

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

Program: 1.2 AGD Operating Expenses - National Security and Criminal Justice

Question No. AE17/125

Senator Rhiannon asked the following question at the hearing on 28 February 2017:

1. The guardian newspaper published minutes from the Firearms Industry Reference Group which outline a range of concerns expressed by the NIRG members about the inadequacies with the National Firearms Interface System which is meant to facilitate the tracking and tracing of firearms across the various jurisdictions.
 - a) Is it correct that current firearm tracking systems fail to provide information in 'real time' which means a person prohibited from accessing a firearm in Victoria could travel interstate and access a firearm in another jurisdiction before the police are made aware of the prohibition order?
 - b) Is this one of the major failings of the National Firearms Interface System?
2. The Updated National Firearms Agreement 2017 prevents the importation of magazines with a capacity of greater than 30 rounds for rifles and shotgun [resolution 5(b)], however it does not prevent a general recreational hunter from purchasing three 5 shot Adler shotguns and converting them into 3 x 12 shot alders with a total capacity of 36 rounds in a matter of minutes through the purchase of DIY magazine extension kits which are available across Australia.
 - a) What is the government's response to this anomaly?
 - b) What is being done to strengthen the Agreement so that rapid fire semi-automatics are banned irrespective of how they are made?
3. Are the minutes of the firearms reference industry group publicly available? If not why not?
4. In the minutes of the September 2015 meeting of the firearms reference industry group reference is made to reducing "red tape" for firearm regulation. What is "red tape" that this expression refers to?
5. Who are the members of the Commonwealth Firearms Advisory Council and any other firearms reference industry groups? Are there any representatives of groups that work with domestic violence victims, people who work on crime prevention or gun control advocates on these bodies?
6. Who decides who should be invited to firearms reference industry groups?
7. Is Robert Nioa a member of the firearms reference industry group? If so what is the correct title of the group he is a member of and what is his position on that group?
8. Please provide an update on the National Firearms Agreement Review.
9. Has an advisory or reference group been set up to assist with this review?
 - a) If so who are the members of this body?
10. The 2017 National Firearms Agreement at point 30 states the "details prescribed by the national information-sharing hub". Please supply a copy of the "details".
11. Is the intention of the national information-sharing hub to ensure all databases are compatible in a fully searchable single database or will it be a hub with information on different databases? Please explain what a national information-sharing hub is and how it will work?

The answer to the honourable senator's question is as follows:

1. a) The Australian Firearms Information Network (formerly called the National Firearms Interface) has the capability for real time updates. How and when jurisdictions update their own firearms information, and provision it to the Australian Firearms Information Network, is a matter for them.
b) See above.
 2. a) Under the updated National Firearms Agreement (NFA), lever action shotguns with a magazine capacity of more than five rounds are Category D firearms. Recreational hunters are unable to possess Category D firearms.
b) The updated Agreement does not change the treatment of semi-automatic firearms.
 3. The minutes of the Firearms Industry Reference Group are not publicly available.
 4. The Australian Government Guide to Cutting Red Tape defines red tape as 'a process or other requirement of government perceived to impose an unwelcome burden on business, community organisations or individuals.'
 5. The Government abolished the Commonwealth Firearms Advisory Council on 8 November 2013. Members of that Council were:
 - Chair – Mr Pete Steedman
 - Tim Bannister (Sporting Shooters Association of Australia)
 - Rob Nioa (National Firearm Dealers Association, Nioa)
 - Catherine Fettell (Australian International Shooting Limited)
 - Doug Shupe (Federation of Hunting Clubs)
 - Russell Bate (Field and Game Australia)
 - Robert Schwarz (retired, Victoria Police)
 - Samara McPhedran (International Coalition for Women in Shooting and Hunting - resigned from the Council on 21 January 2013)
 - ex-officio members were:
 - o Bob Green (Sporting Shooters Association of Australia)
 - o Attorney-General's Department
 - o Australian Federal Police
 - o Australian Customs and Border Protection Service
- Members of the Firearms Industry Reference Group are:
- Field and Game Australia
 - Firearm Safety Foundation of Victoria
 - National Firearm Dealers Association
 - Shooting Australia
 - Sporting Shooters Association of Australia
 - Shooting Industry Foundation of Australia
 - Robert Schwarz (independent expert)
6. The Minister for Justice appointed the members of the Firearms Industry Reference Group.
 7. No.
 8. The updated National Firearms Agreement was released in February 2017.
 9. The review was undertaken by the Firearms and Weapons Policy Working Group. The Group consists of Commonwealth, State and Territory police and justice agencies
 10. Information shared through the information sharing hub (managed by the Australian Criminal Intelligence Commission) includes:

- Firearm details, such as serial number, action type and magazine capacity
 - Firearm licence holder details, such as licence number, category of firearms able to be possessed, firearms possessed and address
 - Firearm permit details, including the above information
11. The purpose of the information sharing hub referred to in the National Firearms Agreement is to collate firearms information provided by state and territory firearm registries and relevant Commonwealth agencies and making it available as a national picture.