



LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr PS Russo MP (Chair)
Mr JP Lister MP
Mr SSJ Andrew MP
Mr JJ McDonald MP
Mrs MF McMahon MP
Ms CP McMillan MP

Staff present:

Ms R Easten (Committee Secretary)
Ms K Longworth (Assistant Committee Secretary)
Ms M Westcott (Assistant Committee Secretary)

PUBLIC BRIEFING—INQUIRY INTO THE WEAPONS AND OTHER LEGISLATION (FIREARMS OFFENCES) AMENDMENT BILL 2019

TRANSCRIPT OF PROCEEDINGS

MONDAY, 13 MAY 2019

Brisbane

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The committee met at 8.35 am.

CHAIR: Good morning. I declare open this public briefing for the committee's inquiry into the Weapons and Other Legislation (Firearms Offences) Amendment Bill 2019. My name is Peter Russo. I am the member for Toohey and chair of the Legal Affairs and Community Safety Committee. With me here today are: James Lister, member for Southern Downs and the deputy chair; Stephen Andrew, member for Mirani; James McDonald, member for Lockyer; Melissa McMahon, member for Macalister; and Corrine McMillan, member for Mansfield.

On 1 May 2019, Mr Trevor Watts, member for Toowoomba North, introduced the Weapons and Other Legislation (Firearms Offences) Amendment Bill into the Legislative Assembly. The parliament has referred the bill to the committee for examination, with a reporting date of 1 November 2019. The purpose of the briefing today is to assist the committee with its examination of the bill.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. The proceedings are being recorded by Hansard and broadcast live on the parliament's website.

Media may be present and will be subject to my direction at all times. The media rules endorsed by the committee are available from committee staff if required. All those present today should note that it is possible you might be filmed or photographed during the proceedings. These images may be posted on the parliament's website or social media sites.

Only the committee and invited officers may participate in the proceedings. As parliamentary proceedings, any person may be excluded from the hearing at my discretion or by order of the committee. I ask everyone present to turn mobiles phones off or to silent mode.

WATTS, Mr Trevor, Member for Toowoomba North, Parliament of Queensland

CHAIR: I welcome Mr Watts, who has been invited to brief the committee on the bill. Good morning. I invite you to make a brief opening statement, after which the committee will have some questions for you.

Mr Watts: I appreciate the opportunity to come here today to discuss the Weapons and Other Legislation (Firearms Offences) Amendment Bill 2019. Thanks very much for your time. The purpose of the bill is to amend the Criminal Code, the Police Powers and Responsibilities Act 2000 and the Weapons Act 1990. The objective of the bill is to introduce a framework to strengthen the weapons legislative framework. This will be achieved by introducing a new legislative framework to prohibit high-risk individuals from acquiring, possessing or using a firearm—I reiterate: 'high-risk individuals'—introducing new weapons offences, and increasing current penalties for certain weapon and firearm offences.

After conducting an interjurisdictional comparison of Australian jurisdictions, it is clear that Queensland is lagging behind when it comes to specific weapons offences and strong punishment for weapon crime which is why the LNP chose to adopt new offences and increase existing penalties. This will not only bring Queensland into line with other states and territories but also offer Queensland the reassurance that this state has some of the toughest laws in the nation to combat crime, specifically weapon crime and those people who choose to use their firearms as a weapon whilst committing a crime.

There are several new offences. I will go through some of those. The tragic terrorist attack that occurred in New Zealand weeks ago demonstrates how vulnerable a nation can be. As legislatures, we must do all we can to prevent attacks occurring in our community in Queensland. The bill introduces a new legislative framework known as a firearms prohibition order, as well as three new offences: firing at dwelling houses, buildings or vehicles; possession of digital blueprints for manufacture of firearms; and intent to resist arrest.

The firearms prohibition order framework will be inserted into the Weapons Act and is targeted at high-risk offenders who range from terrorists, members of criminal organisations right through to persons with a history of violence. This proposed legislative framework, which is mirrored on various Brisbane

frameworks in other Australian jurisdictions, will give the commissioner the power to make a firearms prohibition order against the person if, in the opinion of the commissioner, (a) the person is not fit, in the public interest, to have possession of a firearm; or (b) the person is a participant in a criminal organisation. The framework will prohibit any person subject to a firearms prohibition order from acquiring, possessing or using a firearm. There is a range of offences that operate within that framework, imposing penalties as high as 15 years imprisonment.

The bill also proposes to insert an offence of possession of digital blueprints for manufacture of firearms. The offence is modelled largely on the New South Wales offence but, unlike the New South Wales offence, it requires the offender to not just be in possession of a blueprint but also have possession of equipment capable of manufacturing the firearm. The purpose of that is so that we do not capture an over-inquisitive person who has no intent but is specifically interested in the digital printing process. The LNP considers that the additional element is an important measure to ensure that people who download a digital blueprint merely out of genuine interest and have no intention of manufacturing a firearm are not caught under this offence. This new offence will apply to those who have the intent to manufacture.

The LNP also recognises a need for the specific offence of firing at houses, buildings or vehicles being targeted due to the ongoing threat posed by outlaw motorcycle gangs and other organised criminal gangs. The drive-by shooting offence reflects the New South Wales offence and carries a maximum penalty of 14 years imprisonment, which is increased to 16 years if the offence is committed during a public disorder incident or in the course of organised criminal activity.

The bill proposes to insert a new section 317AA into the Criminal Code aimed at offenders who discharge or attempt to discharge a firearm or other loaded arms with intent to resist arrest. This will carry a maximum penalty of 25 years imprisonment. A person who uses, attempts to use, threatens to use or possesses an offensive weapon or instrument to resist arrest will face a maximum penalty of 15 years imprisonment. These offences are aimed specifically at those who use firearms or weapons.

The bill increases penalties for existing weapons offences. The penalty for stealing a firearm or ammunition is increased from 10 to 14 years. This will align Queensland with the penalty imposed in New South Wales. The penalty for carrying a loaded firearm in a public place and discharging a weapon in a public place is increased to impose a maximum penalty of 10 years imprisonment and remove the option for the court to impose a fine. By doing so, this will ensure, as is the case in New South Wales, that offenders will not escape imprisonment for their actions.

I would like to clarify the expanded police search powers that apply to the firearms prohibition order framework. It is very important to note that the bill does not permit a police officer to search any person for firearms or weapons for any reason. The police search powers will only apply to high-risk persons such as terrorists and members of criminal organisations.

Under the LNP's bill, a police officer may not only search a person who is subject to a firearms prohibition order but also search a person in circumstances where the police believe that that person may be in possession of a firearm or other prohibited thing under the FPO. The new police search powers which are targeted at people who are subject to a firearms prohibition order will expand on the current police search powers that exist in Queensland today.

Currently in Queensland there are a range of circumstances where a police officer may search a person without a warrant such as where that person possesses an antique firearm and is not a fit and proper person to be in possession of such a firearm; has something that may be a weapon, knife or explosive that the person may not lawfully possess under a domestic violence order or an interstate domestic violence order; and possesses stolen property. There is a range of other circumstances.

The new police search powers will align Queensland with the search powers in other Australian jurisdictions including New South Wales and Victoria. The proposed laws will not only act as a deterrent but also serve to punish offenders who commit crimes which too often put the wider community at significant risk of harm.

Thank you very much for the opportunity to brief the committee on the bill. I welcome any questions members might have.

CHAIR: Mr Watts, could you explain to the committee how this bill ensures that those subject to a firearms prohibition order comply with the order?

Mr Watts: Just to clarify, are you asking how will those issued with an order—

CHAIR: How will the bill ensure that they comply with the order?

Mr Watts: That is one of the reasons the police would have the search power for someone who has had an order issued upon them. Obviously that individual would have the ability, through a judicial process, to ask for the order to be removed if they felt it was unjustified and had grounds to do that. Once the order is on them, probably the best opportunity to make sure it is enforced would be the search powers that the police have so that they can search their vehicle and search their home.

Mr LISTER: Thank you for your explanation regarding the search powers and who they apply to. I have seen some media reporting in the last two weeks focusing on that matter of people being able to be searched without a warrant. Do law-abiding gun owners, farmers, sporting shooters and so forth have anything to fear? Who is this particular law aimed at? What sort of people is it aimed at?

Mr Watts: It is very clear that a law-abiding firearm owner has nothing to fear because they would not have a firearms prohibition order put upon them. The public interest is a significant test. The commissioner would have to make sure that that test applied. If someone is a member of an outlaw criminal gang, be it an outlaw motorcycle gang or other outlaw gang, then that is who this bill is specifically aimed at. A legitimate firearm owner, whether they be a sporting shooter or a farmer, has nothing to fear from this bill. The search powers that we discussed before would not apply to those people. It would only apply to people who have had the firearms prohibition order put on them. As I say, the conditions in which that can be put on them are fairly narrow.

Mr ANDREW: There are already overarching laws for some of the issues that we have talked about. There are always vexatious issues with estranged spouses and other things that come up in your life and, even though you might be a licensed firearm owner, whether you have a car or a boat, there may be something floating around such as a bullet or other paraphernalia. Some of these penalties are very stringent, if that is what you want to enforce. There are laws that cover some of these issues. How are we going to cast the net in a broad way and not catch people who are not offending? They might have had an issue with someone and all of a sudden they fall into that situation. I worry very deeply for the people who may fall into that situation in terms of the heavy sentencing. Is there a way around that?

Mr Watts: There are heavy sentences involved here because we are specifically targeting criminal activity. One example is that we have increased the penalty for stealing a legitimate firearm owner's firearms, because we want to make sure that Queensland is not a soft target. At the moment the penalty is more substantial in New South Wales than it is here. We do not want criminal gangs visiting rural properties, breaking into the houses and stealing people's tools of trade. Not only does that put them in a dangerous situation; law enforcement can also be a fair way away if you are on a rural property. If you are going to the beach for two weeks and people know where your firearms are, it becomes a bit of a soft target. That is the reason for increasing that penalty to 14 years.

With regard to other penalties in the bill, as I say, specifically this is around the firearms prohibition order. I make no apologies for having stiff penalties for people who want to use a firearm as a weapon. A firearm becomes a weapon when someone seeks to take power and control over someone else's situation. I do not have any issue at all with legitimate firearm owners where the firearm is used as a tool of trade or for their own pleasure. If that firearm is used to take power and control over someone else's freedoms then I have an issue. I believe that we should have strong penalties for someone who has a firearm as a tool of trade or for recreational purposes and uses it as a weapon in that situation. From my perspective, I make no apologies for the strong penalties. The message is clear. If you have a firearm as a tool of trade or a firearm that you use for recreation, do not turn it into a weapon by seeking power and control over someone else.

Mr ANDREW: In considering that two per cent of all containers that come to Australia or part thereof come into Queensland, we should probably be funding the search of those containers to stop illicit weapons or illegal weapons rather than locking people up for some of the offences already covered by other laws. What are your thoughts on that?

Mr Watts: From a customs point of view, that is a federal jurisdiction issue. We are an island nation. I believe that the ability to stop the import of illegal weapons is fundamental to the security of all of us. Any government's first obligation is to make sure that their population is safe.

Mr ANDREW: Yes.

Mr Watts: From a state point of view—and this is the reason that 3D manufacturing is an offence in the bill—we do not want people to have firearms that we do not know about. For example, if a sporting shooter has a particular interest in accessing a firearm that suits their needs and that meets Australian requirements through legitimate means, we want them to go and enjoy themselves. From my point of view, I would have no issue at all if the federal government wanted to beef up its capacity in the customs area. The firearms prohibition orders are targeted at criminal gangs. These will be the

same people who are looking to bring in illegal weapons. I use the word 'weapons' because there is only one reason they are bringing them in illegally. It is not because they want to be a sporting shooter and it is not because it is a legitimate tool of trade. It is because they desire power and control over someone else in our community that they otherwise cannot get without having possession of a weapon and threatening to use it in a violent manner.

Mr ANDREW: In relation to the offence of firing at a dwelling, there is a big difference between when a dwelling is occupied and when it is unoccupied. Have you covered that? An occupied dwelling is totally different to an unoccupied dwelling.

Mr Watts: I look at it from the perspective of power and control. If we assume that a bikie gang on the coast are having a bit of a turf war, they may not know whether there is anybody in the building or not in the building but their objective of firing at the building is the same—to intimidate and control and to show that they are powerful. For me, the intent is the same. We could have a situation where they think a building is empty and it is not. We could also have a situation where they think it is occupied and it is not. To me, the offence is the same in terms of why they are committing the offence. The reason they are committing the offence is to show that they are powerful and violent and not afraid to use a firearm. I believe that they should be afraid and that we as a community deserve better protection. Therefore, the penalty we have proposed for that is a significant one.

Ms McMILLAN: Your bill provides for the Police Commissioner to withdraw an FPO at any time. Do you think it would be more appropriate to review a person's FPO after a given period? If not, why not and, if so, why?

Mr Watts: There may be certain situations where the commissioner may choose to withdraw. For example, there may be a police officer who is working undercover and an FPO is issued. The commissioner obviously would be aware of the process there. From my perspective, in terms of the commissioner's ability, our major protection in our community is the police. We arm our police with a range of ways to protect themselves and to protect us. It is the commissioner who has the responsibility for the lives of all of these officers who, let's face it, are more than likely going to be on the front line if this firearm is being used as a weapon. They are the ones who should have the ability to decide what the people they are responsible for face each and every day out there in the community.

Ms McMILLAN: My question particularly relates though to reviewing a person's FPO periodically. Obviously, as we know, a person's circumstances change, so would it not be more appropriate to review that?

Mr Watts: I would be interested to understand more of what you are suggesting. From my perspective and with regard to the reason the bill is drafted the way it is, I wanted to put that power in the hands of the commissioner and not a process where a bureaucratic decision could get made so it is a robust process and it is giving the commissioner the authority to decide who the police should face and what kinds of circumstances they should face them in. For me, if the commissioner says that a person should not have a gun because they believe it will be used as a weapon, either through terrorism or criminal gang activity, then I have no problem with the commissioner issuing that. If the commissioner chooses to review that, then they can do that in their own time.

Ms McMILLAN: What would be the appeal process?

Mr Watts: It would really be up to the commissioner. Obviously there is a process when it is first put on you. If you question why it has been put on you, you would have to prove that you are not a criminal gang member or you would have to prove that you can pass the public interest test. If you cannot pass both of those, then the commissioner would be legitimately able to put the prohibition order on you. If your circumstances have changed and you can meet the public interest test, then you would be able to challenge the order remaining on you.

Mr McDONALD: Thanks, Mr Watts, for your presentation. I really appreciate you bringing this private member's bill to us and to the House. The reason for that is: I get a lot of feedback from weapons enthusiasts who are doing the right thing in our community, but every time an unlawful activity occurs they feel threatened because they feel like they are being cast by the one net, so I really appreciate why you have brought this bill forward and how it is targeting criminal offenders. Could you outline to us the experiences in other states, particularly New South Wales, in how effective prohibition orders have been?

Mr Watts: It really has led to a set of circumstances where the police can be more confident of who they are dealing with in the public and their capacity to be able to harm the police. When a crime is being committed or if someone is using power and control to take freedoms away from others in our community, we charge the police with protecting that freedom. We charge the police with our desire to
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make sure that we are all safe and protected. A firearms prohibition order is aimed specifically at saying that someone who is a significant threat cannot be better armed than our law enforcement, or not legitimately. Notwithstanding the question that Mr Andrew asked about illegal firearms entering into Australia and/or grey firearms—those that were legal before premises have been broken into and stolen—people who choose to possess those things are the ones that the order is aimed at. That is the reason for the very strong search capacity, so if someone has a firearms prohibition order on them it will be for good reason. If they are then discovered with a firearm, there is a good chance that it is either going to be grey or illegally imported, in which case they should face the full force of the law, and the penalties that we have introduced here are significant to specifically send two messages. One is as a deterrent: do not engage in illicit firearms, do not engage in violence in the community using illicit firearms or legitimate firearms, but in most cases if it was a legitimate weapon it has been stolen, and that is who this is aimed at. The second part of that is to make sure that people in our community know that our law enforcement are the ones who are equipped both legislatively and in terms of their physical equipment to be able to deal with an offender in front of them.

If I go to the resisting arrest part of what has been introduced here, that is specifically saying to someone that if the police turn up whilst a crime is being committed and they have asked you to cease and desist, if you start to use your firearm as a weapon in either attacking the police or trying to shoot your way out of a situation or whatever, you can gain no advantage. If you miss or if your firearm misfires, you will still face the same penalty because the intent was clear. What I want, as unlikely as it might seem, is that if the police turn up the person knows that if they do not lay the firearm down there are very serious penalties for them, because that will make our law enforcement safer and that is the message I want to send.

Mr McDONALD: In terms of the second part of my question with regard to experiences in New South Wales, do you have any advice for us about the workings of them in other states?

Mr Watts: There are many areas in other states where the success is there. This was part of a COAG agreement from 2013. Several jurisdictions have now implemented this framework, as was suggested back in 2013, and it has been successful. I want to make sure that Queensland does not lag behind because we do not want those illicit firearms that are out there in the Australian community to find their way into the Queensland community because we are a softer target than other jurisdictions. If there is a recognised threat via an individual in our community, putting a firearms prohibition order on them and then having the capacity to monitor, investigate and search that person will lead, in my opinion, to a much safer community and it will mean that illicit firearms that do exist in Australia will not come to Queensland because we certainly will not be a soft target for them.

Mrs McMAHON: Thank you, Mr Watts. I will start with a broader question. I do have some more detailed questions, and the devil is in the detail in legislation. More broadly in relation to the firearms prohibition orders and the role that the commissioner plays, I notice that it says that the person is not fit and in the public interest to possess a firearm. What framework do you see around that in terms of the commissioner either on record or otherwise justifying the decision that is made?

Mr Watts: I would say that the commissioner would have a fairly wide scope, but a fit and proper person has a very clear legal definition and the commissioner must be confident that that definition can be met. Once they are confident that that can be met, then the commissioner would have the discretion to put that order on.

Mrs McMAHON: Do you see a role whereby the person subject to the FPO is outlined the reasons why, or is it more just an arbitrary, 'No, I'm applying it. I don't have to tell you why'?

Mr Watts: I would have to take that on notice just to get a clear understanding into the exact process there, but I would say that there would be a regulatory framework around that that would be applied.

Mrs McMAHON: Thank you. With regard to a couple of the sections that you have created, particularly the new section in relation to discharging and possessing offensive weapons, I refer to proposed section 317AB which states—

A person who uses, attempts to use, threatens to use or possesses an offensive weapon or instrument ...

I am interested in the use of 'possesses'. I am kind of with you there for uses, attempts to use and threatens to use, but then there is the mere possession of an offensive weapon. How is that as opposed to just merely being in possession of a weapon under the Weapons Act? I am just trying to see what kind of scenario you are envisaging where you would use this section where possession is a passive activity as opposed to possessing a weapon under the Weapons Act where someone is clearly in both cases not entitled to do so?

Mr Watts: Sorry, but what is the section you are referring to?

Mrs McMAHON: It is proposed section 317AB. In proposed subsection (1) obviously the police are attempting to arrest someone or are carrying out any day-to-day investigation and in the process of doing that they determine that someone is in possession. How would this section be applied differently given that possession, as opposed to the other potential limbs in that, is a passive activity? Why would we have this proposed section as opposed to merely being in possession of a weapon under the Weapons Act as an offence?

Mr Watts: If I may, I will take that on notice so I can get you an exact answer.

Mrs McMAHON: Thank you. Moving to proposed section 57A, 'Firing at dwelling houses, buildings or vehicles', there are a couple of proposed subsections in there and I note that they have escalating circumstances. It starts with the fact that a person must not fire at a dwelling house or any other building with reckless disregard for the safety of any person, and that is 14 years imprisonment. It then goes up in terms of penalties related to circumstance. One is in relation to a public disorder and then proposed subsection (3) is in relation to an organised criminal activity. Given that subsection (4) then says that it is immaterial whether or not a person is actually placed in danger, why is there the need to step up the penalties when, at the end of the day, it is immaterial whether someone is actually placed at risk or not?

Mr Watts: It is specifically aimed at criminal gangs and people who will use this kind of offence to exert power and control. If you can imagine, if there is already an escalating situation, as opposed to a single person driving past, the way the gang mentality works is to show that they are more powerful, and they will often do that in company and they will often be braver in company than they might be as an individual. I believe that, if people are using that sort of gang mentality to commit an offence, they should be held to a higher standard. As I mentioned earlier whether someone is present or otherwise, for me it is obviously a significant threat if someone is present, but shooting up someone's house or shooting up someone's car is a clear example of particularly an organised gang trying to send a message about who is in charge and who has the power to intimidate and who has the capacity to carry out that intimidation. If there is any doubt if a criminal gang member has a firearm, the fact that they have just fired a gun through your house clears that up in everybody's mind.

Mrs McMAHON: I note in this section you have specifically identified organised criminal activity just as opposed to in company.

Mr Watts: Yes.

Mrs McMAHON: To use that section police would have to prove that the person is a member of an organised gang?

Mr Watts: Correct.

Mrs McMAHON: New section 141D(10) seems to imply that any person who is subject to a firearm prohibition order must tell everyone and anyone they may live with or potentially live with. If they are applying to rent a room in share accommodation, they must tell every adult in that place that they are subject to a firearm prohibition order and then ask every other adult in that place whether they are subject to it. Do you see some unintended consequences with people having to openly disclose that to be able to find accommodation or potentially employment? Have any of those types of situations been taken into consideration?

Mr Watts: The objective is to ensure that they are not trying to circumnavigate the firearm prohibition order by having someone else have a firearm that they have simple access to.

Mrs McMAHON: I understand the intent behind that. I am just looking at the unintended consequences of an adult who must then tell every other adult in the room, 'This is me and this is my background. Can I still rent the room?'

Mr Watts: I make no apologies for it being a tough circumstance, because the intent of this bill is, if you have a firearm prohibition order on you, you are someone who is a serious threat to our community. If you are not a serious threat to our community, you would not have this prohibition order on you. If we believe that someone is a serious threat to us and the rest of the community, making sure that they do not have access either directly or indirectly through someone with whom they live or someone else who might have the capacity to provide them with a firearm is the intent of the bill. It is a tough standard. It is not going to be widely out there, because not everybody is going to have a firearm prohibition on them and those who do will have it on them because they are a significant threat in the view of the commissioner.

Mr LISTER: I will defer to the member for Lockyer.
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Mr McDONALD: If we have a weapons enthusiast who is properly licensed and for one reason or another has committed a minor offence, such as unlawful possession of ammunition in a public place or something of that nature, are they going to be subjected to a prohibition order under your proposal?

Mr Watts: No, they would not meet the criteria unless the offence they committed made them not a fit and proper person. The test of a fit and proper person in the public interest and/or being a criminal gang member are both significantly high tests. It is not the intent to set up a framework for a legitimate firearm owner who has that firearm for historical purposes, as a tool of trade, or for sport. This framework is to allow those people to go about their normal business with their firearm, whether that is for their recreation, administering their property, or as a collector.

The framework is aimed at people who are a serious violence threat, people who wish to use this firearm as a weapon because their objective is to show that they can control and wield power over elements in our community. It is aimed at those people who we—the commissioner specifically—believe should not and cannot be trusted with something that would deliver that power and control over legitimate law-abiding people within our communities.

I think the tests that are there in the bill are significant. These are not hoops that the commissioner will just drop down on everybody. If someone, through investigation, through information, is deemed a serious threat, the bill is to make sure that they do not have access to a firearm, because we do not want them turning that firearm into a weapon against people in our community.

CHAIR: Could you tell us who you consulted with and what their views were?

Mr Watts: Sure. I have been gathering information since I was on a predecessor of this committee. I go back to 2013. I am particularly interested in making sure that people who have firearms use them appropriately and enjoy owning them and/or allow their work to be more efficient because of them. What I see in the community and when I have spoken to many stakeholders—ranging from law enforcement through to gun enthusiasts—is that everybody is concerned about illegal and illicit weapons, whether they be manufactured, imported, or from the grey market. These are the ones that people rightly want removed and should be removed.

In my opinion, we should have a high test for people who want to use a gun for recreation or as a tool of trade. I make no apology for that. I have many friends who are legitimate firearm owners. They enjoy their firearms for sporting shooting purposes. I have many friends who are from rural properties and it is an absolutely crucial tool of trade. In the recent floods up north, where beasts are stuck in mud and exhausted, someone had to go out there and euthanase them. For someone to be able to have a short arm to be able to do that in a humane way whilst wading knee-deep through mud is critical for the functioning of our agricultural community.

I have spoken to many stakeholders—from law enforcement, sporting shooters, not specifically the Sporting Shooters but people who are sporting shooters—and I have been gathering information. In addition, as I say, since I was on a predecessor of this committee I have been watching what other jurisdictions have done with their firearm prohibition orders. I have tried to take the best parts of what they have done and put them into this bill because I believe that, when it comes to criminal gangs and terrorism threats, we should be ensuring that we remove their capacity to be able to harm our community. That specifically is what this bill is aimed at.

Mr ANDREW: In relation to a firearms protection order, there are situations in the country where there are not only hardware stores but also gun shops within hardware stores. What are your thoughts on that? Say I want to buy eight gauge wire and I am at John Crook's shop in Dysart and he also has a firearms shop there. Are we prohibiting these people from doing whatever they have to do? It just worries me because we still have situations like that.

Mr Watts: Mr Andrew, I think those are legitimate concerns. The balance that needs to be struck is the set of circumstances where someone would have a firearms prohibition order issue on them. Effectively, they would be a gang member, a suspected terrorist, or someone who has a history of violence against the community. I would like to think that, if someone has those things, the inconvenience of them having to find a hardware store that does not have a firearms dealer in it would be outweighed by the safety of the community.

I accept that that becomes more difficult in regional areas. I would say that, if people are a significant threat to our community, their loss of capacity to buy some wire and have to drive to the next town where there is not a firearms dealer within the hardware store is an inconvenience that I am willing to accept. This prohibition order is aimed at the individual and it is aimed at them turning a firearm into a weapon. That is what we are trying to prevent by putting this bill forward.

Mr ANDREW: Thank you.

CHAIR: That concludes the briefing. Mr Watts, your responses to questions taken on notice will be required by close of business on Friday, 24 May so that we can include them in our deliberations. Thank you for your briefing this morning. I thank also our secretariat staff and Hansard. A transcript of these proceedings will be available on the committee's parliamentary web page in due course. I declare the public briefing for the committee's inquiry into the Weapons and Other Legislation (Firearms Offences) Amendment Bill 2019 closed.

The committee adjourned at 9.25 am.