the Supreme Court are 63 cases of people appealing decisions made by the Commissioner of Police on firearms matters. The article states —

In one case, police have decided to revoke the firearm licence of a serial child sex offender—who has offended seven times against a child under 13—but the decision is now subject to an appeal before the tribunal.

That is happening under the current act. It continues —

Police were also forced to defend a decision to revoke a licence holder based on 68 convictions, including dangerous driving where he stated he wanted to make his partner a paraplegic. He also had a history of multiple police orders and interim violence restraining orders. After a year-long legal battle in the SAT, the revocation was eventually upheld.

It took a year before the Supreme Court for that to happen. It continues —

A man whose application for a shotgun and rifle was refused by police based on his convictions for armed robbery, assault and breaching a suspended imprisonment order was overturned on appeal.

That happened under the current act. The article also states —

And as reported earlier this year, a man who had 27 domestic violence convictions and had failed to properly store his firearms was allowed to keep guns after appealing ...

That was done under the current act. That is what we are going to be dealing with.

While I have the opportunity, I will make this point: when we amended the act earlier this year—it was a small number of amendments; there were about 15 in total—members of the National Party predominantly, but also the Liberal Party, demanded that my representative in the upper house answer whether we could guarantee that current firearms licence holders would not be impacted in any way by the amendments we were making. They asked whether they could continue to have firearms and conduct themselves in the same fashion as they do now under the current act. The answer right now, in advance, for those members in the upper house who seem to believe that they are the only ones who consider legislation is no, we will not guarantee that. We will guarantee one thing: community safety will be elevated to primacy. It will be the number one consideration under the new act.