

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

FIREARMS LICENSING REGIME

Motion

Resumed from 23 June on the following motion moved by Ms M.M. Quirk —

- (1) That this house condemns the Barnett government for its proposed dilution of controls on handguns under the Firearms Act 1973 with the potential that access to handguns by organised crime may be facilitated.
- (2) That this house further condemns the Barnett government for its failure to manage and resource the implementation of the new firearms licensing regime which has caused delays, uncertainty, incomplete record keeping, lack of transparency, and inconsistent application of law and policy.
- (3) That this house calls on the Barnett government to immediately implement and resource the recommendations of the Auditor General's report dated 21 October 2009 and entitled "Third Public Sector Performance Report 2009" under the headings "Regulation of Firearms — Follow-up", "Managing Staff Attendance in the Public Sector" and "Evaluation in Government".

MR R.F. JOHNSON (Hillarys — Minister for Police) [4.01 pm]: I will not take the remaining 39 minutes to respond to this motion that was moved by the member for Girrawheen. It was moved some time ago, I hasten to add; I thought that she had lost interest in this particular area.

Ms M.M. Quirk: I was giving you time to get your act together, minister.

Mr R.F. JOHNSON: Really? I wonder if the member is the same minister who attended the Sporting Shooters' Association's annual general meeting on election day. Is that correct?

Ms M.M. Quirk: Yes!

Mr R.F. JOHNSON: Was it the same day?

Ms M.M. Quirk: I am not a minister, unfortunately.

Mr R.F. JOHNSON: Unfortunately, I could not attend. I hear that the member had another interesting aspect to that day. I was told that she had taken something that did not belong to her in her car, and that she was forced to take it back. Is that correct?

Ms M.M. Quirk: No.

Mr R.F. JOHNSON: Not at all?

Ms M.M. Quirk: No.

Mr R.F. JOHNSON: Did she not take an election sign belonging to somebody else in her car and then took it back?

Ms M.M. Quirk: No.

Mr R.F. JOHNSON: Really?

Ms M.M. Quirk: "Taking" is an intention to permanently deprive; I removed it from where it was damaging some property and left it where it was.

Mr R.F. JOHNSON: The member removed something that was not her property and put it in her vehicle —

Ms M.M. Quirk: No, I didn't.

Mr R.F. JOHNSON: — and almost ran somebody over. One of the helpers at the polling booth eventually phoned her and told her that she had better bring it back, and then she brought it back. Not a very good example, I have to say.

Ms M.M. Quirk: It would not be if it was true, minister, but it is not true.

Mr R.F. JOHNSON: Is the member saying that none of that is true?

Ms M.M. Quirk: What is the motion you are speaking to, minister?

Mr R.F. JOHNSON: None of that is true. Okay —

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

Ms M.M. Quirk: I put up and took down a lot of posters on election day.

Mr R.F. JOHNSON: The member took one that did not belong to her.

Ms M.M. Quirk: I do not know that they belong to anybody.

Point of Order

Mr M.P. MURRAY: My point of order is about relevance to the motion. I am sure that the motion has nothing to do with what is being discussed.

The ACTING SPEAKER (Mrs L.M. Harvey): Minister, would you care to address the matter that is before the house.

Debate Resumed

Mr R.F. JOHNSON: I accept that this discussion has nothing whatsoever to do with the motion before the house, but we have seen examples all afternoon of members opposite filibustering on a bill that the member for Collie–Preston said would take about five minutes to go through all stages. We have seen nothing but filibustering since then, which is typical. The member does not like it —

Mr C.J. Tallentire: You should be defending agricultural interests on your side of the house. You did not want the debate about agriculture to go on —

Mr R.F. JOHNSON: I am very happy for it to, but when —

Mr C.J. Tallentire: That is what we were discussing. If you did not understand that, that just shows that the Liberal Party does not understand agricultural interests.

Mr R.F. JOHNSON: I understand that, but the opposition's lead speaker said it would take about five minutes.

Point of Order

Mr B.S. WYATT: Madam Acting Speaker, you have made a ruling on this issue. This is private members' time. That is traditionally the time for members of the opposition to raise matters of significant importance. I ask that you direct the minister back to the relevance of this issue, so that we as an opposition can start putting the issues that the people in Western Australia actually care about.

The ACTING SPEAKER (Mrs L.M. Harvey): Minister, could you please address the matter that is before the house. If members could refrain from interjections, we might progress on this matter.

Debate Resumed

Mr R.F. JOHNSON: Madam Acting Speaker, I take your direction absolutely and thoroughly.

The motion that the member for Girrawheen moved some months ago now has three separate parts —

- (1) That this house condemns the Barnett government for its proposed dilution of controls on handguns under the Firearms Act 1973 with the potential that access to handguns by organised crime may be facilitated.

Jeepers! That is a pretty strong statement, and the member wants to condemn us for that —

- (2) That this house further condemns the Barnett government for its failure to manage and resource the implementation of the new firearms licensing regime which has caused delays, uncertainty, incomplete record keeping, lack of transparency, and inconsistent application of law and policy.

And then she went on with —

- (3) That this house calls on the Barnett government to immediately implement and resource the recommendations of the Auditor General's report dated 21 October 2009 and entitled "Third Public Sector Performance Report 2009" under the headings "Regulation of Firearms — Follow-up", "Managing Staff Attendance in the Public Sector" and "Evaluation in Government".

There are two areas, as I see it, about which the member is trying to attack and condemn the government. One is of course in relation to category H firearms, whereby I have agreed that pastoralists, under very strict conditions and criteria and when they show cause that there is a definite need to have a category H firearm —

Ms M.M. Quirk: Minister, you have actually responded to that in detail, and you have conceded those regulations. It is really the other issues that need to be addressed. You spent some time —

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

Mr R.F. JOHNSON: So the member wants to tell me how to do my speech!

Ms M.M. Quirk: No; I was just saying that I am satisfied with what you have said about that. You have gazetted the regulations, we have fought the good fight and it is too late, but we can maybe address the other two parts of the motion.

Mr R.F. JOHNSON: I just wanted to bring the question into context. As I understand it, there are something like 10 000 category H firearms throughout WA—predominantly in sporting shooters' associations and so on. I would just like to emphasise that originally the regulation was going to take, I think, 120 category H firearms from our pastoralists and graziers because that was part of a national agreement, but other states diluted their regulations. My initial view was that if that was to be the case, we should go along with it and that would be it. Virtually all those pastoralists and graziers handed back their category H firearms. However, I was shown some clear evidence for the need for category H firearms and I listened to a lot of people who took the time to come and talk to me. I could see that some of these pastoralists needed to be able to protect themselves properly; it was a question of not being harmed in their jobs. I agreed that there should be cases in which we should allow, for those particular reasons, pastoralists and graziers to again apply to carry a category H firearm.

The criteria state that they must be on enormous areas of land. I cannot remember the exact number of hectares that they have to have, but it is enormous. The criteria apply predominantly to the north and the desert areas of Western Australia. The Western Australian Farmers Federation took no interest whatsoever; it did not want category H firearms. Only those pastoralists and graziers who felt that their lives and wellbeing could be threatened if they were not allowed to have the option of carrying a category H firearm did so. I saw some injuries to people who had been mauled by animals. I think I can safely say that the number of pastoralists and graziers who will be eligible will be 30—that might be a slight overestimation. Many of them gave their firearms back willingly if they did not need them anymore. There are about 30 people or fewer who I believe need them, and therefore I amended the regulation to allow those people to be able to apply. They still have to show good cause and a need for those firearms. Provided they also meet the other criteria, they will be allowed to carry a category H firearm while they are out on their pastoral land.

That is the first part out of the way. We are talking about 30 handguns, when there were 130 before among pastoralists and graziers, which is a portion of the 10 000-odd category H firearms that are quite legally in circulation in WA. If the member for Girrawheen thinks that those estimated 30 people who are able to apply to get their handguns back are going to add to organised crime, she is not living in the same land as I am and is not being realistic. If organised crime interests wanted to get hold of handguns, it would go somewhere else. Guns can be obtained on the black market, but obviously criminals would try to obtain, by burglary and various other means, the other 10 000 guns in circulation in Western Australia.

The government has also been criticised for delays in issuing firearm licences. I have said many times—I have copped it on the chin—that, yes, there have been delays because things did not go according to plan. I do not blame anybody for that; these things happen. However, I want to share with the house that at the moment police are well and truly on top of firearms licensing, as the number of applications on hand has reduced.

Ms M.M. Quirk: What is the number now, minister?

Mr R.F. JOHNSON: I will tell the member for Girrawheen. On 28 July, there were 738 in the nought to three-month-old category applications—remembering there is a 28-day waiting period on brand-new applications; on 16 July, there were 702; on 30 July, 611; on 13 August, 612; on 27 August, 557; and on 10 September, there were 676. The reason for the increase in that week or two was the 24 per cent increase in applications received during this reporting period when averaged with the previous two reporting periods. Another unfortunate reason for the delay was that the officer in charge was interstate on firearms business for a week, and higher levels of approvals have accumulated for sign-off because the office is awaiting an additional full-time equivalent position for a sergeant to take on that role when the present officer is absent from the building. There is no question that there has been an improvement.

In relation to applications four to seven months old, there were 47 on 2 July; 32 on 16 July; 37 on 30 July; 44 on 13 August; 40 on 27 August; and 45 on 10 September. That also is a reduction. For applications between eight and 24 months old—these are the decentralised legacy files—there were 35 on 2 July; 17 on 16 July; five on 30 July; zero on 13 August; three on 27 August; and four on 10 September. Therefore, on 2 July there were 820 outstanding applications, and by 10 September there were 725 outstanding applications. Quite a few applications were dealt with, bearing in mind many new applications lodged during that time must go through the 28-day waiting period to comply. I do not have a problem with that. It can take three to six months to get a driving test; therefore, I do not see it as unreasonable for it to take anything up to two or three months to get a firearm licence.

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

Ms M.M. Quirk: Except that there is one distinction minister: a driver's licence runs from when it is granted and paid for but a firearm licence is paid for at the time an application is made. That licence will expire in one year or six months from the date of payment, so the time is running while the application is being considered. That is the distinction between it and a driver's licence. Effectively, when a person gets the licence, it may only have six or eight months left to run and the applicant has to go through the process all over again. That is unfair.

Mr R.F. JOHNSON: Is the member saying that when a driving test is booked, it does not have to be paid for?

Ms M.M. Quirk: You pay for the test, but you don't pay for your licence until you are granted it—and then it runs.

Mr R.F. JOHNSON: People pay for the test; they have to sit the test before they get a full licence.

Ms M.M. Quirk: No; they are not paying for their full licence and then not getting it for many months.

Mr R.F. JOHNSON: Many months? No; in some instances it is less than a month. In some it is —

Ms M.M. Quirk: Say three months, minister.

Mr R.F. JOHNSON: I would suggest that that is the maximum, and that is for a very small number.

Ms M.M. Quirk: In most other places you pay for the licence when it is granted. Do you understand the difference, minister?

Mr R.F. JOHNSON: I understand exactly what the member is saying. I disagree with her view, but I understand what she is saying.

Ms M.M. Quirk: It is not fair.

Mr R.F. JOHNSON: The member may not think it is fair, but I think it is reasonable. Okay? Does the member have the sporting shooters in the public gallery taking aim?

Ms M.M. Quirk: No.

Mr R.F. JOHNSON: I thought the member might have.

Ms J.M. Freeman: No—taking aim at you!

Mr R.F. JOHNSON: No; they would not take aim at me. I get on well with them. They are very pleased with actions that I have taken and the way things are progressing,— which is good.

Mr J.E. McGrath: Another success story.

Mr R.F. JOHNSON: Another success story—absolutely! I am just full of success stories.

Mr M.P. Whitely: By way of interjection: are you saying that it is fair to pay for something that you don't get?

Mr R.F. JOHNSON: But they do get it—in the end. They do!

Mr M.P. Whitely interjected.

Mr R.F. JOHNSON: They do get it! They do not get it on the spot. Does the member for Bassendean think it is fair to pay for a driving test but cannot take it for three to six months? Does he think that is fair?

Mr M.P. Whitely: You do not pay for your licence until you get your licence.

Mr R.F. JOHNSON: I am talking about a driving test.

Ms M.M. Quirk: We are talking about licences.

Mr M.P. Whitely: There are lots of things that aren't fair. Let us not worry about the rest of the world, but in this particular matter you are saying that it is fair to pay for a licence —

Mr R.F. JOHNSON: Life is not fair. I will say to the member that it is not fair for me to have to be here to listen to some of the comments that some members opposite make. Life is not fair in that respect.

Mr M.P. Whitely: No. I agree that it is not fair for you to be here. There should be some sort of IQ test to preclude you.

Mr R.F. JOHNSON: I have to, as they say, cock a deaf ear sometimes and try to switch off from some of the irrelevance that I hear.

I do not intend to take any longer on the motion moved by the member for Girrawheen. I do not know whether any other members wish to speak to it; there may well be some. However, I disagree with the motion in its

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

entirety, and I am certainly confident that my colleagues on this side of the house will vote against the member's motion.

MR J.C. KOBELKE (Balcatta) [4.16 pm]: Minister, I think that there is real concern in the community. Certainly, I have had people come to my electorate office with all sorts of problems about the changes to firearm licensing. Some of those problems have been fixed, but there are ongoing issues with the changes that were made. When I was the Minister for Police, the Commissioner of Police spoke to me about the possibility of using post offices for firearm licensing, in terms of the Frontline First policy and removing some of those operations from police officers. I said that I was happy to look at it. I am not sure what this minister's approach is, but my approach was to ask police to come back with a business case so that I could understand exactly how it would work and have confidence that it would not run into problems. However, it seems that on becoming the minister, the member for Hillarys simply ticked off on the changes taking place. Now we have this outcry from people because of the delays and all the problems that arose due to the change in the system. I do not know yet whether the minister has put in money to update the control systems; that is, the computer registry systems.

Mr R.F. Johnson: You never put any money into IT.

Mr J.C. KOBELKE: Pardon! Will the minister say that again?

Mr R.F. Johnson: That is the biggest gripe that the police have with you.

Mr J.C. KOBELKE: The minister said that we did not put in money for information technology.

Mr R.F. Johnson: Not the money that was needed—no.

Mr J.C. KOBELKE: The minister said we never put money into IT. There was record spending—hundreds of millions of dollars—yet the minister says that we did not put money into police IT! The minister is an absolute joke! He does not know the police department. When Labor came to government in 2001, the Court government had already wasted tens of millions of dollars on a system that did not work. We had to scrap it and start again. The IT bill ran into something like a couple of hundred million dollars, but this Minister for Police says that Labor did not spend money on IT! That just shows how little he understands about police issues and why, returning to the issue of guns, we have ended up with a real mess in terms of the licensing and management of firearms. The minister is simply not across his portfolio, which is clearly exemplified by his making such a stupid statement about the former Labor government not spending money on IT when it spent hundreds of millions of dollars. It is absolutely absurd!

The opposition has other issues. The Auditor General's report clearly pointed out a whole range of deficiencies, yet we have not seen an implementation plan from the government to try to fix those problems. Clearly, there are issues in terms of how the whole system works, but where are the answers? Where is the government's response to the Auditor General's report to fix those problems?

The other part of the motion refers to the issue of handguns. The Howard government, through the Council of Australian Governments, toughened the law in that area. I know that it became something of a burden for sporting shooters to comply with the restrictions that were put in place.

The Minister for Police has now bent to the request made by certain sectors, particularly the pastoral industry. I was always very open to the request by pastoralists for handguns, but I realised that it would be counter to the undertaking given by all the states to the then federal Howard government. I met pastoralists several times on the basis that if they could present me with arguments that had some substance, I would look very seriously at any possible changes that could be made in that area. The two examples that were given to me proved not to support the need for pastoralists to have handguns. I thought that the Pastoralists and Graziers Association and the various groups that represent pastoralists would have been able to present a case that had some substance. As Minister for Police and Emergency Services, I met with them on two occasions and requested that they give me the details of their case that, for safety reasons, people working in that industry in remote areas could not use a rifle and needed a handgun, but they did not present the case. Perhaps they got their act together and presented such a case to the current minister. However, I was concerned when the minister freed up the availability of handguns on the basis of a request from this industry without substantiating why that change needed to be made. We have seen time and again people who are outside the law, those involved in organised crime and drug dealers, getting access to handguns. Unfortunately, that requires an imposition on law-abiding citizens to ensure that fewer of those guns are available in the community. It is always a problem when law-abiding people who have a good justification for guns or other things have restrictions and impediments placed on them because of a certain element within the community. I believe that the community clearly wants us to do everything we can to keep handguns away from the criminal element, drug dealers and those involved in organised crime. The laws have been weakened by the changes that the minister has made in this area. As I have said, arguments could not be made to me. Perhaps those arguments were suddenly developed for the current minister, but I suspect that this

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

minister accepted something without really looking into it thoroughly, as he did on the licensing issue. As a result, we have problems that will come back and bite us because of the changes made by this minister.

This is an issue that requires more serious attention than the current minister has been willing to give it. I have grave concerns that the minister has simply not dealt with a number of the areas raised in this motion. We saw that in the exchange between the minister and the member for Girrawheen; instead of dealing with the specifics of the issues, he went off on a tangent. We need a minister who will look at the serious issues, get his head around the complexities of the issues, and start fashioning solutions and applying resources to cover the deficiencies mentioned in the Auditor General's report and to ensure that we have a more efficient system so that gun owners are not put in an unfair situation and that there are not huge delays because we do not have a system that is working properly. The minister has certainly been caught out on this. For that reason, I support the motion.

MS L.L. BAKER (Maylands) [4.23 pm]: I rise to make some comments that one of my constituents has brought to me since these changes were first mooted. Firstly, I will tell members a bit about him. He is a rifle shooter. He was the founding president of the Western Australian branch of the Sporting Shooters' Association of Australia in 1997. He is a very balanced and thoughtful individual and has put a lot of consideration into the impact that these changes will have on the sport of shooting and particularly on the individuals who follow that pursuit as their sport.

The reason he came to me was that he was concerned that the changes would mean that when somebody like him considered importing a firearm, that person would go through the process, the firearm would land in the country and then potentially that person would not be granted the appropriate licence for that firearm after having gone to all the expense of importing the firearm. If for some reason the firearm failed to meet the standards after it had been checked before the appropriate licence was issued, the person would be significantly out of pocket. I understand that firearms are quite expensive, particularly those that are purpose-built or used specifically in the sport of shooting. I am sure that members know that our country has a very fine history in rifle shooting. I think we have had an Olympic gold medallist in the past. A lot of people have taken up this sport and it seems that recreational shooting is a growing pastime.

Ms M.M. Quirk interjected.

Ms L.L. BAKER: The member for Dawesville is a member of a shooting club. It is not my personal idea of sport, but it certainly is a sport that many Australians and many Western Australians pursue; indeed, there are many people in my electorate who pursue this sport.

I want to mention the specific process. Mr Pow originally wrote to the minister at the beginning of the year. He came back to see me as recently as August and made what I thought were some quite positive suggestions about ways to manage the new arrangements for governing firearm licensing and the private importation of firearms to both meet the police's need for good control over the issuing of serviceability documentation for firearms and minimise the risk to recreational or sporting shooters who could, under the current arrangements, go to the expense of importing a firearm before knowing whether they would be granted a temporary permit for the licence. Mr Pow has suggested a process that I would like to put on record in this place, because it seems to me to be most sensible. Firstly, he suggests that the individual wishing to import a firearm apply for the firearm licence and the relevant import document, which I believe is called a B709. If that licence is approved, the second step in the process is that the applicant would be issued with an extended permit for three months under section 17(3) and (4) of the Firearms Act and an import document—that is, the B709. I hope all members are following. The third step in the process is that the applicant would then proceed with the import arrangements. The fourth step is that the firearm would arrive in the country and would be safety tested by the Australian Customs and Border Protection Service. The applicant would then present his or her extended permit and the B709 to the customs official and take possession of the firearm and transport it to a licensed firearms dealer who would provide a serviceability document for that firearm. The fifth step is that the applicant would then be given 14 days to get a serviceability document to the WA Police licensing enforcement division. Finally, upon receipt of that serviceability document, the WA Police licensing enforcement division would issue the gun licence for that firearm to the applicant.

I state again for the record that that process would mean that WA Police's desire to control the issuing of serviceability documents would be met. The WA Police should be very happy with that. Secondly, the enthusiast—in this case, the recreational shooter—would minimise the risk under these new arrangements of going to the expense of importing a firearm before knowing whether he or she would be granted a temporary permit for that firearm. That process should allow the police to correctly manage firearm imports and help those for whom shooting is a sport to manage their own risk. I thought it was worthwhile putting my constituent's concerns to the house because I think they are worthy of consideration. I have previously written to the minister

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

expressing my constituent's ideas. I recommend that the minister give consideration to those concerns before the bill is passed.

MR A.J. SIMPSON (Darling Range — Parliamentary Secretary) [4.30 pm]: I want to add a few points. The firearms licensing process has its problems. The member for Maylands raised some very good issues. I have dealt with the Jarrahdale Sporting Shooters Club. Ross Allanson is a passionate shooter. I had the opportunity to go to the club's five acres at the back of Jarrahdale when I was with the member for Bassendean and was involved in establishing that lease for the club.

Mr M.P. Whitely: I hope you are a better shot than I am.

Mr A.J. SIMPSON: I think the member for Bassendean is a better shot than I. Can the member shoot the side of a barn? That is about how good I am!

That is a fantastic site for the club. Not everyone associates shooting with being a sport. A certain type of person likes to shoot. The licensing process has gone through big changes. There have been some flaws in the system but the government has been working hard with Australia Post to sort them out. To sum it up in a nutshell, to get a licence previously, I had to go to a gun shop and pay a deposit on a gun. The shop owner would then give me a form to take to the police station and the police station gave me another form so that I could go back to the shop and pick up the gun before taking it to the police station to show the police that the serial number on the gun was correct. Only then could I walk out with my gun. I could buy more guns too. We have tried to turn around the process so that a person who applies for a licence passes all the required clearances and checks before he gets access to the gun. That ensures that the person who has the gun licence can actually hold the licence and has no criminal record or any other problems and has not previously been involved in any illegal activity. The new licensing process rearranges all those issues.

The licensing process has come a long way, although it still has some hiccups. When I go to my local police station, the Mundijong Police Station, I ask the police at the front counter how they are going. They have told me that the number of people coming through the door has reduced quite a bit because they do not have to deal with people bringing their firearms into the station to get them checked annually. That was holding up police resources. I wanted the police out on the streets rather than standing in the police stations looking at and verifying guns all the time. The process certainly has changed a bit.

The Sporting Shooters' Association of Australia is a fantastic organisation. The member for Maylands touched on a number of its issues. Firearms are a danger in our community and it is important to keep a check on who has them and where they are. I acknowledge the member for North West, who advocated for pastoralists to ensure that they could keep their handguns. A lessee of a pastoral lease can have a handgun. A pastoralist who is on a horse or a motorbike and who is being charged by a wild animal would find it easier to pull out a handgun than a rifle in order to protect himself. The member for North West pushed that case very hard. I acknowledge that the minister recognised that handguns were needed in some places, including on pastoral stations in the north west. In general, the control of guns has been tightened. I was amazed by the typical knee-jerk reaction of the Howard government after the Port Arthur massacre in Tasmania. The federal government destroyed many guns after that incident, which I do not believe was the right outcome. However, I can see that the federal government was trying to get the illegal guns off the streets and out of the community. The waste was quite amazing and the process should have been done in reverse. The government could have found out where the guns were and then taken them away. However, we have moved forward and we cannot go back.

In 2006, I went to Colorado in America to visit an exchange student. The exchange student's father took me to a shooting range on New Year's Day. The range was covered in white snow. We cleaned off the pad with a shovel and set up a machine that fires clay pigeons. We shot about 300 clay pigeons in the morning. It was a great day out. The father had three or four shotguns and a 16-millimetre handgun in the house. He was an avid shooter and a number of stuffed moose and elk heads were mounted on his wall. The right to bear arms in America is amazing. At the end of the day's shooting, I was having a beer and chatting with the father and told him that I could think of only four people I knew who owned a gun. My brother-in-law, who lives on a farm, has a gun, one of my mates has one, my father-in-law has a very old gun that he does not use much and has not seen the light of day in a number of years. I could think of only four people I knew who owned a gun. In contrast, the father told me that he could think of only two people he knew who did not own one, and one was his 90-year-old mother! The different perspective on guns in Australia and America is interesting. I asked him the obvious question, which was how he knew how many guns he had. He said that he could go to a garage sale and buy another one or could buy one from the local paper. I was surprised to hear that. That is the extreme that we do not want. Maybe our system is too tight, but we cannot ever take our eye off the ball. If someone was shot and it was found that the person who got the gun had a criminal record, the repercussions would be quite harsh for the minister of the day. It is important to look at gun control and how we deal with it. I want to put it on the record

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

that the Sporting Shooters' Association of Australia is a fantastic organisation. Like the Minister for Police, I have had concerns but I have dealt with the association's members in Jarrahdale and talked about their issues. We have done a lot but there is still room for improvement. We could look again at the categories. I do not believe they are put together well enough because they appear to be quite separated. The important thing is that we all agree on the regulation of handguns and guns generally in the wider community.

MS M.M. QUIRK (Girrawheen) [4.36 pm] — in reply: During this debate I was mindful of the old saying that the definition of madness is doing the same thing over and over again and expecting a different outcome. I do not know whether that applies to the Minister for Police because of the number of times that he insists things are all right and does nothing to change the situation, or whether it applies to me because I am stupid enough to continue to raise these issues in the expectation of getting a different outcome. Some of my colleagues think it is the latter.

Mr M.P. Whitely: It is possibly both.

Ms M.M. QUIRK: It is possibly both, according to the member for Bassendean.

We need to continue to raise these issues. The government reckons that it is committed to removing red tape, yet this licensing regime and how it has been administered is extraordinary. It is important to sum up the debate today by saying that it has been more than a year since the Auditor General handed down the "Third Public Sector Performance Report 2009" in October last year, and in November this year it will be a year since the licensing regime was first introduced. The Auditor General's report makes a number of findings, including —

- WAP —

That is the WA Police —

does not have a risk-based program for monitoring if licence holders comply with requirements, even though there are 300 000 firearms held by 85 000 licence holders. It carries out some proactive compliance monitoring, but procedures are not documented and records are patchy and inconsistent.

- WAP was unable to demonstrate that potential breaches of the Firearms Act 1973 identified during monitoring were appropriately followed up.
- There are deficiencies in the firearms register and in the links between the register and other information systems. These limit the availability of accurate and timely information to support planning and decision making for firearms licensing, monitoring and enforcement.

They are the key findings. Frankly, a year later none of them have been addressed. On the last occasion I spoke in this place about the matter I catalogued the litany of problems that this new licensing regime through Australia Post has led to. I will not dwell on them for too long, other than to say as a general conclusion that it was rolled out too soon. Not only have the computer systems needed to support the regime not been put in place, but they have not even been budgeted for. Australia Post was not adequately prepared for what the system requirements were and the information phone line was frequently engaged and only staffed during weekdays from 8.00 am to 4.00 pm. If people wanted to resolve a longstanding firearms issue, they had to attend a firearms branch and front a police officer who worked there. The licence application process, which required scanning at Australia Post, was not very robust; therefore, countless applications were rejected because barcodes were not properly scanned or the application had been filled out in the wrong ink colour. Many small business owners and dealers face many months delay in approvals for firearms that have been purchased through their premises, so they have had to meet that substantial expense. There are issues surrounding serviceability certificates and the issuing of so-called property letters. I believe—I have had enough feedback on this from a number of people—that there have been ad hoc and arbitrary applications of the law, and, of course, there is the famous backlog of applications. Even today we heard the minister say that we are waiting on a full-time equivalent of a sergeant to come on board. Apparently, there was an increase in the number of applications waiting to be processed because one officer had gone on holiday. It is not a very robust system if we rely on people not to take leave to which they are entitled. The minister said that there were 676 applications waiting for zero to three months; 45 applications were still awaiting approval after between four and seven months; and a handful of applications had been waiting for more than 24 months. Therefore, in the months that I have been raising this issue, the backlog, frankly, has not gone down a lot, despite assurances that the positions were being streamlined.

I must say that firearm owners, particularly sporting shooters, have been very, very patient. They want to do the right thing and I think that they are being treated very shabbily and are not getting the service that they deserve. I think that firearm owners have been very patient, but the risk is that the more hurdles and impediments the government puts up, the more that people will not comply. There is a very real danger that many firearms will become unlicensed and this is at a time when the computer systems and other monitoring mechanisms are not yet

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

fully up to speed. I think the minister contends that these problems are problems of the past. I will read part of an email that I received this morning, which states —

I am forwarding you a copy of an Email that I sent ... 14/09/2010 to the WA Police Complaints Administration Centre regarding problems that I am having with the WA Police Licensing Division ... you can see, I am not very happy with the response that I have been receiving from them. The attitude of some of the police officers in this department is nothing short of contemptuous (ie. If you have an interest in Guns, then you must be a criminal!!) In fact I get the impression that a few of the senior officers tend to think that they are “GOD Incarnate in a Blue Uniform.....They are not! they are just people who are put there to do a job...a job that is not being done that well in my opinion.

That is an email from someone who wants to do the right thing and wants to comply with legislation, and who is being given the runaround. I think this email is ample evidence of his incredible frustration at how these applications are being handled.

All the people I have spoken to about this issue—there have been literally hundreds—say that they do not mind that the system has changed if it is more efficient, improves security, provides the system with a greater level of probity and there are fewer unlicensed firearms about. All these people are happy to comply if it gives the public a level of confidence in the system that unlicensed firearms will be a thing of the past and that the community by and large will be safer. All these people are happy with those notions; that is not the problem. The problem is the fact that the system that has been brought in does not guarantee any of those things.

I think the issues that the Auditor General raises are of concern and need to be addressed. I compliment the minister for at least conceding that there are problems with the system. When we last debated this motion in June, the backlog was about 800 applications, so it is coming down, but it is not coming down quickly enough and many of the issues that I have identified are still current.

I will spend a little time on a concern that has arisen recently—namely, the issue of firearm storage. Under the new regime, applicants send a photograph of where they intend to store the firearms and, obviously, certain cabinets are prescribed. Sometimes people want to set up an armoury and, again, that is approved by way of supplying a photograph and a statutory declaration stating what they intend to do. Therefore, the police do not carry out a physical inspection to determine whether that storage cabinet is in fact on those premises. We are reliant, frankly, on a statutory declaration, and I think that is a security concern. The Auditor General found that there was a lack of monitoring of whether people stored firearms appropriately. I suspect that with all this focus on getting firearm licences processed quickly, the level of inspection to determine whether guns are being stored appropriately has probably diminished. A couple of recent incidents have caused me some concern and I think that we should at least look at how we can improve the inspection regime so that the public can be assured that people’s firearm storage is fully secure.

In Karratha in August of this year, 13 firearms were stolen, five of which were distinctive large military assault-style weapons, from the Department of Agriculture and Food building. The stolen firearms were five .308 calibre Lithgow semiautomatic rifles, three double-barrel 12-gauge shotguns, a double-barrel 410-gauge shotgun, a .308 calibre bolt-action rifle, a .22 calibre bolt-action rifle, a .44 calibre lever-action rifle and a .22 calibre air rifle. Having these firearms in the wrong hands is a serious matter. Happily, police recovered a number of these firearms and I will talk about how that was done shortly. The member for Collie–Preston was concerned that these firearms were stolen from the Department of Agriculture and Food, so he asked a question on notice of the Minister for Agriculture and Food about the matter. It is a fairly lengthy question because when the member for Collie–Preston gets his bit between his teeth he does not do things by halves! The member for Collie–Preston asked —

- (c) were the guns kept in a secure cabinet and did this comply with legislative requirements ...
- ...
- (d) when did police last inspect the storage of the firearms;
- ...
- (f) by what means did thieves gain access to the place in which the guns were stored;

The minister’s response last week was that the guns were in a secure cabinet in accordance with the legislative requirements for such cabinets. The cabinet was locked and bolted to the wall and floor and it had been approximately four years since the police had last inspected the storage of these firearms. However, significantly, the thieves located a set of keys that gained access to the security door and gun safes. If those inspections had been more regular, I imagine that the police would have made inquiries about how the keys were secured. This is straight-out negligence and it is only, frankly, by the good work of police officers in Karratha

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

that these guns were recovered. I am really concerned that a government department is leaving keys to a cabinet storing significant and dangerous firearms in a place that can be accessed by thieves. That is a matter of major concern to me. With that lack of security monitoring I think these sorts of incidents will be on the rise. In that respect I note that the Karratha police did an excellent job in recovering the firearms. I am aware that one police officer in particular, who put the whole operation together to recover the majority of those firearms, was a first-class constable. I am told he did a fantastic job and was a real inspiration to his colleagues, many of whom, of course, are much more senior than he is. I seek the indulgence of the house to commend first-class constable Mike Bickford and say that he should keep up the good work; he is obviously commissioner material.

This is not an isolated incident. The second incident I want to stress in the context of the storage of firearms relates to an incident in Esperance that occurred in August. On that occasion a young student fronted an Esperance school with a firearm that he had got hold of at his parents' place. It meant that the police had to surround the school, and there was much to-do about the fact that that young student had got a firearm from his parents' premises. It was a locked double-barrel shotgun. After the matter had been to court he was ordered to have anger management counselling. I do not think we can give these opportunities to people who should not have firearms, be they thieves or people with anger management issues. It highlights the risk associated with failing to inspect the storage of firearms. The Auditor General's recommendations, as suggested in this motion, need to be followed and resources provided not only to the information technology people in the area to ensure proper data matching, but also clearly for inspection purposes. It is all very well to say that this regime is about Frontline First. But I have to say that making sure firearms do not get into the wrong hands is a core police duty, and I do not think they should shirk from it.

Part of this motion deals with a change to the firearms regulations to enable pastoralists to own firearms. I do not necessarily object to that in principle. However, as I said at some length on the last occasion I spoke, I do object to the about-face by the minister. A year or so ago the minister was adamant that this was inappropriate. The police commissioner was adamant —

Mr R.F. Johnson: No; he wasn't.

Ms M.M. QUIRK: I read that.

Mr R.F. Johnson: Have you read the letter?

Ms M.M. QUIRK: I read out the article in the paper the last time I spoke, and the minister did not object to it at the time.

Mr R.F. Johnson: The commissioner is not unhappy for those pastoralists —

Ms M.M. QUIRK: He may well not be now, minister, but he was at the time.

Mr R.F. Johnson: No; he wasn't. He sent them a letter.

Ms M.M. QUIRK: Did he now?

Mr R.F. Johnson: Yes.

Ms M.M. QUIRK: All right. In any event, the minister will agree that he was adamant a year ago.

Mr R.F. Johnson: I was, yes.

Ms M.M. QUIRK: To use the vernacular, he has been got at. So in the time —

Mr R.F. Johnson: I listened to people who had a specific interest and a concern about their wellbeing.

Ms M.M. QUIRK: Okay, well that was the next thing. He listened to a small group of people who have a specific interest. He is not prepared to listen to a vast volume of firearm owners who are being mucked around by this pathetic legislation.

Mr R.F. Johnson: Rubbish. I have listened to them many times. My door has always been open to firearms dealers and the Sporting Shooters' Association of Australia. You name them, and they've had an open door.

Ms M.M. QUIRK: He has not listened to them. What changes has he made as a result of the conversation he has had with them? None.

Mr R.F. Johnson: They tell me they're very happy with what I've done and with the situation as it is now.

Ms M.M. QUIRK: Why am I still getting letters? I do not know whether the minister was in the chamber —

Mr R.F. Johnson: Show me the letters.

Ms M.M. QUIRK: I have one in front of me.

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

Mr R.F. Johnson: Who's that from?

Ms M.M. QUIRK: It came from someone this morning.

Mr R.F. Johnson: Who?

Ms M.M. QUIRK: I am not going to divulge that to the minister.

Mr R.F. Johnson: Why not?

Ms M.M. QUIRK: I will write to him in the appropriate way. All I am saying is that I am still getting complaints about this. For the minister to say that it is all right; it is tickety-boo —

Mr P.C. Tinley: The member behind you has made much out of a letter you passed to him that was personal correspondence between one of the members of this chamber —

Mr R.F. Johnson: I will tell you something, my friend; I have never shown that letter to the member for Swan Hills.

Several members interjected.

The ACTING SPEAKER (Mrs L.M. Harvey): Order! The member for Girrawheen has the call. I remind members that all interjections are disorderly.

Ms M.M. QUIRK: Thank you, Madam Acting Speaker. I will not belabour the point.

Mr R.F. Johnson interjected.

The ACTING SPEAKER: Members! I cannot hear the member for Girrawheen, and I have given her the call.

Ms M.M. QUIRK: I will not belabour the point, other than to say that the way the minister has treated the pastoralists —

Mr R.F. Johnson: Just to say you have had one letter.

Ms M.M. QUIRK: No; I said that I received one today.

Mr R.F. Johnson: How many have you had?

Ms M.M. QUIRK: I have had countless letters.

Mr R.F. Johnson: How many is that, 10, 20?

Mr J.R. Quigley: She can't count them; that's why they are called countless.

Ms M.M. QUIRK: Yes; thank you, member for Mindarie.

Mr R.F. Johnson: Who is that dumbo speaking out of his seat?

The ACTING SPEAKER: Member for Mindarie, you need to be in your seat if you wish to participate in this debate.

Ms M.M. QUIRK: I am sorry; I do not want to reiterate things. If the minister is not interested enough in this debate to be here for the whole debate, I will not repeat things. I read out an email that I received this morning, but I do not believe that he was in the chamber.

Mr R.F. Johnson: How many emails? One.

Ms M.M. QUIRK: Yes; I received it at 8.36 this morning. I think the minister said this on the last occasion. I think pressure has been exerted by members of the public and the minister's colleagues, especially those from the country, although I am very upset to see no-one from the National Party thinks this matter is sufficiently important to get it right for their constituents. None of them is in here; none of them is concerned about it. I suspect they will also vote against the motion.

Mr R.F. Johnson: They know it's in good hands.

Ms M.M. QUIRK: I am saying to the minister that he did not even attend the public consultation he implemented as a result of the pressure exerted by the public and the opposition. I think he said on the last occasion that an officer took notes and he got some feedback. He is prepared to listen to pastoralists and to have new regulations gazetted. But the changes he has made in this area for all law-abiding sporting shooters are virtually non-existent. He is plugging away, but he has made very little inroads in the number of outstanding applications. He hides behind the cover that this is an operational matter so it is inappropriate for him as a

Extract from *Hansard*
[ASSEMBLY - Wednesday, 15 September 2010]
p6698b-6709a

Mr Rob Johnson; Mr Mick Murray; Acting Speaker; Mr Ben Wyatt; Mr John Kobelke; Ms Lisa Baker; Mr Tony Simpson; Ms Margaret Quirk

minister to interfere; however, there are broader policy considerations here. Frankly, he has let them get on with it for a year. He has not given the matter resources. It is about time he bit the bullet and did his job.

Question put and a division taken with the following result —

Ayes (20)

Ms L.L. Baker	Mr F.M. Logan	Ms M.M. Quirk	Mr C.J. Tallentire
Mr R.H. Cook	Mr M. McGowan	Mr E.S. Ripper	Mr P.C. Tinley
Ms J.M. Freeman	Mr M.P. Murray	Mrs M.H. Roberts	Mr M.P. Whitely
Mr J.N. Hyde	Mr P. Papalia	Ms R. Saffioti	Mr B.S. Wyatt
Mr J.C. Kobelke	Mr J.R. Quigley	Mr T.G. Stephens	Mr D.A. Templeman (<i>Teller</i>)

Noes (24)

Mr P. Abetz	Mr M.J. Cowper	Dr G.G. Jacobs	Dr M.D. Nahan
Mr C.J. Barnett	Mr J.H.D. Day	Mr R.F. Johnson	Mr C.C. Porter
Mr T.R. Buswell	Mr J.M. Francis	Mr A. Krsticevic	Mr D.T. Redman
Mr G.M. Castrilli	Mr B.J. Grylls	Mr W.R. Marmion	Mr A.J. Simpson
Mr V.A. Catania	Dr K.D. Hames	Mr P.T. Miles	Mr M.W. Sutherland
Dr E. Constable	Mrs L.M. Harvey	Ms A.R. Mitchell	Mr J.E. McGrath (<i>Teller</i>)

Pairs

Mr A.J. Waddell	Mr I.M. Britza
Mrs C.A. Martin	Mr T.K. Waldron
Mr P.B. Watson	Mr I.C. Blayney
Mr W.J. Johnston	Mr F.A. Alban
Mr A.P. O'Gorman	Mr A.P. Jacob

Question thus negatived.