

Weapons Licensing Regulator Performance Framework Report 2019-20



The Weapons Licensing business unit within Specialist Services Group, Operations Support Command, consists of 11 sworn and 72 unsworn full-time equivalent officers of the Queensland Police Service.

Weapons Licensing is responsible for the licensing of persons and bodies to possess and use firearms and other weapons.

Additionally, Weapons Licensing maintains the Commissioner's Firearms Register.

Weapons Licensing undertakes this administration in accordance with the *Weapons Act 1990*, *Weapons Regulation 2016* and *Weapons Categories Regulation 1997*.

The Queensland Police Service is guided by the principles of the Act that:

- weapon possession and use are subordinate to the need to ensure public and individual safety, and
- public and individual safety is improved by imposing strict controls on the possession of weapons and requiring the safe and secure storage and carriage of weapons.

Through the effective administration of the Act, the Queensland Police Service contributes to public safety by preventing the misuse of weapons.

Further information about Weapons Licensing and Queensland's weapons-related legal framework are available at www.police.qld.gov.au/units/weapons-licensing.

Additionally, Weapons Licensing can be contacted at:

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The following table details Weapons Licensing's environment and overview as a regulator and provides a non-exhaustive selection of actions undertaken within the 2019-20 financial year.

Regulator model practices and supporting principles	Environment and overview	Actions undertaken
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <ul style="list-style-type: none"> • A proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions. • Regulations do not unnecessarily impose on regulated entities. • Regulatory approaches are updated and informed by intelligence gathering so that effort is focussed towards risk. 	<p>Weapons Licensing undertakes a wide-range of regulatory activities within Queensland weapons licensing and regulatory environment, including:</p> <ul style="list-style-type: none"> • assessing applications for weapons licences • monitoring existing licensees to ensure ongoing compliance with legislative and regulatory requirements, • maintaining the accuracy of the Commissioner's Weapons Register, • regulating and reviewing reporting of weapons industry stakeholders including dealers, armourers, clubs, ranges and galleries, and • overseeing the statewide program of secure storage audit inspections. <p>The Queensland community expects the regulation of weapons in the community to be vigorous, robust and comprehensive to ensure that public safety and order is maintained.</p> <p>A key policy challenge for Weapons Licensing within the regulatory environment is to ensure that these community expectations are met and exceeded while ensuring that stakeholders in the weapons community are not unnecessarily burdened by regulation which does not further this aim.</p> <p>These activities occur within a regulatory environment consistent with the principles contained within section 3 of the <i>Weapons Act 1990</i>, which are that:</p> <ul style="list-style-type: none"> • weapon possession and use are subordinate to the need to ensure public and individual safety, and • public and individual safety is improved by imposing strict controls on the possession of weapons and requiring the safe and secure storage and carriage of weapons. <p>This supports the object of the Act which is to prevent the misuse of weapons.</p>	<p>Weapons Licensing has been actively focussed on a rolling-program of policy and procedure review over the past few years. This continued through the first half of the 2019-20 fiscal year.</p> <p>With the COVID-19 health pandemic emerging in the second half of the fiscal year, Weapons Licensing proactively planned to ensure that its regulatory capacity could continue to ensure effective risk minimisation without unnecessarily burdening Queensland's firearms community.</p> <p>Planning ensured that a sufficient staffing contingent was able to work from alternate locations and deliver the services required of the business unit.</p> <p>As a result of this proactive approach, legislative timeframes and requirements were met throughout the peak of the COVID-19 related disruption.</p> <p>Additionally, Weapons Licensing actively advocated for the legitimate ongoing needs of firearms licence holders, such as the primary production community, in the whole of government approach to business restrictions addressing the pandemic.</p> <p>An example of Weapons Licensing responding to the environment in which it regulates is the determination that the legally required number of participation shoots/competitions for Category H (concealable) would be reduced for sports and target shooters due to the COVID-19 pandemic.</p>

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<p>2. Consult and engage meaningfully with stakeholders</p> <ul style="list-style-type: none"> Formal and informal consultation mechanisms are in place to allow for the full range of stakeholder input and Government decision-making circumstances. Engagement is undertaken in ways that helps regulators develop a genuine understanding of the operating environment of regulated entities. Cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework. 	<p>Weapons Licensing engages with a wide range of stakeholder groups.</p> <p>These include formal and informal engagement with:</p> <ul style="list-style-type: none"> dealers and armourers, ranges and galleries, collectors, museums and historical societies, weapons community associations, and industry representative groups. <p>Significant volumes of correspondence are actioned, including applications, enquiries and engagement.</p> <p>In the 2019-20 financial year Weapons Licensing received over 160 000 items of postal service and more than 25 500 direct emails.</p>	<p>Weapons Licensing engages with stakeholders across its regulatory environment and</p> <p>Weapons Licensing recognises that as a regulator there will be inherent tensions with its clients. To mitigate these tensions it is working towards improvements to its approach, by adopting a policy of engagement and consultation focussed around three general principles:</p> <ul style="list-style-type: none"> Openness Proactivity Honesty and Responsibility. <p>The principle of <i>openness</i> is an ongoing commitment to ensure that key stakeholder groups can contact and communicate in a genuine way with Weapons Licensing leadership.</p> <p><i>Proactivity</i> is embodied in Weapons Licensing ensuring key stakeholders have information communicated when it is realised, as opposed to having to seek the information.</p> <p><i>Honesty and responsibility</i> is at the core of Weapons Licensing's approach to engaging stakeholders. In a contested environment such as weapons licensing and regulation, different stakeholders will have competing interests. Weapons Licensing recognises this and engages in a genuine manner to ensure all stakeholders' views are received.</p>

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<p>3. Provide appropriate information and support to assist compliance</p> <ul style="list-style-type: none"> • Clear and timely guidance and support is accessible to stakeholders and tailored to meet the needs of the target audience. • Advice is consistent and, where appropriate, decisions are communicated in a manner that clearly articulates what is required to achieve compliance. • Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g. small business) or require specialist advice. 	<p>Weapons Licensing provides extensive information and support to stakeholders across all areas of firearm and other weapon licensing and regulatory compliance.</p> <p>The Queensland Police Service website contains a suite of information including a <i>Knowledge Centre</i> of over 40 articles relating to weapons licensing processes and procedures.</p> <p>These relate to licensing, compliance with weapons laws and other relevant information.</p> <p>Weapons Licensing provides a fully staffed phone contact centre four days per week (Monday, Tuesday, Thursday and Friday) from 9.00am to 3.00pm with specialist advice available about new applications, renewal applications, permits and approvals, compliance and other related matters.</p>	<p>Weapons Licensing continues to work towards ensuring that clear and consistent advice is available to the firearms community and other stakeholders via its website, correspondence and phone enquiries.</p> <p>The COVID-19 health pandemic necessitated a period of phone contact centre shutdown, however, phones services were partially, and then fully, recommenced as soon as practicable.</p>

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<p>4. Commit to continuous improvement</p> <ul style="list-style-type: none"> Regular review of the approach to regulatory activities, collaboration with stakeholders and other regulators, to ensure it is appropriately risk based, leverages technological innovation and remains the best approach to achieving outcomes. To the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community. Staff have the necessary training and support to effectively, efficiently and consistently perform their duties. 	<p>Weapons Licensing regularly reviews processes and procedures, incorporating feedback received from stake holders, to ensure ongoing improvements through the integration of iterative improvements.</p> <p>Weapons Licensing's role in ensuring public safety remains key to the evaluation of regulatory actions.</p> <p>While ensuring that this role is not compromised, Weapons Licensing continually seeks to improve the ways it undertakes its roles.</p> <p>Staff within Weapons Licensing have ongoing support and training to ensure that they have the requisite capabilities to undertake their duties.</p>	<p>The 2019-20 fiscal year has presented unique challenges to the environment of Weapons Licensing.</p> <p>Significant changes in the work environment and the way in which the staffing contingent operate has led to opportunities for review which are currently underway.</p> <p>The Queensland Audit Office (QAO) commenced a performance review in 2019-20 which has subsequently been reported on. The Queensland Police Service has accepted all recommendations and is currently working on implementation.</p>
<p>5. Be transparent and accountable in actions</p> <ul style="list-style-type: none"> Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders. Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions. Indicators of regulator performance are publicly available. 	<p>Weapons Licensing's regulatory framework is established under the <i>Weapons Act 1990</i>, <i>Weapons Regulation 2016</i> and <i>Weapons Categories Regulation 1997</i>, and related primary and subordinate legislation, all of which are publicly available in their most up-to-date form from the Office of the Queensland Parliamentary Counsel.</p> <p>These can be accessed at: Weapons Act 1990 Weapons Regulation 2016, and Weapons Categories Regulation 1997.</p> <p>Weapons Licensing articulates clear timeframes for expected responses to enquiries received with acknowledgement that responses will usually be provided within 28 days from receipt.</p> <p>When decisions are made on licensing matters, clear reasons for the outcome determined are provided in writing, as required under the <i>Weapons Act 1990</i>.</p>	<p>In the 2019-20 financial year, Weapons Licensing has continued to demonstrate commitment to transparency and accountability in its actions as an administrative and regulatory unit.</p> <p>The 2020-21 report will further expand on this in terms of QAO report findings and process enhancements that are currently occurring.</p>