



PERFORMANCE AUDIT

27 November 2020

Regulating firearms

Report 8: 2020–21

As the independent auditor of the Queensland public sector, including local governments, the Queensland Audit Office:

- provides professional audit services, which include our audit opinions on the accuracy and reliability of the financial statements of public sector entities
- provides entities with insights on their financial performance, risk, and internal controls; and on the efficiency, effectiveness, and economy of public service delivery
- produces reports to parliament on the results of our audit work, and on our insights, advice, and recommendations for improvement
- conducts investigations into claims of financial waste and mismanagement raised by elected members, state and local government employees, and the public
- shares wider learnings and best practice from our work with state and local government entities, our professional networks, industry, and peers.

We conduct all our audits and reports to parliament under the *Auditor-General Act 2009* (the Act). Our work complies with the *Auditor-General Auditing Standards* and the Australian standards relevant to assurance engagements.

- Financial audit reports summarise the results of our audits of over 400 state and local government entities.
- Performance audit reports cover our evaluation of some, or all, of the entities' efficiency, effectiveness, and economy in providing public services. Depending on the level of assurance we can provide, these reports may also take the form of:
 - Audit insights, which provide some evaluation and share our insights or learnings from our audit work across government
 - Audit briefs, which set out key facts, involve some evaluation, and may include findings and recommendations
 - Audit overviews, which help clients and stakeholders understand complex issues and subjects.

Learn more about our publications on our [website](#).

The Honourable C Pitt MP
Speaker of the Legislative Assembly
Parliament House
BRISBANE QLD 4000

27 November 2020

This report is prepared under Part 3 Division 3 of the *Auditor-General Act 2009*.



Brendan Worrall
Auditor-General



© The State of Queensland (Queensland Audit Office) 2020.

The Queensland Government supports and encourages the dissemination of its information. The copyright in this publication is licensed under a Creative Commons Attribution-Non-Commercial-No Derivatives (CC BY-NC-ND) 4.0 International licence.



To view this licence visit <https://creativecommons.org/licenses/by-nc-nd/4.0/>

Under this licence you are free, without having to seek permission from QAO, to use this publication in accordance with the licence terms. For permissions beyond the scope of this licence contact copyright@gao.qld.gov.au

Content from this work should be attributed as: The State of Queensland (Queensland Audit Office) Report 8: 2020–21 *Regulating firearms*, available under [CC BY-NC-ND 4.0 International](#)

Cover image is a stock image purchased by QAO.

ISSN 1834-1128

Contents

Report on a page	1
1. Audit findings and conclusions	2
2. Recommendations	4
3. Deciding who can access firearms	6
4. Monitoring firearm licence holders	10
5. Regulating firearm dealers and firearm movements	19
Appendices	22
A. Entity responses	23
B. Audit objectives and methods	30

Report on a page

If people access firearms to harm themselves or others, if they use firearms unsafely, or if criminals gain access to firearms, the community is at risk.

In this audit we assessed how well the Queensland Police Service (QPS) regulates the acquisition, possession, use and disposal of registered firearms. We concluded that the QPS could be more effective and that the community is not as well protected as it should be.

Put public safety first

The QPS's Weapons Licensing Unit assesses and approves firearm licences and permits, in accordance with legislative requirements under the *Weapons Act 1990*. But it sometimes grants firearm licences to individuals who have a history of offending behaviour. The QPS can strengthen its decision-making controls and guidance to staff to ensure it puts public interest and safety first.

The Weapons Licensing Unit has streamlined its licence application process and uses technology to help assess firearm licence applications and permits to acquire firearms. It could make better-informed decisions by gaining better access to relevant information held by other agencies, nationally and within Queensland.

Revise the role of the unit

QPS could be more proactive in monitoring firearm licence holders. Most firearm owners and licence holders are not audited or inspected.

The Weapons Licensing Unit provides little assurance that firearms are not in the possession of people it considers unsuitable.

The unit is largely administrative and is not providing the necessary management, coordination, and oversight of the firearm compliance program. It should use an intelligence-driven or risk-based monitoring system to ensure that adequate, consistent, and timely monitoring occurs across the state.

Seize firearms quickly

When QPS identifies non-compliance it often fails to perform the necessary follow-up to ensure the licence holder rectifies the non-compliance with licence conditions.

In many cases, QPS seized firearms from unsuitable people within its 28-day target. However, we found numerous cases where it was slow to seize firearms from people it deemed no-longer suitable, or where licence holders had died. Sometimes these delays meant that the firearms could not be located, and some are still unaccounted for. Consequently, QPS is ineffective in ensuring all firearms are accounted for.

Monitor dealers

The Weapons Licensing Unit does not proactively monitor licensed firearm dealers, who are responsible for the sale and transfer of firearms. It has inefficient processes for monitoring the movement of firearms, which creates a backlog and inhibits it from effectively monitoring the movement of firearms. It lacks automated real-time access to information to track firearms.

We made 13 recommendations for QPS to improve real-time access to information, public interest assessments, compliance monitoring, and tracking the movement of firearms.



1. Audit findings and conclusions

People may want or require lawful access to firearms for reasons such as employment or sport. The type of licence a person requires depends on the reason and type of firearm needed. In Queensland, more than 10 different types of licences are available for firearms and other weapons.

At 31 December 2019, 185,742 people in Queensland held current firearms licences and 829,743 firearms were registered. The number of people holding firearms licences has increased by 12 per cent and the number of registered firearms has increased by 17 per cent since December 2015.

The Queensland Police Service (QPS) is responsible for regulating firearm licence holders and firearms in Queensland. Its Weapons Licensing Unit manages this responsibility in cooperation with other areas of QPS, including local police.

The objective of this audit was to assess whether QPS effectively regulates the acquisition, possession, use and disposal of registered firearms to ensure community safety.

Audit conclusion

The Queensland Police Service could regulate the acquisition, possession, use and disposal of registered firearms more effectively. Consequently, the community is not as well protected as it could be.

Deciding who can access firearms

The QPS assesses and approves firearm licences and permits in accordance with the requirements of the *Weapons Act 1990*. However, elements of the *Weapons Act 1990* are open to interpretation and could be updated to provide greater clarity and certainty.

QPS does not have the right balance between affording procedural fairness for licence applicants and managing community safety. It sometimes grants firearm licences to people with a history of offending behaviour that may be a risk to public safety. QPS can strengthen its decision-making controls and guidance to ensure it prioritises public interest and safety.

Public interest

At times, people with a history of offending behaviour are granted firearms licences.

QPS has streamlined its licence application process and uses technology to help assess firearm licence applications and permits to acquire firearms. It could make better-informed decisions by gaining access to relevant information held by other agencies.

Monitoring firearm licence holders

Over the past five years:

- **3,205** registered firearms were reported stolen
- **633** registered firearms were lost
- **780** stolen or lost firearms were recovered.

Over the past five years the net number of stolen firearms annually has increased by seven per cent, from 601 in 2015 to 643 in 2019.

Inspections of firearm owners and their storage facilities are important in trying to prevent the theft and loss of firearms.

Most firearm owners and licence holders are not audited or inspected. Consequently, the QPS can provide little assurance that firearms are not in the possession of people it considers unsuitable.

Most firearms licence holders are not inspected.

More than 78 per cent of licenses issued between 2015–2019 have never been inspected by QPS.

The Weapons Licensing Unit is based in Brisbane and it mostly relies on local police across the state to monitor and inspect firearms and licence holders. For this framework to be effective, the unit needs to shift from its current largely administrative approach to a robust management, coordination, and oversight role. Its monitoring is not intelligence driven and risk based (as contemporary better regulatory practice suggests it should be). Changing this approach would allow for more effective, consistent, and timely monitoring across the state.

Firearms missing

Delays in police acting to seize firearms sometimes result in the firearms going missing.

QPS is not consistent in how quickly it seizes firearms from unsuitable people. Any delay or failure to seize a firearm from an unsuitable person creates an unnecessary risk to community safety. We found numerous examples of QPS:

- being slow to remove firearms from people deemed unsuitable
- failing to recover firearms after the owner was deceased
- allowing unsuitable people to retain access to firearms through a relative or associate.

In some cases, these delays meant that firearms were unable to be located and some firearms are still unaccounted for.

When QPS identifies non-compliance it often fails to follow up to ensure the licence holder rectifies the non-compliance with licence conditions.

QPS recognises these deficiencies and has started to strengthen its regulation of firearms. It must ensure its compliance activities evolve with modern policing and regulatory techniques and practices.

Regulating dealers and firearm movements

Despite the critical role of licensed dealers in Queensland's firearms regulatory framework, QPS dedicates few resources to regulating them. It is not proactive or effective in regulating firearm dealers.

Firearm dealers

- Dealers have an important role in the movement of firearms
- Police are not regulating dealers effectively.

QPS has inefficient processes for monitoring the movement of firearms, which creates a backlog and inhibits it from effectively monitoring the movement of firearms.

The Weapons Regulation 2016 stipulates that a dealer must submit information by registered post to QPS about the acquisition or disposal of firearms. The Weapons Licensing Unit is aware of the inefficiencies and limitations of hard copy forms and the impact its existing system has on the accuracy of information in the firearms register.

However, it has not taken action to change the Weapons Regulation 2016 so that it can process these forms more quickly and ensure the register is up to date. We found examples of firearm location information being updated three months after a firearm had transferred from one licence holder to another.

Because of this backlog, the unit is not comparing interstate firearm transfer information to the firearms register information. It is therefore not verifying the transfer of these firearms. It cannot be certain that firearms are not entering the illegal market.

Moving to automated and real-time processes would enable QPS to monitor the location and movement of firearms much more efficiently and effectively. The Weapons Licensing Unit is working with the Commonwealth and other states and territories to move this process online so that interstate transfer information can be shared in real time.



2. Recommendations

We recommend that the Queensland Police Service:

Deciding who can access firearms

1. evaluates system options to provide a fit-for-purpose Weapons Licensing Management System (firearms register) to ensure timely and accurate recording and transfer of all firearms and licence holders' information
2. implements appropriate controls to ensure firearm licence decisions are consistent and made in accordance with relevant standards
3. reviews the *Weapons Act 1990* to identify opportunities for improvement and provide greater focus on public safety
4. develops clear policy on the role firearm regulation plays in balancing community safety with the rights of applicants and licence holders, particularly regarding public interest

Monitoring firearm licence holders

5. enhances integration of its weapons licensing systems with its Queensland Police Reporting Information Management Exchange System to enable it to monitor firearm licence holders more effectively
6. supplements its random firearm inspections with targeted risk-based inspections
7. expands the focus of its compliance monitoring program to include a more comprehensive assessment of firearm owners and their ongoing suitability to possess firearms
8. establishes processes to ensure all identified non-compliance and licence holder suitability is monitored, reported, and actioned within a reasonable timeframe
9. proactively inspects shooting ranges to ensure compliance with relevant standards. This should include creating an electronic register of persons that use firearms at shooting ranges to ensure they are appropriately vetted

Regulating dealers and firearm movements

10. ensures that it is immediately notified electronically of the sale, transfer, and disposal of firearms by amending the *Weapons Regulation 2016* to
 - allow electronic notification of ownership and disposal transactions
 - require all dealers to implement electronic systems to facilitate the electronic transfer of firearms sales, transfers, acquisitions, and disposals
11. develops a proactive compliance program for audits and inspections to ensure it regulates dealers effectively
12. monitors the transfer of interstate firearms to ensure the location and ownership of firearms in Queensland is accurately captured in the firearms register
13. eliminates the backlog of firearm transfer forms to ensure the location of firearms in the firearms register is up to date and accurate.



Reference to comments

In accordance with s. 64 of the *Auditor-General Act 2009*, we provided a copy of this report to relevant agencies. In reaching our conclusions, we considered their views and represented them to the extent we deemed relevant and warranted. Any formal responses from the agencies are at Appendix A.



3. Deciding who can access firearms

We expected to find that the Queensland Police Service's (QPS) Weapons Licensing Unit:

- assesses applications for licences and permits to acquire firearms in accordance with legislation and relevant standards, with a focus on public safety
- maintains a complete and up-to-date register of all licence holders and their firearms.

We found that decision-making could be strengthened and that the legislation could be updated and improved.

Granting licences when concerns exist

The QPS Weapons Licensing Unit assesses each application against the requirements of the *Weapons Act 1990*. This includes whether the person is fit and proper to hold a licence, has a legitimate reason to possess a firearm (occupational requirement or for recreational shooting), and has access to secure storage facilities. It must consider the following factors when deciding whether a person is fit and proper to possess a firearm licence:

- the mental and physical fitness of the person
- whether a domestic violence order has been made, police protection notice issued, or release conditions imposed against the person
- whether the person has stated anything in or in connection with a licence application that they know is false or misleading
- whether there is any criminal intelligence or other information that indicates the person is a risk to public safety or it would not be in the public interest to authorise them to possess a weapon
- the public interest.

We observed that in some cases the Weapons Licensing Unit grants firearm licences even where it has reservations or concerns about an applicant's suitability. In our view, where it has doubt, it should either reject or suspend the licence application.

We assessed a random selection of 150 new firearm licences between 2015 and 2019 and found that the unit did not grant a firearm licence to individuals convicted of any of the offences listed in the Act within the last five years. However, we found that the unit had issued a firearm licence to people with a history of offending behaviour. When an individual has a history of offending behaviour, but no convictions, the unit can determine whether the person is a risk to public safety or whether it is in the public interest to approve the firearm licence. The severity and frequency of the offences or behaviours can be relevant.

We assessed a selection of 55 revoked firearm licences and looked at the offending history of the licence holder before being issued a firearm licence. Although these people did not have convictions, their history indicated a risk to public safety. We found 20 people with a history of offending behaviour, but no convictions, who were granted a firearm licence and then went on to commit offences, including weapons offences, drug offences, and domestic violence. We consider that it was not in the public interest to issue them a firearm licence.

Figure 3A provides two examples of applicants with a history of drug offences and domestic violence who were granted firearm licences.

Figure 3A Case study 1

Assessing whether a firearm owner is fit and proper

Firearm licence holder with a history of drug offences

In August 2016, a person with a history of offending behaviour applied for a firearm licence. Seven years earlier, QPS had charged the person with three drug offences and the person completed a drug diversion program. Under the *Weapons Act 1990*, a person is automatically disqualified from being suitable for a firearm licence if convicted of a drug offence in the prior five years.

At the time the person submitted their firearm application the court found them guilty of drug driving charges, but did not record a conviction. Police also identified the person as a subject, offender or named person in 14 occurrences prior to applying for their licence. Instead of determining it not in the public interest to issue the person a firearms licence, the Weapons Licensing Unit approved the firearm licence application in May 2017. It sent the person a letter, warning them about committing further offences. A year after being issued a firearm licence, QPS charged the person again for drug driving. A magistrate found the person guilty but, again, did not record a conviction.

In March 2019, QPS charged the person again for drug driving. The person was convicted in June 2019. The Weapons Licensing Unit revoked the person's firearm licence four months after the court outcome. The person retained access to a rifle and shotgun over this period.

Firearm licence holder with a history of domestic violence

A person was issued with a firearm licence in 2013. The person had been involved in 10 occurrences over 14 years, including four domestic violence incidents, aggressive behaviour to police, unlawful possession of a weapon, and vehicle stealing. None of these occurrences had resulted in charges or convictions.

Under the *Weapons Act 1990*, a person is automatically disqualified from being suitable to hold a firearm licence if, in the five years before their licence application, a domestic violence order has been made against them or a police protection notice has been issued against them.

Before being issued a firearm licence, the person was the aggrieved or respondent in four domestic violence occurrences. In one of the two domestic violence occurrences where the person was the respondent, there was an application for a domestic violence order that was later struck out in court. Under the Act, this person was technically still qualified to apply for a firearm licence, unless police determined it was not in the public interest.

After being issued a firearm licence in 2013, the person was involved in six occurrences over three years. Four of these six occurrences were domestic violence incidents where the person was named as the respondent. The last of these four domestic violence incidents resulted in the person being the subject of a temporary domestic violence order. The Weapons Licensing Unit suspended the person's firearm licence because of the temporary domestic violence order and later revoked the firearm licence when the order became permanent.

Source: Queensland Audit Office using information from the Queensland Police Service Weapons Licensing Management System and the Queensland Police Reporting Information Management Exchange System.

We found that the Act could be updated and improved to provide greater clarity and public protection. By focusing on convictions in the five years before an application, the Act does not consider cases where:

- guilt is proven but no conviction is recorded
- a person has committed crimes outside the five-year period that would make them unsuitable to use firearms (such as homicide using a firearm).

This, and the lack of a definition of *public interest*, means the Act does not adequately support the Weapons Licensing Unit to reject applications from people with a history of domestic violence incidents, offending behaviour but no convictions, or with convictions outside the five-year period.

The Weapons Licensing Unit may decide to not reject a licence application or renewal for other reasons. These include concern about needing to disclose criminal intelligence that may jeopardise an investigation, and aversion to the risk of having the decision appealed and potentially overturned by the Queensland Civil and Administrative Tribunal. Between 2015 and 2019, licence holders appealed 317 firearm licence application decisions.



Recommendations

Review the *Weapons Act 1990* to identify opportunities for improvement and provide greater focus on public safety. This should include expanding disqualifying offences to include: findings of guilt where a conviction is not recorded; considering the appropriateness of the five-year exclusion period; and defining public interest.

Develop clear policy on the role firearm regulation plays in balancing community safety with the rights of applicants and licence holders, particularly regarding public interest. The policy should define risk thresholds and be supported by guidelines that assist staff to assess public interest when assessing applications.

Need for more guidance and training

The Weapons Licensing Unit can assist staff with decision making by:

- strengthening risk indicators in its guidelines
- providing staff with regular training to interpret legislation and effectively assess complex applications.

QPS trains new staff working at the unit, provides them with on-the-job mentoring and coaching, and has guides on using the firearms register. However, it does not reinforce the initial training to ensure staff have up-to-date skills and confidence to consistently assess more complex applications.

Need to improve controls

The Weapons Licensing Unit has controls to aid decision making when assessing licence applications, renewals, and permits to acquire a firearm. However, its quality assurance practices are unlikely to identify any incorrect approval decisions. It does not regularly review approval decisions to ensure licence decisions are in accordance with relevant legislation, regulations, and procedures. Nor are its quality assurance practices documented.

The unit's automated vetting system efficiently searches multiple databases to check a firearm applicant's history, including whether the person has a drug, violence or weapons offence or a domestic violence order against them. It flags individuals who have committed such offences in the last five years and individuals who are disqualified from holding a licence or obtaining a firearm.

Staff review the auto-vetting results and then independently assess each licence application or permit. They have guides to help them assess firearm licence applications consistently and in accordance with relevant standards. These guides prompt staff to consider risk indicators such as medical conditions, convictions or charges, or domestic violence orders. The guides could be expanded to help make decisions about applications that require a subjective assessment of public interest or where a person has a significant police involvement, findings or guilt without convictions, or domestic violence history.

The unit informed us that it performs a range of quality assurance activities to ensure decision making is consistent and in accordance with relevant standards. However, it has not documented its quality assurance activities and could not provide evidence that these activities were occurring.



Recommendation

Implement appropriate controls to ensure firearm licence decisions are consistent and made in accordance with relevant standards. This should include regularly reviewing licence assessment and approval decisions and documenting quality assurance procedures and activities.

Firearms register inaccurate and outdated

The state's firearms register is not accurate and up to date. The firearms register is no longer fit for purpose. It relies on inefficient manual data entry and cannot provide real-time information necessary to support a modern risk- and intelligence-based regulatory function.

The QPS's Weapons Licensing Management System is the register of firearms and licence holders in Queensland and has been in use since 2010. QPS designed the system, intending to add an online portal with individual user accounts where licence holders, dealers, pistol clubs and shooting associations could process transactions. It never implemented this functionality.

As a result, the Weapons Licensing Unit's workload includes time spent on administrative tasks to process information that would have been automatically entered via an online portal. This results in backlogs, delays in information entering the system, and a lack of real-time information.

QPS stores information in multiple locations—the firearms register, the Queensland Police Reporting Information Management Exchange (QPRIME) and the QPS network drive. The information systems are not fully interfaced and contain incomplete and out-of-date information on firearms and licence holders. This increases the risk that critical intelligence may not be acted upon.

We also found multiple examples of conflicting information between QPRIME and the firearms register. For example, in July 2019, QPS seized firearms from a person with mental health concerns who had recently attempted self-harm. Records in QPRIME show that QPS seized the person's four firearms. However, records in the firearms register show that the person still has a firearm registered in their name.

A lack of reporting functionality in the firearms register also means QPS cannot easily monitor or report the compliance and ongoing suitability of firearm licence holders. Integrating the information systems and improving the reporting functionality will give QPS greater assurance that licence holders are complying with their licence conditions.

The firearms register and QPRIME are not set up to host some areas of the unit's work, including correspondence, reports, or photographic evidence from targeted dealer inspections, shooting gallery inspections, and appeals to the Queensland Civil and Administrative Tribunal. This information is stored on the network drive, further reducing integration of information and the ability of staff to make risk- and intelligence-based decisions.



Recommendation

Evaluate system options to provide a fit-for-purpose Weapons Licensing Management System (firearms register) to ensure timely and accurate recording and transfer of all firearms and licence holders' information.

This should include more automation and interface with the Queensland Police Reporting Information Management Exchange and, where possible, other systems such as the Department of Transport and Main Roads and Queensland Health.



4. Monitoring firearm licence holders

We expected to find that the Queensland Police Service (QPS) performs adequate compliance monitoring to ensure licence holders continue to:

- remain suitable to retain their licence and firearms
- comply with licence conditions
- securely store and restrict access to firearms.

We found that the Weapons Licensing Unit does not provide effective oversight or coordination of firearm licence holders.

Key information is not readily available

Firearm licence holders are only permitted to possess firearms authorised by the type of licence (or licences) they have been granted. They must comply with any conditions of their licence/s (including the safe handling and storage of firearms and ammunition).

The QPS's Weapons Licensing Unit may suspend or revoke a person's firearm licence if it identifies that the person is no longer suitable and/or the person has not complied with licence conditions. It may also remove any firearms in the person's possession.

Depending on the circumstances, the unit may give a non-compliant firearm owner an opportunity to rectify the licence breach and retain their licence and firearms.

The unit runs a daily report to monitor the behaviour of firearm owners. The report searches QPS's Queensland Police Reporting Information Management Exchange (QPRIME) database to identify individuals involved in an incident, charged, convicted of an offence, or who have other risk indicators (such as domestic violence and mental health) that require an assessment of the person's suitability. This is a useful process to help identify potential changes in a person's suitability to retain their licence and to possess firearms, but it could be improved.

The daily report does not include a search of the National Police Reference System (NPRS). Thus, it cannot identify licence holders who are recently charged or convicted of an interstate offence. Nor does the report incorporate a search of the Department of Transport and Main Roads' database. Information from that database would allow the unit to identify licence holders who have changes to their driver's licence that may warrant update or reassessment of their firearm licence. These changes could include:

- medical conditions
- loss of driver's licence due to a medical condition
- changes of address, which might indicate the location of their firearms is no longer accurate.

The unit relies on licence holders to self-report much of this information. Figure 4A provides two examples of firearm licence holders who kept firearms after failing to inform the unit that they were no longer suitable to possess a firearm.

Figure 4A Case study 2

Monitoring the fitness of firearm licence holders

Monitoring interstate offences

In 2015, a Queensland firearm licence holder was charged and convicted in NSW of Customs Act offences committed in 2013. The offences related to prohibited imports of firearms and making false entry. Because the QPS Weapons Licensing Unit daily report does not check the National Police Reference System, the unit was not aware of the person's interstate offences and conviction.

At the time of their conviction, the person had eight firearms registered in their possession. The person retained these firearms for more than six years after the offence and for more than three years after being convicted.

The unit only became aware of these interstate offences when the licence holder submitted their firearm licence renewal application. As part of their process for assessing renewal applications, the unit conducts a check of the National Police Reference System. The check identified the interstate offences, and the unit cancelled the person's licence one week after receiving the renewal application.

Monitoring changes to the conditions of a person's driver licence

In 2015, a firearm licence holder surrendered his driver's licence because he was no longer medically fit to drive. Neither the person, nor the Department of Transport and Main Roads, notified QPS of the medical condition, and so he was not reassessed for his suitability to retain his firearm licence and firearms.

In 2018, when the Weapons Licensing Unit assessed the person's firearm licence renewal application, auto-vetting identified the person's driver's licence surrender and medical condition. The unit sought further information from the person about their medical condition, assessed that the person was not medically fit to possess a firearm, and rejected his renewal application. QPS seized the firearms five days after rejecting the renewal application. The person had his firearm licence and firearms for approximately three years whilst medically unfit.

Source: Queensland Audit Office using information from the Queensland Police Service Weapons Licensing Management System and the Queensland Police Reporting Information Management Exchange System.

QPS cannot identify how many people have been injured or died from a firearm, due to limitations with QPRIME. Without this information, QPS cannot use firearm-related deaths and injuries to help identify non-compliance and inform its firearm inspection program.

Gaining greater access to relevant health and transport information will help the unit make timely and better-informed decisions.



Recommendation

Evaluate system options to provide a fit-for-purpose Weapons Licensing Management System (firearms register) to ensure timely and accurate recording and transfer of all firearms and licence holders' information.

This should include more automation and better interface with the Queensland Police Reporting Information Management Exchange and, where possible, other systems (Department of Transport and Main Roads and Queensland Health).

Lack of coordination and oversight

Over the past five years the net number of stolen firearms annually has increased by seven per cent, from 601 in 2015 to 643 in 2019. In addition, firearm licence holders have also reported losing a total of 633 firearms between 2015 and 2019. Inspections of firearm owners are important in trying to prevent the theft and loss of firearms.

The Weapons Licensing Unit tasks local police stations across Queensland to inspect firearm owners to ensure they store their firearms safely and that access is appropriately restricted. However, it does not actively oversee and monitor the inspections program. This means the unit has very limited assurance that these firearm inspections are occurring or understanding of the outcome of these inspections.

Compliance monitoring is not risk-based

The unit's firearm inspection program focuses primarily on the safe storage of firearms. While safe storage is important, the inspection should trigger a more comprehensive assessment of a firearm licence holder to ensure the person is not only compliant but also remains suitable to possess a firearm. At present this does not occur.

The unit uses random sampling to determine which firearm owners it will inspect. It does not use risk-based information assessments to supplement its random sampling. Complementing its random sampling with risk-based assessments would help QPS to focus its monitoring program to best use its limited resources. This could include targeting specific risk locations, as well as targeting individuals with a history of offences or stolen firearms. We found 1,034 firearm owners that QPS had charged with a serious offence (such as assault, homicide, or drug offences) between 2015 and 2019 that it had never inspected.

Other jurisdictions, such as NSW, are now applying a risk-based approach to their firearm inspections. The unit acknowledges this gap and is currently developing a new risk and decision-making matrix to inform which areas or individuals it targets for an inspection. It intends to use local intelligence to help target areas for inspection.

Few firearm owners are inspected

Between 2015 to 2019, QPS performed 38,963 firearm inspections. More than 79.9 per cent (31,141) were planned inspections (where QPS notifies the licence holder that it is coming to inspect their firearms) and 20 per cent (7,799) were unplanned inspections (ad hoc inspections that QPS performs because of a complaint or local intelligence). Between 2015 and 2018 the number of unplanned inspections doubled, but decreased slightly in 2019. The QPS performed an additional 23 inspections that did not capture the type of inspection.

For its planned firearm inspections, the unit has a target to inspect two to 10 per cent of all firearm owners in Queensland each year to ensure they comply with their licence conditions. The QPRIME system randomly selects firearm owners that local police will inspect as part of its planned statewide firearm inspections. Between 2015 and 2019, the number of planned inspections QPS conducted ranged from three per cent (in 2019) to 4.9 per cent (in 2017).

Few firearm owners are inspected by QPS. At 24 June 2020, more than 78 per cent (120,301) of current firearm licence holders had never been inspected by QPS. Where it does inspect a firearm owner, there are significant delays to perform its first inspection.

Figure 4B displays the time elapsed from QPS issuing a firearm licence to it performing its first inspection of the firearm holder.

Figure 4B
Percentage and duration of firearm licence being issued to first inspection

Years licence held	Percentage of first inspections
1 year or less	0.8%
1–2 years	12.1%
3–5 years	13.1%
6–10 years	9.8%
11 years or more	64.2%

Notes: This includes both planned and unplanned inspections between 2015 and 2019. We only included firearm licence holders with one firearm licence (some licence holders may have more than one licence of different types). We excluded 'dealer licence, armourer licence, approved range licence and shooting gallery licence' from this analysis because we discuss their performance elsewhere in the report.

Source: Queensland Audit Office using data from the firearms register.

The unit advised that competing priorities for local police was a reason why so few inspections were being performed. Local police must balance priorities such as responding to a break and enter, or a domestic violence incident, with conducting firearm inspections. This can mean that planned firearm inspections are delayed or do not occur.

Timeliness of firearm inspections

QPS's internal procedure states that local police officers should endeavor to complete their firearm inspections within 28 days of receiving the task. We found that only 53.6 per cent of its firearm inspections took 28 days or less to complete. Since 2015, the percentage of firearm inspections completed within 28 days decreased by 4.1 per cent. In 1,255 cases (4.7 per cent) between 2015 and 2019, it took local police more than six months to complete the firearm inspection.

We found 1,753 instances where QPS deemed the licence holder was compliant but did not sight all their firearms and 166 instances where it deemed the licence holder was compliant but did not perform the inspection. There are two possible explanations. Either the officers incorrectly recorded the detail in QPRIME, or they deemed the licence holder was compliant without sighting the firearms or performing the inspections. We raised this with the unit, but it could not explain the reason for these discrepancies.

Other compliance activities

The Weapons Licensing Unit is currently developing a self-reporting tool that enables low-risk licence holders to submit images of their firearm storage facility. This, however, will provide limited assurance as it will identify the storage is in place but cannot provide assurance that the storage is being used. There is a risk with this approach that the unit will become overly reliant on firearm licence holders self-reporting.

Few licence holders are found to be non-compliant

Through its 31,141 planned statewide inspections between 2015 and 2019, QPS inspected 29,380 firearm owners. It found that 1.6 per cent (458) of firearm owners were non-compliant with their licence conditions. This low percentage could be providing false assurance because the random samples are not targeting high-risk individuals or areas.



For its unplanned inspections, QPS found that two per cent (152) of the 7,585 firearm owners it inspected between 2015 and 2019 were non-compliant. The slightly higher detection of non-compliance for unplanned inspections may be partly because the QPS does not provide the firearm owners with as much advanced notice for unplanned inspections.

The unit does not adequately follow up to ensure all firearm owners rectify non-compliance. Nor does it monitor or report the time taken to rectify non-compliance, trends in non-compliance or the outcome of any action taken. Thus, it cannot provide adequate assurance that firearms are not in the possession of, or accessible to, people it deems are unsuitable.

Local police who identify non-compliance with licence conditions may schedule a follow up to ensure the non-compliance is rectified, but they rarely record the action they take in QPRIME. Further to this, a lack of interface between QPRIME and the firearms register means QPS relies on local police to manually notify the unit of non-compliance. This increases the risk that information about non-compliance may not be communicated to, and where necessary, acted upon, by the unit.

Figure 4C highlights multiple failings across the existing compliance monitoring framework that we have raised above.

Figure 4C Case study 3

Failing to act

In July 2016, police attended a firearm licence holder's property after he reported two firearms stolen. The licence holder was unsure of how many firearms he possessed. Police established that an additional seven of his 17 firearms had been stolen (a total of nine stolen firearms). The firearm licence holder had acquired firearms from his two sons (who were both disqualified licence holders). The transfer was not recorded in the firearms register because the licence holder and sons had not submitted the required transfer applications.

The day after the inspection, local police requested that the Weapons Licensing Unit revoke the man's firearm licence. Almost three months later, in October 2016, the unit sent the licence holder a letter asking him to justify why he was suitable to continue to hold a licence. The unit did not receive a response and did not take any further action. The licence holder retained possession of the remaining eight firearms.

Almost a year later, in August 2017, the unit received a renewal application from the licence holder. It again requested that the licence holder prove he was fit and proper to continue to hold a licence. The licence holder said he no longer wanted his firearms and that one of his son's partners had a licence and would take ownership of them. The Weapons Licensing Unit took no further action to retrieve the firearms.

In August 2018, six firearms were placed with the son's partner. In October 2018, more than a year after the licence holder's licence had expired, the unit tasked local police to retrieve the remaining two firearms. In April and July 2019, police attended the properties of the licence holder and his son to retrieve the outstanding firearms but they could not locate them. There was no explanation in QPRIME why it took local police so long to retrieve the firearms. Nine firearms remain unaccounted for.

Source: Queensland Audit Office using information from the Queensland Police Service Weapons Licensing Management System and the Queensland Police Reporting Information Management Exchange System.



Recommendations

Supplement random firearm inspections with targeted risk-based inspections.

Expand the focus of the compliance monitoring program to include a more comprehensive assessment of firearm owners and their ongoing suitability to possess firearms.

Establish processes to ensure all identified non-compliance and licence holder suitability is monitored, reported, and actioned within a reasonable timeframe. This should explicitly include a requirement to detail the assessment of public interest (community safety) and whether immediate removal of firearms is warranted.

QPS not always quick to seize firearms when needed

Seizing a firearm from an unsuitable person is vital to ensuring public safety. QPS's QPRIME user guide states that police officers should complete tasks sent to them within 28 days of receiving the task. This includes tasks sent by the unit to local police to seize firearms.

We could not assess how timely QPS is to seize a firearm from the time it deems a person is unsuitable. QPS does not capture this information in QPRIME or the firearms register. We analysed the time it took QPS to seize a firearm, from the time the unit created the QPRIME task, to the time local police completed the task. This is a useful indicator of QPS' timeliness in responding once it deems a person is unsuitable to own a firearm. We acknowledge that, in some cases, police may seize a firearm when attending an incident before a task is created.

Between 2015 and 2019, the median time between the unit issuing a task to local police to seize a firearm and the firearm/s being seized from the unsuitable person was 12 days. Despite this, there were 252 cases (28 per cent) where QPS took longer than 28 days to seize the firearm from the unsuitable person. In 117 cases (13 per cent), it took QPS more than two months to seize firearms from unsuitable persons.

Delays in seizing firearms when an owner is deceased

When the unit is informed that a licensed firearm owner is deceased, it should promptly locate and arrange appropriate transfer or disposal of the firearms to avoid them being lost or stolen (secure the firearms).

The median time the unit took to create a task for local police to secure firearms after a person died was 42 days. This includes the time it took Births, Deaths and Marriages to notify QPS when a person dies. Once the unit created the task, local police took 33 days (median) to secure the firearm/s.

If the person is a firearm licence holder, QPRIME sends an automatic email alert to the unit so it can coordinate the retrieval of the deceased person's firearms.

The unit also generates a report to identify any firearm licence holder in QPRIME who has died. We found 293 cases in 2018 and 2019 where a deceased person's licence was still active because the unit had not accessed the report. Of these, we tested 106 cases and found 52 instances where the unit had not received an automatic email alert. In the other 54 cases, QPRIME shows an automatic email alert was sent to the unit but the licence was not cancelled, and the deceased person's firearms were not retrieved. As a result, there were deceased people whose firearm licences were still active, and 164 firearms that QPS had not retrieved. When we raised this with the unit, they said the retrieval tasks had not been created when the email alert was received due to a training issue with a staff member. The QPS is working to retrieve these firearms.



People retain their firearms while facing court

The unit reviews a person's firearm licence if the person appears on the daily compliance report as having been charged with select offences. If the review decision is to suspend the person's firearm licence, QPS will seize the person's firearms.

While testing a selected sample of 52 renewal applications that had been rejected between 2015 and 2019, we identified four cases involving 16 firearms where a person's firearm licence was reviewed because of offence charges. In each case, the outcome of the review was pending while awaiting the court outcome and the firearm owners retained access to their firearms. In all four cases, the firearm owner was convicted of the charges. In two of these cases the court outcome took more than a year to be finalised and for the unit to receive official confirmation of a conviction and to seize the firearms.

Firearms remaining in same residence with unsuitable people

We found four cases where the unit deemed the person was no longer suitable but the firearms remained at their residence. Deeming a person is unsuitable to possess firearms and then allowing the firearms to remain in the same residence creates an unacceptable risk to public safety. QPS advised us that the onus is on the licence holder. In our view, this approach to managing risk is inadequate, and may result in deliberate or unintentional access to the firearms.

Figure 4D provides an example of an unsuitable person maintaining access to firearms.

Figure 4D
Case study 4

Unsuitable person maintaining access to firearms

In March 2015, police seized eight firearms from a licence holder after a domestic violence incident involving the possible use of firearms. That same month, the licence holder was issued a domestic violence order and the Weapons Licensing Unit revoked his licence.

In April 2015, the licence holder's wife, who had held a firearm licence since July 2012, submitted permits to acquire six of the seized firearms. The permits to acquire were approved by the unit, despite the storage address being the location where the woman's husband resided. There is no record of a permit to acquire being processed for the two remaining seized firearms.

In December 2015, police attended a domestic violence incident involving the woman (aggrieved) and her husband (respondent). They seized eight firearms at the property that were registered to her licence. In January 2016, the husband was issued with a domestic violence order and the unit sent the wife a warning letter about safe storage of her firearms. That same month, the firearms were returned to her. The domestic violence order expired in March 2017.

In March 2018, the unit received the woman's licence renewal application. The unit identified that her husband, who she lived with, was a disqualified person because he had been issued a domestic violence order in the last five years. In May 2018, the unit sent the woman a letter requesting alternate storage for her firearms. Her solicitor contacted the unit for an explanation and was told that her property was not suitable to store firearms.

In July 2018, QPS rejected the renewal application because the woman had failed to supply an alternate storage address for her firearms. The unit did not create a task to seize the eight firearms in her possession.

In October 2019, QPS was again alerted to a domestic violence incident at their property. Police attending the incident noted concerns for the woman's mental health, but still did not seize her firearms. After we raised this case study with the unit, it tasked local police to seize the eight firearms. The QPS seized the eight firearms almost two years after it rejected the woman's renewal application.

Source: Queensland Audit Office using information from the Queensland Police Service Weapons Licensing Management System and the Queensland Police Reporting Information Management Exchange System.

Delays seizing firearms after a licence has expired

QPS's existing processes for seizing firearms from expired licence holders are inadequate. It relies primarily on the firearm licence holder to put their firearms in safekeeping with a licensed dealer or armourer after their licence has expired. An armourer makes and repairs weapons and armour.

In accordance with the *Weapons Act 1990*, a licence holder must apply to renew their licence at least one day prior to their licence expiry date. The Weapons Licensing Unit has 42 days to assess the renewal application. After this period, QPS is responsible for seizing all firearms from an expired licence holder. We analysed the number of expired licence holders that still maintained possession of their firearms. To account for public holidays, we examined the number of expired firearm licence holders that still had firearms registered to them after 45 days.

At 31 December 2019, 2,445 firearm licences had expired for more than 45 days. These 2,445 expired licence holders had 11,910 firearms still registered to them.

We have not verified whether the firearms register is inaccurate or whether the firearms remain in the possession of the expired licence holders. However, given some of the case studies we have identified, it is possible some of these firearms have not been seized and remain in the possession of expired licence holders.



Recommendations

Establish processes to ensure all identified non-compliance and licence holder suitability is monitored, reported, and actioned within a reasonable timeframe. This should explicitly include a requirement to detail the assessment of public interest (community safety) and whether immediate removal of firearms is warranted.

Ensure the immediate removal of firearms from licence holders who are assessed as being unsuitable, where the licence has not been renewed, or the licence holder is deceased.

QPS not adequately monitoring shooting ranges

The Weapons Licensing Unit needs to strengthen its oversight of shooting ranges. The Weapons Licensing Unit has one staff member with expertise in regulating shooting ranges and, at times, relies on local police to perform inspections. These inspections are technical and time consuming, but essential to community safety. QPS does not monitor shooting ranges to identify whether unsuitable people are discharging firearms at shooting ranges.

At 24 June 2020, there were 271 licensed shooting ranges. They seek to provide a safe and controlled environment to discharge a firearm. Shooting ranges record every person that uses a firearm on a paper register.

To comply with legislation, shooting ranges require unlicensed shooters to sign a paper document to declare whether they have committed any offences in the last five years or have a mental health issue. Licensed shooters provide their licence and the shooting range performs a check. But neither the shooting range nor QPS perform any additional checks. Thus, an unlicensed shooter prohibited from possessing a firearm (such as a violent offender or someone with mental health issue) may gain access and use firearms at a shooting range.

The unit could work with shooting ranges to implement an electronic system, similar to that used in licensed premises around the state, which could efficiently scan and record identification (firearm and driver licences) for people shooting at ranges. Such a system would allow shooting ranges to upload this information electronically to the unit each day and for the unit to develop programs to analyse this data. Automating the process and strengthening the controls would reduce the risk of disqualified or unsuitable people from using firearms at shooting ranges.





Recommendation

Proactively inspect shooting ranges to ensure compliance with relevant standards. Create an electronic register of persons that use firearms at shooting ranges to provide real-time access to information and ensure the shooters are appropriately vetted.



5. Regulating firearm dealers and firearm movements

We expected to find that the Queensland Police Service (QPS) has effective controls to regulate firearm dealers and to seize and dispose of firearms to ensure they are not entering the illegal market.

We found that the QPS is not effectively regulating firearm dealers.

QPS is not proactively monitoring firearm dealers

The Queensland Police Service (QPS) must monitor and record the movement or transfer of firearms between licence holders, or between licence holders and police to meet the requirements of the *Weapons Act 1990* (the Act). This movement or transfer of firearms can occur within Queensland, or between Queensland and another state or territory.

Firearm dealers play a crucial role in the sale, transfer and, at times, disposal of firearms. They are an important conduit to:

- ensuring only appropriately licensed and permitted people can purchase firearms
- documenting the ownership and location of firearms
- preventing firearms from entering the illicit firearm market.

The Weapons Licensing Unit is responsible for regulating firearm dealers, including licensing, and monitoring their suitability, conduct and compliance. At 24 June 2020, there were 189 dealers across Queensland.

In some cases, firearm movement or transfers occur when police seize or retrieve a firearm. This will happen because the unit deems a firearm owner is no longer fit and proper to possess the firearm or they are now deceased.

We found that the QPS is not effectively regulating firearm dealers. It is not proactively monitoring their associates and, apart from ad hoc inspections, is not effectively monitoring and auditing their compliance. Despite the critical role of licensed dealers in Queensland's firearms regulatory framework, the unit dedicates too few resources to regulating firearm dealers to be effective.

The unit does not have a structured or systematic approach to regulating firearm dealers. When it finds non-compliance, it does not actively follow up dealers to ensure they rectify the non-compliance. These inspections are time consuming and complex, but the unit has only one staff member with expertise in regulating dealers and relies on local police to perform some inspections.

Due to incomplete data stored in the Queensland Police Reporting Information Management Exchange (QPRIME) inspection reports, we were unable to identify the total number of inspections QPS performed across dealers.

The QPRIME data shows that QPS inspected at least 56 dealers on 59 occasions between 2015 and 2019, but there was no compliance information recorded for 10 of these inspections. Based on the 49 dealer inspections performed between 2015 and 2019, QPS determined:

- 90 per cent (44 inspections of 43 dealers) were compliant with licence conditions
- 10 per cent (five inspections of five dealers) were non-compliant with licence conditions.



Non-compliance issues included building ceilings, shopfronts, firearm safes or vaults not meeting safety requirements, a higher number of firearms on the premises than the dealer's licence or storage allowed, and a failure to keep a register. Of these five dealers that were non-compliant, we found no instances where QPS conducted a follow-up inspection. There were two examples of dealers who had exceeded the weapon limit on their firearm licence in 2016 and were still exceeding that limit in 2020.

There is no central storage point for information on dealer inspection audits, which creates a risk that the unit will make decisions about dealer compliance without being fully informed. QPRIME contains dealer inspection audit tasks and inspection reports. The QPS network drive contains photographs of dealer inspections and correspondence with dealers. The firearms register does not record any information on dealer inspection audits, although it is the location where compliance reviews, suspensions and revocations are documented.

QPS is ineffective in tracking the movement of firearms

We found that the Weapons Licensing Unit's reliance on manual processes limits the effective monitoring of the movement of firearms. Thus, the unit can provide little assurance that firearms are not entering the illegal market. While QPS takes timely action to seize a firearm when it deems a person is unsuitable to possess a firearm, there are examples of people maintaining access to firearms through a relative or co-tenant. We also identified unnecessary delays for it to seize firearms from deceased people.

Tracking the sale, transfer and movement of firearms is an important role the unit plays in ensuring the safety of the community and police officers. The firearms register holds information about the registered location of firearms, which alerts police officers to any firearms at a property where they are attending an incident.

The QPS relies on manual processes to monitor the movement of firearms, including hard copy forms. This is because the Weapons Regulation 2016 stipulates that a dealer must submit information by registered post to QPS about the acquisition or disposal of firearms. The unit is aware of the inefficiencies and limitations of hard copy forms and the impact its existing system has on the accuracy of information in the firearms register. However, it has not taken action to change the Weapons Regulation 2016 so that it can process these forms in a timelier manner and ensure the register is up to date.

The unit estimates that it took between 60,000 and 100,000 hours to process the firearm transfer and notice of disposal forms it received between 2015 and 2019. This equates to seven to 12 full-time equivalent staff over the five-year period.

The backlog of these hard copy forms can mean that firearm information in the firearms register is not up to date. We found examples of firearm location information being updated three months after a firearm had transferred from one licence holder to another. Figure 5A provides an example of information about the location of firearms being out of date due to delays processing hard copy forms.



Figure 5A Case study 5

Sale of firearms not recorded in the register

In 2013, the Weapons Licensing Unit was notified of mental health concerns about a firearm licence holder, who owned two firearms. The firearms register had no record of this person owning the two firearms. The unit suspended the person's firearm licence, and police went to their property to serve the suspension notice. When serving the suspension notice, local police found the two firearms. The person had purchased the firearms three months earlier but, due to delays by the unit in processing the paper forms, this information had not been updated in the firearms register.

Source: Queensland Audit Office using information from the Queensland Police Service Weapons Licensing Management System and the Queensland Police Reporting Information Management Exchange System.

The unit is exploring system solutions used by other police jurisdictions to see whether they would meet its current and future needs.

Interstate transfers

Queensland and other states and territories share information when firearms registered in their jurisdictions are transferred to licence holders in other jurisdictions. By comparing interstate firearms transfer information against its firearms register, the unit can verify which interstate firearms have or have not been transferred to Queensland licence holders.

Each jurisdiction shares spreadsheets that list firearms reported to them as transferring out of their state or territory. Because of its backlog in processing firearms transfer forms from dealers, the unit is not comparing interstate firearm transfer information to the firearms register information. It is therefore not verifying the transfer of these firearms.

The unit is working with the Commonwealth and other states and territories to move this process online so that interstate transfer information can be shared in real time. Online sharing would provide greater and more timely oversight, accountability, and assurance over the interstate transfer of firearms.



Recommendations

Ensure that QPS is immediately notified electronically of the sale, transfer, and disposal of firearms by amending the Weapons Regulation 2016 to:

- allow electronic notification of ownership and disposal transactions
- require all dealers to implement electronic systems to facilitate the electronic transfer of firearms sales, transfers, acquisitions, and disposals.

Develop a proactive compliance program for audits and inspections to regulate dealers effectively.

Monitor the transfer of interstate firearms to ensure the location and ownership of firearms in Queensland is accurately captured in the firearms register.

Eliminate the backlog of firearm transfer forms to ensure the location of firearms in the firearms register is up to date and accurate.



Appendices

A.	Entity responses	23
	Comments received from Commissioner, Queensland Police Service	24
B.	Audit objectives and methods	30
	Performance engagement	30
	Audit objective	30
	Entities subject to this audit	30
	Scope inclusions and exclusions	30
	Audit approach	31



A. Entity responses

As mandated in Section 64 of the *Auditor-General Act 2009*, the Queensland Audit Office gave a copy of this report with a request for comments to Queensland Police Service.

This appendix contains its detailed responses to our audit recommendations.



Comments received from Commissioner, Queensland Police Service



QUEENSLAND POLICE SERVICE

COMMISSIONER'S OFFICE
200 ROMA STREET BRISBANE QLD 4000 AUSTRALIA
GPO BOX 1440 BRISBANE QLD 4001 AUSTRALIA

Email: commissioner@police.qld.gov.au



Our Ref:

Your Ref:

8 October 2020

Mr Brendan Worrall
Auditor-General
Queensland Audit Office
PO Box 15396
CITY EAST QLD 4002

Dear Mr Worrall

Thank you for your correspondence of 23 September 2020 regarding the *Performance Audit on Regulating Firearms* and invitation to provide comment on the proposed report to parliament.

As previously advised, the Queensland Police Service (QPS) is committed to implementing efficiencies in all areas of service delivery, particularly those which promote the safe and effective regulation of firearms in Queensland.

The audit undertaken by the Queensland Audit Office (QAO) regarding the regulation of firearms is welcomed by the QPS, particularly the identification of the need for improved systems and the recommendation to revise the role of Weapons Licensing from a largely administrative unit to one that provides the necessary management, coordination and oversight of firearm compliance in Queensland.

I note there are three key themes arising from the report with implications for the QPS –

- Deciding who can access firearms;
- Monitoring firearm licence holders; and
- Regulating dealers and firearm movements.

Finding the necessary balance between these three themes and the rights of applicants and licence holders will continue to be the focus of the QPS as action items are implemented and assessed into the future.

I can advise the findings and recommendations have been reviewed and the QPS accepts all recommendations. The annexure to this letter outlines the identified action items and timeframes in response to the report.

QUEENSLAND POLICE SERVICE

As you have been advised, I requested the establishment of a Firearms Oversight Committee, chaired by a Deputy Commissioner, to coordinate the implementation of recommendations across our organisation. I am pleased to advise this committee has already commenced the implementation of a number of recommendations.

It is important for me to acknowledge the commitment and proficiency displayed by the individual members of Weapons Licensing. Despite the challenges of significant system and procedural barriers that are now evident, our members have continued to perform their role with utmost professionalism.

Thank you for the opportunity to review the proposed report to parliament and for assisting QPS with identifying improvement opportunities to enable the continued safety of the Queensland community.

Yours sincerely



**KATARINA CARROLL APM
COMMISSIONER**



Responses to recommendations

Queensland Police Service

Regulating firearms

Response to recommendations provided by Acting Assistant Commissioner Brian Connors, Operations Support Command.

Recommendation	Agree/ Disagree	Timeframe for implementation (Quarter and year)	Additional comments
<p>We recommend that the Queensland Police Service:</p> <p>1. evaluates system options to provide a fit-for-purpose Weapons Licensing Management System (firearm register) to ensure timely and accurate recording and transfer of all firearms and licence holders' information.</p>	Agree	Fourth quarter 2023 pending budget, resources and process changes.	<p>QPS has completed a business case for a future state registry system.</p> <p>QPS are developing need identification and liaising with Government to commence the procurement process.</p>
<p>We recommend that the Queensland Police Service:</p> <p>2. implements appropriate controls to ensure firearm licence decisions are consistent and made in accordance with relevant standards.</p>	Agree	<p>System options (recommendation 1) fourth quarter 2023</p> <p>Other controls fourth quarter 2021</p>	<p>QPS has commenced development of guidelines to provide a more rigid framework to the decision-making process.</p> <p>Business rules will be incorporated into a future state registry system.</p> <p>QPS has reintroduced the Quality Assurance role within Weapons Licensing and is also assessing dedicated intelligence officers.</p> <p>Continuous training on decision making will also be provided to WL staff.</p>
<p>We recommend that the Queensland Police Service:</p> <p>3. reviews the Weapons Act 1990 to identify opportunities for improvement and provide greater focus on public safety.</p>	Agree	Third quarter 2022	<p>Relevant sections of the Act and regulations will be reviewed to identify opportunities for improvement.</p>
<p>We recommend that the Queensland Police Service:</p> <p>4. develops clear policy on the role firearm regulation plays in balancing community safety with the rights of applicants and licence holders, particularly regarding public interest. The policy should define risk thresholds and be supported by guidelines that assist staff to assess public interest when assessing applications.</p>	Agree	<p>Fourth quarter 2021</p> <p>System options (recommendation 1) fourth quarter 2023</p>	<p>Refer to the development of guidelines referenced in recommendation 2.</p> <p>WL have commenced the development of associated policy around risk thresholds and public interest.</p> <p>Future state registry system will incorporate business rules and quality assurance reporting to ensure timely identification of issues.</p>

Recommendation	Agree/ Disagree	Timeframe for implementation (Quarter and year)	Additional comments
<p>We recommend that the Queensland Police Service:</p> <p>5. enhances integration of its weapons licensing system with its Queensland Police Reporting Information Management Exchange System to enable it to monitor firearm licence holders more effectively</p>	Agree	Fourth quarter 2023	<p>QPS will enhance integration between QPRIME and the future state registry system (see recommendation 1).</p> <p>Investment into enhancing integration with the current system, which has been identified as not fit for purpose, would be an inappropriate use of resources.</p>
<p>We recommend that the Queensland Police Service:</p> <p>6. supplements its random firearm inspections with targeted risk-based inspections</p>	Agree	Second quarter 2022	<p>QPS will shortly commence a trial of a 'self-reporting' element within the safe-storage of firearms inspection program with license holders selected based on a risk-based information assessment.</p> <p>QPS has also commenced work to develop a QPRIME algorithm to enable an enhanced intelligence based and comprehensive inspection program.</p> <p>QPS has commenced development of instructional guides for officers completing storage inspection audits.</p>
<p>We recommend that the Queensland Police Service:</p> <p>7. expands the focus of its compliance monitoring program to include a more comprehensive assessment of firearm owners and their ongoing suitability to possess firearms</p>	Agree	<p>Third quarter 2022</p> <p>System options (recommendation 1) fourth quarter 2023</p>	<p>Refer to the actions in recommendation 6.</p> <p>QPS will develop additional training for officers conducting inspections throughout the State to include a more comprehensive awareness of requirements.</p> <p>Proposed action within recommendations 1 and 2 will also deliver an outcome for this recommendation by assessing ongoing suitability throughout the period of a weapons licence holder possessing a licence.</p>

Recommendation	Agree/ Disagree	Timeframe for implementation (Quarter and year)	Additional comments
<p>We recommend that the Queensland Police Service:</p> <p>8. establishes processes to ensure all identified non-compliance and licence holder suitability is monitored, reported, and actioned within a reasonable timeframe.</p>	Agree	Third quarter 2022	<p>Refer to the actions within recommendation 7.</p> <p>QPS will review training, policy and processes around task management within QPRIME to ensure matters requiring action are addressed within a reasonable timeframe.</p> <p>QPS is reviewing the occurrence types that are identified and reported on via the QPRIME IA report.</p> <p>QPS is reviewing the resources and business needs of Weapons Licensing via the Service Alignment Program.</p>
<p>We recommend that the Queensland Police Service:</p> <p>9. proactively inspects shooting ranges to ensure compliance with relevant standards. This should include creating an electronic register of persons that use firearms at shooting ranges to ensure they are appropriately vetted.</p>	Agree	Fourth quarter 2023	<p>QPS will include the electronic register and auto-vetting feature as a desired function of a future state registry system.</p> <p>QPS is reviewing the inspection of shooting ranges as part of the Service Alignment Program.</p>
<p>We recommend that the Queensland Police Service:</p> <p>10. Ensure that it is immediately notified electronically of the sale, transfer, and disposal of firearms by amending the Weapons Regulation 2016 to:</p> <ul style="list-style-type: none"> • allow electronic notification of ownership and disposal transactions • require all dealers to implement electronic systems to facilitate the electronic transfer of firearms sales, transfers, acquisitions, and disposals. 	Agree	Fourth quarter 2023	<p>QPS will include the electronic notification of all firearm transactions as a required function of a future state registry system.</p> <p>QPS will review relevant sections of the Act and regulations to ensure the electronic transfer is permitted.</p> <p>QPS will engage with stakeholders regarding this requirement.</p>
<p>We recommend that the Queensland Police Service:</p> <p>11. Develops a proactive compliance program for audits and inspections to ensure it regulates dealers effectively</p>	Agree	<p>Second quarter 2022</p> <p>System options (recommendation 1) fourth quarter 2023</p>	<p>QPS will review policy and legislation to ensure audits and inspections of dealers are regulated effectively.</p> <p>QPS will review training and the development of guidelines to assist with audit completion.</p> <p>A Weapons Licensing supervisor (Authorised Officer at the rank of Sergeant) will be responsible for developing and managing this program.</p> <p>A future state registry will also enable enhanced dealer regulation.</p>

Recommendation	Agree/ Disagree	Timeframe for implementation (Quarter and year)	Additional comments
<p>We recommend that the Queensland Police Service:</p> <p>12. Monitors the transfer of interstate firearms to ensure the location and ownership of firearms in Queensland is accurately captured in the firearm register</p>	Agree	Fourth quarter 2021	<p>QPS has completed necessary changes for National Firearm Identification Database (NFID) templates to assist with improved timeframes for recording interstate transfer movements.</p> <p>QPS will have full integration (data provision) with the Australian Firearms Information Network (AFIN) in October 2020.</p> <p>QPS has commenced a project in partnership with NSWPF and VICPOL for a digital solution to enable the automatic exchange of cross-border firearm transfer information.</p>
<p>We recommend that the Queensland Police Service:</p> <p>13. Eliminates the backlog of firearm transfer forms to ensure the location of firearms in the firearm register is up to date and accurate.</p>	Agree	Fourth quarter 2023	<p>A future state registry system will remove the reliance on paper-based processing.</p> <p>QPS is reviewing the resourcing of Weapons Licensing as part of the Service Alignment Program.</p>

B. Audit objectives and methods

Performance engagement

This audit has been performed in accordance with the Standard on Assurance Engagements ASAE 3500 *Performance Engagements*, issued by the Auditing and Assurance Standards Board. This standard establishes mandatory requirements, and provides explanatory guidance, for undertaking and reporting on performance engagements.

Audit objective

The objective of this audit is to assess whether the Queensland Police Service effectively regulates the acquisition, possession, use and disposal of registered firearms to ensure community safety.

The audit addressed the primary objective through the following sub-objectives. Does the Queensland Police Service:

- effectively assess applications for licences and permits to acquire firearms in accordance with relevant standards and to ensure public and individual safety?
- perform adequate compliance monitoring to ensure licence conditions continue to be met, firearms are securely stored, and access is appropriately restricted?
- have effective controls on the acquisition and disposal of firearms that ensure they are not entering the illegal market?

Entities subject to this audit

We audited the Queensland Police Service (QPS).

The QPS is responsible under the *Weapons Act 1990* and the Weapons Regulation 2016 for regulating firearm licence holders and firearms in Queensland. Its Weapons Licensing Unit manages this responsibility in cooperation with other areas of QPS, including local police.

Scope inclusions and exclusions

The audit scope included all legal firearms regulated between January 2015 to December 2019. This only included lawfully held and acquired firearms under the regulation of the Queensland Police Service, and therefore excluded:

- illegally acquired and possessed firearms
- non-firearm weapons (for example crossbows)
- replicas of firearms (for example gel blasters)
- firearms not regulated under the *Weapons Act 1990* (for example police and military).

In Queensland, there are more than 10 different types of licences available for firearms and other weapons. For this audit, we limited our analysis to licences that allowed a person to use, own or work with a firearm.



Audit approach

The audit comprised of field interviews, document review, and data collection and analysis. We also engaged with relevant stakeholders.

Field interviews

We conducted interviews with key people, staff, and stakeholders from across the QPS. This included, but was not limited to, the Weapons Licensing Unit.

Document review

We obtained and reviewed relevant documents from the QPS. We reviewed relevant legislation, policies, procedures, reviews, performance reports and indicators, guidelines, case files, and correspondence.

Data analysis

We accessed and analysed data from the QPS Weapons Licensing Management System (WLMS) and Queensland Police Reporting Information Management Exchange (QPRIME).

We assessed relevant internal controls for these systems to determine the extent to which we could rely on data from them. Where we identified internal controls issues, we raised them with QPS and if significant included them in our report. We excluded any analysis where identified issues impacted the reliability of the data or our analysis.

Limitations

Due to COVID-19 restrictions we were unable to perform some of the site visits we had intended. We were limited in some of the data analysis we performed due to an inability to access data from agencies external to the QPS.





qao.qld.gov.au/reports-resources/reports-parliament



Suggest a performance audit topic

Contribute to a performance audit in progress

Subscribe to news and our blog

Connect with QAO on LinkedIn

T: (07) 3149 6000
E: qao@qao.qld.gov.au
W: qao.qld.gov.au
53 Albert Street, Brisbane Qld 4000
PO Box 15396, City East Qld 4002