

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE

Inquiry into the control of invasive animals on Crown land

Melbourne — 5 December 2016

Members

Ms Bronwyn Halfpenny — Chair

Mr Bill Tilley

Mr Tim McCurdy — Deputy Chair

Ms Vicki Ward

Mr Simon Ramsay

Mr Daniel Young

Mr Tim Richardson

Staff

Executive officer: Dr Christopher Gribbin

Witnesses

Assistant Commissioner Rick Nugent,

Ms Eileen Armato, director, public support services department, and

Superintendent Paul Millett, licensing and regulation division, Victoria Police.

The CHAIR — I open these public hearings of the Environment, Natural Resources and Regional Development Committee inquiry into the control of invasive animals on Crown land. I welcome Assistant Commissioner Rick Nugent, Ms Eileen Armato and Superintendent Paul Millett of Victoria Police. Thank you for coming in today. We will just go through the formalities and then hand it over to you. You are probably aware of this, but everything that is said in the public hearing today is covered and protected by parliamentary privilege. However, those same comments may not be protected outside the public hearing. All evidence is being recorded, and a copy of the transcript, the proofs, will be provided to you to check for accuracy prior to them being made public. Thanks again for coming in to talk to us. I think the secretariat would have offered to you that you could do a presentation before we go into questions. Is that the plan, or would you like us to just start asking questions?

Asst Comm. NUGENT — So we each have different roles here.

The CHAIR — Sorry, yes, you should explain that. Thank you.

Asst Comm. NUGENT — Eileen heads up the public support services department, which consists of the licensing and regulation division, and Superintendent Paul Millet leads that work there. I represent Victoria Police; I have one of the four regions — I have the eastern region, which takes into account the best part of Victoria there in the north-east, and probably to a large degree comprises the area where hunting occurs most within the state. I have a role here today, and with your permission, we might just share the responses depending on our areas of responsibility.

Ms ARMATO — Can I just say that up until last Thursday I was sitting in this corporate strategy position. I am in the public support services department now, and I am a director there.

The CHAIR — Okay. The licensing and regulation division — it would be good to have a bit of an understanding of what that does.

Supt MILLETT — So my division is responsible for the regulation of the Firearms Act, the Private Security Act and the Control of Weapons Act. So we are responsible, for example, for processing firearms applications as they come in, assessing the suitability of firearms applicants and obviously also assessing that appropriate, genuine reasons for those applications exist, and then we will grant those applications. We also have the enforcement and compliance component of our business, so for any significant breaches that we identify or where we identify that a person is not a fit and proper person, we will do some compliance work and enforcement work around that.

The CHAIR — Okay. Perhaps if I start off, we have heard, I guess, a lot of evidence around the benefits of, I suppose, extending the ability of people to hunt in national parks as one control mechanism for invasive animals, but on the other side of that we have also heard concerns raised, particularly by farmers in the areas we have just been talking about, around irresponsible hunters going into remote areas, around people hearing guns going off and not really knowing who is firing them or what they are doing and around people feeling a sense of insecurity because of some hunters. I guess what we are looking at is expanding the role of hunting, so people going into national parks and I guess more people doing it. What do you see in terms of community safety? Do you think that if we were looking at this, it could perhaps create further problems, or will it just be the same problems that exist at the moment?

Asst Comm. NUGENT — I have been in the role in eastern region now for about 18 months, and I am aware of the majority of our community safety issues, from road trauma to family violence to burglaries and so on. The issue around illegal hunting or community safety issues around hunting are not really on my radar.

The CHAIR — Okay.

Asst Comm. NUGENT — I do not hear a lot of it. When I was first informed about the committee, I cast the net out through our operational areas to get an understanding of any problems that exist, evidence of the problems or data around the problems. To be honest, not a lot came back. We do certainly have challenges with unlicensed firearm users, unregistered firearms and from time to time people driving with

loaded firearms in cars, but it is not a significant issue. Certainly from time to time we hear about street signs being shot or firearms being discharged in popular places, and that is addressed by the local police.

The CHAIR — So what do you do? What do the local police do?

Asst Comm. NUGENT — The local police will respond and then try and identify those responsible. For example, if there is spotlighting at night on public roads, we will respond, intercept the vehicles and charge the people on summons or otherwise as necessary. But from where I am sitting it is not a really significant issue in terms of the hunting component. I do not really have much of a view in terms of that, but I might throw it over to Eileen or to Paul.

Ms ARMATO — Likewise. In terms of licensing, obviously if someone gets charged with those sorts of offences, then we would look at their licence. Their licence could at times have been suspended and eventually cancelled; then we go through a process with the Firearms Appeals Committee and then to VCAT. We do not tend to do a lot of cases in those sorts of instances. I have been there four years now. The types of reasons we tend to cancel firearms include family violence, mental health, and we also have had some difficulties with association, so outlaw motorcycle gangs. They tend to have been many of our cases in the last four years that I am aware of. That is not to say people have not lost their licence for not storing their firearms carefully and securely or not having their firearms separate from their ammunition and the like, but they tend not to be the numbers we would be dealing with.

The CHAIR — It was not huge, but I guess if you are looking at changing something and people have raised concerns, you want to thoroughly investigate what that means. When you said you were asking around, at what point are things registered — because perhaps people have not gone to the police —

Asst Comm. NUGENT — Could be.

The CHAIR — because they thought nothing could be done about it —

Asst Comm. NUGENT — That is right.

The CHAIR — or they have had an experience where the police said they could not do anything about it. What is recorded and what is not?

Asst Comm. NUGENT — It is a little bit hard to quantify. That is right. It is the same as when police members are able to use discretion from time to time; on certain offences they can use discretion. It would not be recorded on our systems either. That is why in terms of qualitative data I asked each division. So I have two metro divisions — Knox and Nunawading — and Shepparton, Wangaratta, Bairnsdale and Gippsland. I have got all of that east area.

I have sent communications to each of my superintendents for those areas and down to the front line to actually get even anecdotal evidence of a problem. I was keen to try and understand as much as I could. Certainly they advise from time to time that there are challenges with people and firearms, but it does not seem to be the significant issue that I understood it might have been. But to answer your question, we will not know it all. There might be occasions when police have responded, it is written on a running sheet that they gave someone a warning, dealt with it another way, or that the alleged perpetrators have left the area, could not apprehend them — that would not be captured.

The CHAIR — Okay. So if someone rings up Crime Stoppers or something, that would not be — —

Asst Comm. NUGENT — Crime Stoppers would be recorded. If they rang the local police or local communications area, it would not necessarily. But what we tend to find is if we have an emerging issue or an issue in a rural area, it does not take long to then be reported to the local police and we then get together with the stakeholders or the interested parties. The feedback I received was that from time to time there are challenges but it is not a significant challenge.

The CHAIR — And what about contact through the local council? We had concerns raised with us by councils as well. Maybe it is not illegal — I do not know the key — —

Asst Comm. NUGENT — Yes, the council, that is right.

Ms ARMATO — If there is what we call an incident fact sheet, then that would be recorded, and we in licensing obviously go through incident fact sheets each day because we are trying to ensure the safety component.

In terms of councils, we obviously have some contact with councils if there is an animal on a highway and/or it is injured, and they would be looking to police to assist where they can. When I say ‘where they can’, obviously most of our police — and in the eastern region there will be some with access to longarms — have SAPs, and they are not normally used to put down an animal if it is injured; we would not normally do that. But there will be occasions, for public safety reasons, that a council may contact us in the middle of the night or at a time which would require — —

The CHAIR — But not over the behaviour of hunters?

Asst Comm. NUGENT — No.

Supt MILLETT — No.

Ms ARMATO — Not that we have heard. If we are having any concerns with hunters then we take an appropriate course of action. In the first instance, if a person was able to be identified, we would suspend the licence and seek advice from them to give them an opportunity to tell their part of the story, and then it would move from there.

Supt MILLETT — To expand just a little bit on the incident fact sheets that are reviewed — and they are reviewed by me every day — we would assess the circumstances and engage with the local region in relation to what action they propose to take as a result of it. So we have that conduit of information being exchanged from the regulator to the regional policing environment.

Asst Comm. NUGENT — We do from time to time run operations by local police in areas where we have seen evidence of illegal shooting occurring, and we do that from time to time with GMA or on our own. I am aware of that. A little while ago I was approached by the GMA asking to do more joint operations and they were concerned that when they had plans some police had to cancel at the last minute — which was not helpful to them — for operational needs. So I just asked that that feed through our formalised tasking coordination process where we work with other agencies — different types of operations, whether it is road safety or others. So I have just asked that that just be included in local tasking to ensure that we actually support the GMA in any operations that we might run. But again, in my 18 months in the eastern region it has not come up as a significant issue, or even an issue at all, to be honest.

Mr TILLEY — Just quickly, I suppose legitimate licensed registered firearms and the whole topic in general when it comes to firearms ownership and hunting in general terms are particularly emotive subjects. So in effect, where I live, there is a significant amount of firearm ownership and legitimate hunting practices in the region. What you are saying today is that there is not a great deal of data that suggests that we have a significant problem with shooters and hunters alike.

Asst Comm. NUGENT — Yes. I am not seeing it at my level.

Mr TILLEY — No.

Asst Comm. NUGENT — And it certainly did not come through when I asked around. Some of the questions I asked about when I was preparing for this hearing when I was first advised of it were: is there a problem, what is the evidence of the problem, do we have data to support the problem, and anecdotally what are the challenges? The points that I raised were the ones that essentially came up. You are right. I think by and large we have law-abiding people who do the right thing.

Mr TILLEY — So would it be fair to say that in the more remote areas of region 4, where you are having to rely on one-manners, clustering, backfilling and those sorts of issues, there would be a significant amount of jungle drums, Chinese whispers, rumours, innuendo and all that sort of thing there?

Anecdotally, having lived and worked in the area there, I know there is a little bit of stuff that does not get reported necessarily in that public debate, such as shooters crossing freehold land when they are stalking — getting those consents, you know, without creating the offence of trespassing — and those sorts of things. Do you have a view or would you be able to express a view to the committee about that? A lot of CMAs and a whole lot of organisations are trying to overcome some of that, without talking about public lands.

Asst Comm. NUGENT — I think it would be fair to say there would be a lot of other incidents that certainly do not come to the notice of police, as with any type of offence, whether it is family violence, public order or assault. For example, with licensed premises we know there are a lot of matters that are not reported to the police. I have confidence in saying that that would occur.

Mr TILLEY — Yes.

The CHAIR — Would the police take it seriously as well? Do you think they would take all complaints seriously? I think there was a bit of an issue.

Asst Comm. NUGENT — When it comes to firearms and the use of firearms, it is an area that is taken seriously. They are more likely to absolutely respond to that than sometimes youths causing trouble, which is a common job for police.

The CHAIR — Okay.

Asst Comm. NUGENT — So certainly around the use of firearms in populous places, around livestock and so on. Rural members know how important livestock is to the farming community, so yes, it would be taken seriously.

Mr TILLEY — Which leads me to another area in this conversation. You may or not be aware that in recent public conversation that I have been having through the media it has been about stock squads and how things have evolved from one larger resource to liaison officers and so on. Of course because of the underreporting and those things, significantly since my comments went public about having that conversation about stock squads, or how Victoria Police might go about resourcing, one of the things suggested through a couple of phone calls — I would not call them gigs, but people have come to me and suggested this — was that maybe there are some shooters in there that are not only taking deer or other animals but also livestock and sending it interstate. Without any great deal, I think it is just important to put that on the record and have that conversation.

Asst Comm. NUGENT — I have not heard of that.

Mr TILLEY — I will leave it at that one, but what I and no doubt my colleagues down the other end of the table are really interested in — this is particularly for you, Paul — is Hollywood. We hear about silencers and those types of things. I would rather refer to them as suppressors or something like that, but I think both of us, you and I, know that using these noise limiters or suppressors is nothing like what we see in the movies. It is nothing like Hollywood. They are still significantly loud. When you look at New Zealand's practice, you can acquire the same model, type and calibre of firearm in Australia as you can in New Zealand, yet you can have a suppressor for a whole range of reasons, whether it be OHS or a whole range of other reasons. Are you able to give us a view or an opinion as a regulator?

Supt MILLETT — There is a provision in the Firearms Act that enables people to have silencers or suppressors. We do not treat them as part of the firearm, and they are not recorded on our licensing and regulation system, but there is an ability to obtain one. You obviously need a genuine reason to obtain it, and we would suggest that the noise by itself is not necessarily a genuine reason to obtain a suppressor. We understand that in the theme of a cull noise is very important, but it is not in itself just a reason to obtain a silencer. But section 57 of the Firearms Act enables people to obtain silencers or suppressors.

Mr TILLEY — So in general terms, as the regulator advising government, you would be fairly practical and pragmatic about this issue, or the advice is — —

Supt MILLETT — I think there is a process, and the process needs to be followed. There are certain criteria along with professional hunting that enable people to obtain silencers. But every application is assessed on its merit — on a case-by-case circumstance.

Mr YOUNG — Thanks very much for coming in. I have been looking forward to talking to the police about this one because we have had a lot of issues that have been raised that fall across your portfolio. Off the back of what Bill was talking about with suppressors you mentioned genuine reason. Can you just run me through some of the genuine reasons that allow firearms to be available for people who are doing hunting activities?

Supt MILLETT — Yes, I can.

Ms ARMATO — So, silencers you are referencing?

Mr YOUNG — No, just firearms.

Ms ARMATO — Just firearms in general.

Mr YOUNG — You mentioned genuine reasons for silencers. To have a firearm for the purpose of hunting you have to provide a genuine reason, so could you just run me through the genuine reasons and how people provide proof of those genuine reasons for the purpose of a firearm?

Supt MILLETT — Recreational firearm shooters can hold firearms. Hunting, sport or target shooting or primary production are other reasons. That is about it.

Ms ARMATO — So obviously if you are on private land, then you would need permission from the landowner.

Mr YOUNG — Someone who is not on private land — someone who wants to go and hunt on public land — what would they provide as proof of their genuine reason?

Ms ARMATO — I think we need to separate two things. You would get the licence with LRD, and then you would need to go to GMA for the ability as a hunter to shoot on Crown land. That is not us. A person with a genuine reason would need to meet any of the criteria. In terms of a hunter, it would be professional vermin control and the like. There would need to be a genuine reason to be a hunter — excluding a junior licence just for the minute. You would have an adult licence, resident, fit and proper. In terms of fit and proper, we would obviously be looking at a number of things, including people's backgrounds, criminal history, family violence and all of those sorts of things that make it appropriate for someone to have a genuine reason.

If we refuse a licence, then obviously there is a process too that someone can go through via an appeals committee and then VCAT. So from a regulatory perspective that has been the case. In our last annual report you will find that there are about 230 000 licence-holders in the state, so we regulate a significant number of firearms-holders.

Mr YOUNG — That has gone up since the last time I got the figures.

Ms ARMATO — It is in the annual report. I think it is licence-holders and then licences and then firearms that are attached to licences.

Mr YOUNG — From the GMA you mentioned you would receive a game permit, and that provides a genuine reason for both a licence and for the application of a permit to acquire firearms.

Ms ARMATO — I believe so. I would have to take that on notice. What it gets down to is that your licence with us is one point, and then you go and receive the other information from another regulatory agency. So a permit to acquire and the ability on GMA's land, I would just have to confirm which one comes first in terms of chicken and egg. I do not process them myself, and you can appreciate the numbers we have. We process about 65 000 licences a year, including private security and controlled weapons.

Mr YOUNG — Yes, from personal experience — I have my firearms licence and have had for a long time — I have coached a lot of other people through getting their licence. A game licence is one of the criteria that you need to get a firearm licence.

Asst Comm. NUGENT — It is part of the genuine reasons to have a firearm.

Mr YOUNG — Yes.

Ms ARMATO — It is the same as safety courses. You are expected to do a safety course and the like.

Mr YOUNG — Yes. So someone can get a firearms licence with a game permit, and that allows them to own identified firearms that we use in hunting on public land. Is that correct?

Ms ARMATO — I am going to have to say that I will take it on notice.

Mr YOUNG — No worries.

Ms ARMATO — Sorry; it is getting into the very gritty detail there. Paul has been with us a few months, and I am going to be honest and say I have got the general gist of the firearms user.

Supt MILLETT — That is all right. We can provide a response.

Ms ARMATO — We can easily provide that to you.

Mr YOUNG — In terms of suppressors, how many permits are issued?

Supt MILLETT — I do not have the exact figures, but I believe that it is not many.

Ms ARMATO — I do have a figure in here, so just give me a moment.

Mr YOUNG — While you are looking for that, when a permit is issued to a person to have a suppressor, does that limit them to any number of suppressors? What is the criteria?

Ms ARMATO — Again it is a case-by-case basis.

Asst Comm. NUGENT — I cannot see a number.

Ms ARMATO — Let us check that number. They do not come with a serial number like a firearm. That is why it is considered a separate item. Obviously a dealer who manufactures them is entitled to also have them as well.

Mr YOUNG — It would be difficult to manufacture them without a permit to have them.

Ms ARMATO — Yes, correct. What I am saying is that we do not record those details, so in terms of numbers it makes it a little bit problematic. But again, it is case by case. We get the applications, and they are to be processed in the same way as any of our other applications.

Mr YOUNG — From a policing side of things, how many incidents do we see involving suppressors in crime?

Asst Comm. NUGENT — I would have to take that on notice and try to find out. Away from hunting we do come across them from time to time. Obviously it is a real concern if we have suppressors in the hands of criminals, and from a CT perspective it is a real challenge. There was an incident in recent times overseas where an active shooter had a suppressor. It was really challenging for responding police to not know where the shots were coming from, and it resulted in a number of police being killed. Separating the hunting from operational, organised crime and the CT area is a real concern for us in VicPol.

Mr YOUNG — If we could just take on notice a couple of those questions around how many permits are issued, that would be great.

Asst Comm. NUGENT — Yes.

Mr TILLEY — Can I just say one thing about that and differentiating operationally? There are market-produced suppressors, but certainly when it comes to these other types of activities people can be fairly ingenious in engineering a device that can suppress noise. How do we legislate for the difference between those who are legitimate licence-holders with registered firearms and those who would bring harm to our community?

Supt MILLETT — So that is the challenge — to put proper regulation around the hidden aspects of what they do. These are things we are working on.

Ms ARMATO — Yes, in terms of the manufacturer. The tricky bit with silencers is obviously going to be a part of it. We reference in the legislation manufacturing and firearms, and certainly there have been more recent changes in the last few years around that component, but technology will always be the difficulty for us. Not that long ago we had some difficulties with moulds and how we match that to manufacturing as well. There is also the tricky bit between the illegal markets and the legal markets, so you cannot regulate what you do not know in some of those other parts. So we regulate the legal markets as best we can, and certainly where we see things occur and we have the data to support it, we would certainly look at that too.

Mr YOUNG — And regulating legal suppressors certainly is not going to stop a crim from making one themselves, is it?

Ms ARMATO — Well, I am not sure I can suggest what criminals like to do. Obviously we regulate the component that we can regulate.

Supt MILLETT — From my experience, you are probably right.

Mr YOUNG — All right. Thanks. In terms of compliance with the GMA, you said they approached you to run some joint operations. Regardless of how successful or not that was, are you aware of any restraints they have on running operations, because we have heard a bit of evidence about them — not only about GMA compliance officers but also about parties having difficulty approaching an incident where a firearm may be suspected to be present. We have heard there is an internal policy stopping them from doing that unless they have a police presence with them. Are you aware of any of that, and how has that been addressed as far as your joint operations go?

Asst Comm. NUGENT — That was raised in my discussions with GMA a little while back. There were two parts to that, though, I think from memory — one was that they were exploring whether or not they head down the path of being armed themselves and sort of just consulting around that. The second was — that is right — they did explain that their operating procedures, guidelines or whatever did prevent them from approaching people with firearms. Obviously that is an internal matter for them, but certainly we are comfortable working with them. If they are aware of an incident where they would like to have someone intercepted by us or for us to speak to someone who has a firearm, whether they are licensed or otherwise, we would certainly help them out when we are available. In local areas there is only a finite number of local police. They get called to anything and everything, so if they are not available, then someone further afield might attend. If it is at Corryong, for example, you might have to go to Tallangatta or further to then respond to help, but certainly we would absolutely be there to support them.

Mr YOUNG — And I appreciate that it might be difficult with resources stretched thin, especially in regional areas. You get cases where some of these incidents happen deep in the bush and quite a distance away from the nearest police resource, but do you think it is appropriate that there is a blanket guideline of not approaching an incident that might involve a firearm, or should it be something that maybe would be better on a case-by-case basis, where officers from GMA and parks could actually approach people with firearms and not have to fear anything dramatic happening most of the time?

Asst Comm. NUGENT — I think it is a little bit dangerous for me to sit here and provide advice to GMA or other agencies about how they might risk assess and develop their own guidelines. I do not think it is something I should be answering.

Mr YOUNG — No worries. That is fine.

Ms ARMATO — Can I just say that the number before — I was referring to a populous place, but we will find out about the silencers. I knew I had a number in here.

Mr YOUNG — How many of those are there, just out of curiosity?

Ms ARMATO — There are 15 a month, roughly.

Mr YOUNG — Fifteen a month. No worries.

Ms ARMATO — So a populous place for those — that is where someone would apply for a permit to have a firearm in what is considered a populous place.

Mr RICHARDSON — Thanks very much for coming in today. You are probably flat chat, so I will not take up too much more of your time. I just have a question on GMA and the notion of their staff being armed. Does VicPol have any view on that notion? It is something they have talked to us about. Do you see any issues at all with GMA staff being armed while carrying out their enforcement work as well?

Asst Comm. NUGENT — Well, on face value, not necessarily.

Mr RICHARDSON — To give you some context, that is what they are asking for — some of their staff are asking for that power. If they are looking to enforce or approach a situation, there is a concern about welfare, so rather than having VicPol always having to attend, what are their powers? And there is the other point that you made to Daniel about their regulations, but in terms of their arming their staff, do you see any concerns at all?

Ms ARMATO — Probably from our perspective, it is just like a person obtaining a firearms licence. So they would have to go through, like other regulators — say, DELWP employees, where appropriate. Again, they would have to go through the process. We have got to make sure that they have done the safety courses, and we also want to make sure that the staff are comfortable, because sometimes people enter jobs not necessarily aware that they may indeed need to carry firearms, so all of those risk assessments would need to be weighed up.

The CHAIR — And there would be more people carrying guns.

Asst Comm. NUGENT — One of the most important parts, regardless of whether or not that is supported, is actually their training. We have comprehensive training for our police and PSOs around the use of firearms. It is comprehensive and ongoing training every six months. The use of a firearm is one component. There are a lot of other tactical options. There are negotiation skills, understanding mental health — there is a whole component to it that is a lot more broad than just being licensed to carry a firearm. There would need to be a fair degree of research and thought go into it.

Mr RICHARDSON — So you do not see an ability to decouple the need to have Victoria Police attend all operations and incidents? I am just going to the resourcing challenge in particular. Do you see a decoupling of that arrangement?

Asst Comm. NUGENT — It would, but my understanding is that at the moment it is not resource intensive enough for us to provide support. All I was suggesting earlier is that from time to time we may not be able to provide support. I do not have any evidence, though, as to when we could or when we could not, but it is not coming up as an issue. Having said that, GMA did raise that with me and said that there had been a couple cancelled — for police operational reasons they could not get there. It is something that needs to be considered, obviously.

Mr RICHARDSON — I know that you are at the macro level, and there are myriad priorities beyond some of this stuff in terms of firearms and the like, such as trespass and illegal activity. When the committee had some meetings up in the north-east there were discussions about Crime Stoppers and the reporting of incidents live. How is that going in terms of the public having awareness across Victoria and being able to report these incidents? If you have got one officer at a station many kilometres away, there is no chance of getting to an incident, but if there are a number of pings from local residents, is there an awareness of some of that — of the ability for people to get online to report that without confronting

people, which can escalate situations as well? How is Victoria Police's engagement on that front — enabling residents who may have allegations of trespass or misconduct? How is that addressed?

Asst Comm. NUGENT — Maybe there is insufficient education awareness around how people can report incidents, crimes or other community safety concerns they have, but generally we find it is quite suitable. So you have Crime Stoppers, you have your local police and through local councils we get information, but if you are hearing something and seeing something a little bit different to that, we are happy to take that on board and then give further consideration as to how we might address some of those gaps.

One of the things I am introducing in eastern is we have an internal Compstat process, where we look at the data around particular areas. I am trialling in the north-east and in Bairnsdale an open Compstat, where the community can come along and actually share their concerns and we can better understand their needs — and other agencies as well. I will be commencing that in the next six months, so that may provide another avenue by which people can actually share their concerns, whether it is about livestock or whether it is about shooting — whatever that might provide. I have some in my world a little bit nervous about that.

The CHAIR — I am a bit surprised that it has not been much of an issue, because in some communities we are actually printing leaflets and all sorts of things — you know, telling people what to do if they have any issues. Normally this is in response to something, so it sort of seems a bit odd.

Asst Comm. NUGENT — Well, I need to find out a bit more then, if that is what we are having.

The CHAIR — Yes. We could go back and get that evidence. There were some of the Landcare groups that were in those — —

Asst Comm. NUGENT — I would be keen to know, because it means we have got a gap there that I am not aware of.

Ms ARMATO — We have got police online, so that is something that we are working towards which, a bit like crimes, would allow people to put things through to us online, which other states and territories obviously have. So that is what we working on at the moment, which might address some of that component too.

Supt MILLETT — The other aspect is that the licensing and regulation division have very strong stakeholder relationships with a number of groups who are involved in shooting, and we meet on a very regular basis. I know from conversations with them that they are driving the message back to their members in regard to issues such as this one, making sure that people are aware that they have got a capability to report any incidents and they should report any incidents.

Asst Comm. NUGENT — Yes, the police advice line will make a big difference. So instead of the 000 call, we have an advice line where people can ring up. That will be in addition to Crime Stoppers and your local police as well, which is — —

Mr RICHARDSON — Because I think the power of social media and particularly through VicPol, through Facebook, is incredible, and that reach, and expanding that where people who might not want to give over their details — to have that interaction, if there are pings in the area. And with the resourcing thing, rather than sitting at a car that could be hundreds of kilometres away, if there is a concentration of activity, then you are onto it.

Mr RAMSAY — Thank you for your time this morning and thank you for your local constabulary that visited my property just three days ago to do an audit on my gun storage, registration and licence, and I am happy to report that I passed. The reason I am raising that is I have a farmer background and I do have guns for personal use for control of pests — all very legal. However, we do spend a lot of time trying to remove recreational shooters from our private land, who just come on uninvited and shoot away, particularly during duck season, quail season and the like. We have been threatened continuously by having guns put in our face telling us where to go. By the time we get the local police to come and visit, it

is all too late and they have gone. So there is an issue with recreational shooters just coming onto private land willy-nilly and not actually seeking permission.

That aside, there are, equally, responsible recreational shooters that do seek permission and are allowed on the property at a certain time, bearing in mind we have got liability insurance problems associated with having anyone on the property that actually injures themselves during — in an invited sense. So from a farming point of view there are some problems associated with recreational shooters on private land. Also I want to raise the point around suppression, particularly for farmers in built-up areas. As you would appreciate, trying to control pests in a built-up area when you are using shotguns does not go down well with the natives who move to the Pakenham suburb that want some nice livability without the noise of guns. So with the discussion around suppressors, I think the farming community also needs to be involved, particularly in relation to those built-up areas.

A couple of questions: one is, I am not clear about what firearms could use suppressors. I assume shotguns cannot; I assume it is rifles or gas-fired rifles, lever action rifles. I would perhaps like to know a bit more about that because in our inquiry certainly suppressors have been a key issue, and use of, and I suspect our next witness will say, 'Well, we need a balance if we are going to have recreational shooters on Crown land, where there are other people moving around'. The sound of quite significant loud shots is not going to create that sort of ambience that people look for when they go bushwalking. So are the suppressors going to solve that problem, or are they going to create a larger problem — about not knowing where the bullets are going and where the shooters are? I think you raised that yourself.

The other question I will pose to you is that I am not clear about: if in fact there is a larger use of recreational shooters for invasive pest control in Crown land and they are coexisting with those that are using Crown land for other purposes — for bushwalking, trailblazing and what have you — who is actually responsible for the safety of those coexistent parties? Is it the Game Management Authority, which issues the permits, that is responsible, or do you have a responsibility as police safeguarding the community in relation to coexistence? I am not clear about the engagement rules in relation to compliance and responsibility.

Asst Comm. NUGENT — I think the first question I might get Paul to talk to, in terms of the suppressors.

Supt MILLETT — Okay. My response to that is that I am not a technical expert in firearms, so I would really need to take that on notice and provide you some information as to what firearms are suitable to use suppressors.

Mr RAMSAY — Would you mind doing that, particularly with the 15-odd that have been granted suppressors, I would like to know who they are — if they are farmers —

Supt MILLETT — What category?

Mr RAMSAY — if they are field and game members or something else. Have you got that —

Ms ARMATO — When I talked about the 15, I said that was a populous place.

Supt MILLETT — Yes, so we are unsure of the number.

Ms ARMATO — I was unsure of the number. I think perhaps it is probably worth understanding that we license the firearm, the shooter, the actual gun itself and also the person. Where they then go — if it is on Crown land, that then moves to the other authorities, whom we attempt to work with. Certainly if there was a safety risk, people could call police, but we are not necessarily saying, 'Okay, there are 10 people there at this time' or '5 at this time'; that is not something we regulate.

Mr RAMSAY — So if I wanted to go and buy a silencer — suppressor — and screw it onto my 303, say, for an example, and then belt out into the bush, who —

Ms ARMATO — As I said, it will be a case by case. So it would depend on why you wanted it. So approved occupations — I am happy to go through the approved occupations that would have a silencer. When we say we look at it, there is an application a person will put through.

Mr RAMSAY — Through to you or to where?

Ms ARMATO — Yes. So the silencer application, that is what we consider part of a firearm, but we do not register that. So: government departments — DELWP, DELWP employees — we would license to have a silencer; licensed firearm dealers; manufacturers of silencers; professional hunters; a person who works — a subcontractor — for a professional hunter; professional vermin control; a veterinarian et cetera. So it is not just someone who puts in an application and says, ‘I would like a silencer’, that we would then process that. No, that has to be done on a case by case.

Mr RAMSAY — But they are main parties, though, are they not? It is not a recreational shooter. Could they just come and say they want a silencer if they do not meet the table of parties that you have just indicated?

Ms ARMATO — As I said, it is a case by case, but in normal circumstances I would suggest to you no — but, as I said, it is was a case by case, because we obviously look at every single one that comes in. They are separate applications to the firearms application — —

The CHAIR — Because noise is not the reason?

Ms ARMATO — Yes, noise is not considered, in most circumstances, a valid reason. I have to say ‘in most circumstances’ because I could not cover off all of them and say definitely it is a ‘no’, because there may be occupational health and safety reasons at any given time. But I am going to suggest to you this is, in most circumstances, not why someone would receive one.

Mr YOUNG — If I may, where is that list? Is that in regulation or is that in the Victorian legislation?

Ms ARMATO — It is part of the approved occupations; it is sitting on our website.

Supt MILLETT — Yes, it is licensing and regulation.

Mr YOUNG — So is that an internal police list of genuine reasons?

Supt MILLETT — Yes.

Ms ARMATO — I think you might find it — again, we can take it on notice. It sits in section 57 of the Firearms Act, the part about the silencers and suppressors. I just have to double-check the other part of it.

Mr RAMSAY — Actually, I think it is Paul who is winding his way through my questions. Is it? Where are we up to?

Supt MILLETT — I have taken on notice the question of what firearms can be used to fit suppressors to, so I will provide some information on that, and also the category of person was the other question.

Asst Comm. NUGENT — And your next question about coexisting?

Mr RAMSAY — Yes.

Asst Comm. NUGENT — Eileen touched on that initially. So essentially we regulate and provide the licences. But for me, in some respects, at some point it would shift to Victoria Police, depending on the behaviours. By that I mean, if you have someone who is using a firearm that is putting others at risk, then clearly at that time it becomes a community safety issue, and Victoria Police would have a role in that. We would obviously need to be informed. But the GMA are the regulator then around the hunting component. But as with anything, once it then puts the community at risk, then Victoria Police have a role.

Mr RAMSAY — I guess the point I was trying to make, though, is do you have that discussion before? Say recreational hunters, through the GMA, are used to run a campaign through Crown land to get a bit of,

say, a population of deer but at the same time we know that Crown land is used for other purposes for the public. Do Victoria Police and the GMA get together and say, 'All right. We're going to have 50 recreational hunters going through this part of the Crown land. We know we have got trackers, walkers, bush climbers, four-wheel drivers and caravaners doing something else within the park'. How do you actually provide that safety between the two activities?

Ass Comm. NUGENT — That is the role of GMA, in terms of when they grant those permits, to engage with key stakeholders, and Victoria Police have been one of them as well as Parks Victoria and others in terms of assessing the risks. It is only when it crosses over to become a community safety issue that Victoria Police would then respond.

The CHAIR — At the moment people can hunt in state parks. If it is extended to national parks, will there be any difference in terms of safety or police requirements or whatever? Do you see it as any different?

Asst Comm. NUGENT — I do not see it as any different other than that the GMA would continue to have to assess the risks, engage with the key stakeholders, including parks and everyone else — and VicPol — and actually then look at how they mitigate that risk. I think it is part and parcel of the current system we have, just expanding if that is the case.

The CHAIR — I think the Snake Island cattlemen said the risk assessments were done by police. Are they confused, then, and it is not the police?

Asst Comm. NUGENT — Oh, no; they are the responsible agency. They requested a risk assessment be undertaken by Victoria Police on that.

The CHAIR — By police, as opposed to the GMA?

Asst Comm. NUGENT — It was engaging with us as a stakeholder, could we assist. Paul has a fair bit of information on Snake Island. If you like, he could talk to that further.

The CHAIR — Yes, I think a little bit of that.

Supt MILLETT — The licensing and regulation division were asked by the local police back in 2011 to conduct a risk assessment, for the same reasons as the current risk assessment, by the Game Management Authority. We sent a police member from licensing and regulation down to do that assessment in 2011. We received a similar request recently, and we have followed the same process and sent a senior sergeant down to do a risk assessment in the company of the Game Management Authority in regard to a proposed hog deer cull at Snake Island. That risk assessment was conducted by Senior Sergeant Andrew Armstrong. Andrew is an experienced range assessor and obviously has some knowledge in regard to how to conduct risk assessments and the safety templates that sit over those risk assessments. Andrew went down and did the recent risk assessment which he produced.

The CHAIR — What is the process in that? What is taken into account with that assessment?

Supt MILLETT — The Game Management Authority provided us with information in relation to the proposed deer cull and how they indicated that it would work — basically what the methodology was around that deer cull — and certain locations on Snake Island that they particularly wanted assessed from a safety perspective. Andrew attended in the company of the Game Management Authority and basically assessed the site for a number of reasons, which I can read out to you.

He looked at the fact that it is a balloted hunt limited to no more than eight hunters at a time and the fact that the island provides a habitat and hunting areas in excess of the number of hunters allowed. He looked at the terrain and topography of the island and determined it was such that it would be extremely unlikely for a projectile to leave the island. He looked at the relative remoteness of the site and the difficulties of access for people who would generally go over there for another purpose. He also looked at the safe areas where no hunting was to be permitted, which will be designated by the Game Management Authority. He took into account the fact that the program will take place only on weekdays, not including any public holidays. That is obviously to limit the impact on other users. He also had discussions in relation to the

Game Management Authority's role in notifying other stakeholders around this issue and also to the fact that the licensing and regulation division have previously done an assessment there and found it to be suitably safe.

Mr TILLEY — So when this sort of noise gets made you go through the risk assessment period, which is quite rigid. In the committee when the noise comes out there could be a bit of mischief out there. Some groups that are opposed to these types of activities might be suggesting making a bit of noise around this activity when, as I said, quite rigid risk assessments have been put in place?

Supt MILLETT — Yes. From the Victoria Police perspective, we had no engagement with the stakeholders after that. That was an issue for the GMA to manage.

Mr RAMSAY — Hunting could quite possibly be a great tourism boon for Victoria, so with a foreigner just coming in wanting to go hunting, what sort of hoops do they go through on a holiday visa or something? Is there an easy passage for a foreigner to be able to get a shooters permit to go hunting?

Supt MILLETT — So you are speaking from outside Australia?

Mr RAMSAY — Yes, someone coming in just for a working holiday or on a holiday just wanting to go hunting for a week or two?

Supt MILLETT — That is an interesting question. I do not know the answer.

Ms ARMATO — Normally not. Even coming from interstate, we would be looking for people's other licences, so we would need information and would process the applications as we would for anybody else. The tricky bit with people coming from overseas is often the criminal history check, so it is understanding people's backgrounds. We find this in private security as well. With someone who has not been born in Australia, having some understanding of their background is very important to us in order to assess that someone is fit and proper. It would not be so easy, as you indicate. Even coming from interstate can be problematic at times. People need a licence from interstate in order to utilise it here in Victoria.

Mr YOUNG — But interstate licences are accepted?

Ms ARMATO — They are accepted for certain areas if you live in Victoria, or as a visitor?

Mr YOUNG — As a visitor, a New South Wales person is recognised in Victoria?

Ms ARMATO — Yes, in order to use a licence. But in saying that, if I was to move interstate, then it is a bit like your car.

Mr YOUNG — You have a grace period and it is a transfer.

Ms ARMATO — When you move around, the transfer alters it.

The CHAIR — So when we hear that hunting tourism internationally might be a great economic development in regional areas if we open up the national parks, you are saying this would not be happening?

Ms ARMATO — We would need to be looking at the Firearms Act and the ability of someone to obtain a licence. Criminal history is often the part that is a little bit problematic. As I have indicated, we find that in the private security industry.

Mr RAMSAY — If I have a drivers licence from an international country, I can use that here, whereas someone who has got their shooters licence from the UK, surely they would not have to go through the whole rigmarole of — —

Ms ARMATO — I think the tricky bit here is again the fit and proper, and if the Victoria Police are comfortable with the fact the person is fit and proper in the circumstances, so no.

Supt MILLETT — It may be a different assessment process, and we would have to balance out the strengths and weaknesses of that process.

Mr RAMSAY — Have you not had that experience before where someone with a shooters licence in another country wants to come and shoot here but has already gone through the fit and proper process?

Ms ARMATO — You have got people who are sporting shooters, so they will come in for particular types of sporting events. We also had people come over for the recent military tattoo, so we obviously had people come in for that. There are certain processes they need to follow, including certain ability to bring their firearms into Australia as well. So it is quite constrained, and it would not be in the sort of circumstance you are saying. Someone wanting to come and hunt here is a little bit more problematic than those others that we are referencing.

Mr TILLEY — So if the state wants to grow its economy and these opportunities, Victoria Police would not be opposed. Certainly government would have to resource those extra activities to see that we are trying to grow tourism or grow the state's economy. If shooting pursuits are part of that we would have to — —

Ms ARMATO — I suppose from our perspective our job is to regulate the firearms industry. It may not necessarily be to look at some of the other instances, but we obviously regulate that part of the industry, and we would expect enough information to be able to make an appropriate assessment based on public safety.

Mr TILLEY — But not at first — just putting why but saying no?

Asst Comm. NUGENT — No.

The CHAIR — I am just mindful of the time. Many members might have other questions, but if we write to you with those questions or we have to work something out for a later date, if there is some tidying that needs to be done — —

Ms ARMATO — Technical ones.

The CHAIR — Yes. We will get back to you, if that is okay. Thanks very much for your time.

Witnesses withdrew.