

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S PORTFOLIO

**Program: 1.2**

**Question No. AE16/058**

**Senator McKenzie asked the following question at the hearing on 9 February 2016:**

- a) What involvement does the Firearms Weapons and Policy Working Group have in decision-making?
- b) In relation to my QON no. SBE15/040 where I asked for a summary of the top 5 points raised by uninvited submissions and the number of such submissions, could the Department provide a breakdown of the numbers of submissions under the listed categories of issues, as well as table the submissions?
- c) Where any of the emails or letters petition-type correspondence?
- d) What impact did the aforementioned non-invited stakeholders' concerns have on decision-making?
- e) Is there a formal mechanism for firearms owners and others to interact with the government on this issue?
- f) In relation to my questions on notice SBE15/088, questions 8 to 31 were not fully answered, could the exchanged correspondence referred to therein be tabled?
- g) Is there a scientific/technical base for policy decisions on magazine capacity and categorisation in general?
- h) How many licenced firearms were reported as stolen across Australia in 2015?
- i) Does the Attorney-General's department intend to review licencing and storage requirements in the near future?
- j) Has the AGD considered the implementation of national standards to firearm storage and licensing?
- k) Has the AGD considered the implementation of shared data collection or a national database involving all states and territories?
- l) How many firearms related charges were laid in 2015? What is the breakdown of such offences?
- m) At what point in the Martin Place Review did the Commonwealth know or learn that the Adler shotgun was not "new technology" nor had it "evolved significantly"?
- n) What was the cost of the consulting performed by the Firearms and Weapons Policy Working Group?
- o) Given that the Department did not seek the input of those law-abiding firearm owners who would be impacted by any regulatory changes, and given that the Department did not reply to emails enquiring whether or not they could make submissions, and given that one of the Department's senior officials spoke dismissively of the unsolicited submissions the Department did receive because some of them are "not necessarily well expressed in terms of English and grammar", does this silent and dismissive behaviour satisfy the Department's own standards in relation to public communications? If not, what is being done to train staff in dealing appropriately with some enquiries?
- p) What mechanisms or training are in place to ensure that public enquiries are respectfully dealt with by employees of the Department?
- q) Firearms owners have a "lack of trust of government in relation to firearms regulation" and it has been suggested that the manner in which the Department handled this review has contributed toward this lack of trust. What is your response?
- r) Whose decision was it that public submissions would not be accepted? Was any cost/benefit

analysis done? Was this approach cleared with the Minister? Why was this approach chosen when the recent Senate Inquiry demonstrated that a call for public submissions would almost certainly attract a large number of very relevant and informative submissions?

**The answers to the honourable senator's questions are as follows:**

- a) The Firearms and Weapons Policy Working Group monitors the effectiveness of current arrangements with respect to firearms and weapons. It is not a decision-making body. The working group provides advice to Ministers at the Law, Crime and Community Safety Council through the National Justice and Policing Senior Officials Group.
- b) The department received a high volume of unsolicited emails to the address <NationalFirearmsAgreement.Submissions@ag.gov.au>. This email address was established to facilitate the receipt of written submissions which were sought by invitation from the firearms community (including industry and peak bodies) and community safety organisations (including gun-control and public health advocates). Due to the volume of unsolicited emails received at that address, the department has not considered each email individually. The list of the top five issues provided in response to QON SBE15/040 was determined through a general scan of the emails.
- c) See (b).
- d) See (b).
- e) The department undertook consultations with the firearms community (including industry and peak bodies) and community safety organisations (including gun-control and public health advocates). The Minister for Justice also convened a Firearms Industry Reference Group. Groups invited to participate in those consultations were expected to represent the views of their members. The department also took into consideration the views of members of the public who wrote to Ministers or other Members of Parliament.
- f) Disclosure of any correspondence between the Minister for Justice and his counterparts is a matter for the Minister for Justice.
- g) In determining firearms-related policies, decision-makers consider advice from technical firearms experts and from policing, justice and other relevant agencies.
- h) Questions relating to stolen firearms are a matter for state and territory police.
- i) Questions relating to firearms licensing and storage requirements are a matter for state and territory police.
- j) The 1996 National Firearms Agreement contains national standards for firearms licensing and storage.
- k) The Commonwealth is working with states and territories to implement the National Firearms Interface. The Interface will track a firearm through its lifecycle, from its importation or manufacture in Australia through to its exportation or destruction; it will record all details relating to a firearms' history, and register inter-jurisdictional firearm transfers. The Interface will replace and extend CrimTrac's current system, the National Firearms Licensing and Registration System. There will be a transition period between July 2016 and December 2016 when all data provisioned by police agencies will be routed into the new system. Detailed questions relating to the Interface should be directed to CrimTrac.
- l) Questions relating to firearms-related offences are a matter for the Australian Federal Police and state and territory police.
- m) The Adler shotgun was not within the terms of reference of the Martin Place Siege Joint Commonwealth-New South Wales review.
- n) The department's costs for the Firearms and Weapons Policy Working Group are met from within core budget. Costs incurred by other Commonwealth and state and territory agencies are a matter for them.

- o) See (e).
- p) All departmental staff receive training in the Australian Public Service Values, Employment Principles and Code of Conduct which set out the standard of behaviour expected of employees.
- q) The Department is not able to offer an opinion on suggestions that ‘firearms owners have a “lack of trust of government in relation to firearms regulation”’.
- r) Consultations were undertaken with the firearms community (including industry and peak bodies) and community safety organisations (including gun-control and public health advocates). Groups invited to participate in those consultations were expected to represent the views of their members. The department also took into consideration the views of members of the public who wrote to Ministers or other Members of Parliament. Accepting submissions from the general public would have placed an unreasonable burden on the resources of the department.