

Submission to the Standing Committee on Legislation

Inquiry into the Firearms Act 2024 (WA)

Submitted by:

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1. Introduction

WAFarmers and the PGA represent the interests of Western Australia's primary producers, a community for whom firearms are essential business tools used daily for managing pest pressures, ensuring animal welfare, and upholding biosecurity obligations. We recognise the need to modernise Western Australia's firearms legislation, given the outdated framework of the Firearms Act 1973 (WA).

Both organisations have engaged constructively with the government throughout this process. We welcomed the long-advocated introduction of a Primary Producers Licence, recognising the essential occupational nature of firearms in agriculture. However, we have serious concerns that several elements of the Firearms Act 2024 (WA) — and its implementation — fail key tests of evidence-based public policy, risk undermining primary producers' ability to operate, and could produce unintended outcomes contrary to community safety objectives.

This submission sets out these concerns and makes practical recommendations for addressing them, aligned with the Committee's terms of reference regarding legislative effectiveness, consistency, and unintended consequences.

2. Key Concerns

2.1 Arbitrary caps on firearm numbers

The new Act imposes rigid numerical limits on firearm ownership across all categories. This approach directly contradicts the findings of the **Law Reform Commission of Western Australia (Project 105 Final Report, 2016)**, which concluded:

"The Commission is satisfied that there are sufficient safeguards built into the genuine reason (including reasonable justification) and genuine need tests to prevent the unjustified stockpiling of firearms and recommends that there be no upper limit on firearms numbers."

Such caps fail to recognise the legitimate diversity of needs among lawful owners — for example, the different calibres required to manage a range of pest species, or the retention of family heirloom firearms such as a World War II .303. They also overlook the operational reality of modern farming businesses that frequently manage multiple properties with distinct requirements.

In practice, the vast majority of licensed owners for financial reasons hold fewer than ten firearms unless they are passionate collectors. Importantly, imposing caps on legal ownership of Category A and B firearms has little practical connection to community safety. Criminal markets overwhelmingly target Category H handguns — particularly semi-automatic pistols in calibres such as .38, 9mm, .40 and .45, which are the most frequently recovered illicit firearms linked to organised crime. This is followed by short-barrel, high-capacity semi-automatic shotguns (Category D) and automatic centrefire rifles (Category R/E).

As such, blanket caps on primary production and sporting firearms are out of proportion to their actual risk profile and do not align with evidence-based approaches to reducing criminal firearm misuse.

2.2 Primary Producer Licences — barriers for modern farm structures

The Act does not adequately recognise who is a primary producer as farm managers can be farm/station owners or employees, both roles have the same level of day to day responsibility for animal welfare and vermin control.

In addition, contemporary family farming businesses often involve multiple family members managing different properties under varying legal instruments — family partnerships, companies, or trusts — sometimes spread across regions. In other cases properties are leased, share farmed or managed under access rights.

The complexity of the ownership and responsibility lines makes the government's approach to the regulations which focus on a single primary producer who is available to authorise others to access a single pool of firearms administratively and legally unworkable.

2.3 Mandatory GP-based mental health assessments

There is a strong overlap between those working in agriculture, living in regional areas, and participating in recreational shooting. It is well established that hobbies and community involvement are important protective factors for mental health. Imposing mandatory mental health assessments under the Firearms Act 2024 (WA) is therefore deeply problematic.

Requiring individuals to disclose mental health issues to GPs under threat of losing their licence risks driving problems underground. Many farmers already working under significant stress may avoid seeking early help for fear it could cost them their right to participate in their chosen recreation, increasing personal stigma and worsening health outcomes.

Medical professionals have also raised serious concerns about the unrealistic burden these checks place on them, forcing GPs to judge “firearms fitness”—a role many see as outside their expertise and carrying unacceptable medico-legal risks.

There is no evidence that routine five-year GP checks (or annual checks for those over 80) predict or prevent firearm misuse. International practice overwhelmingly favours community-driven reporting, as seen in New Zealand, where family, friends, and professionals are encouraged to notify authorities if they have serious, credible concerns.

Additionally, the relevance of mandatory annual physical health checks for firearm licence holders over 80 must be questioned. Elderly licence holders are typically not driving trucks or heavy machinery on public roads but rather undertaking lighter farm activities or recreational shooting. Many grandparents provide crucial farm oversight and family support, particularly during summer holidays, and imposing stringent health checks may unfairly discriminate against them. This requirement appears disproportionate and misaligned with practical risk assessment.

2.4 Flexibility for farm workers and family members

Farm workers and family members who hold recreational hunting licences should be permitted to use their personal firearms held under a hunting license, which they are familiar with and may be better suited for specific tasks, for addressing primary production-related issues such as euthanising livestock or controlling vermin.

Currently, these individuals must rely on firearms registered under a Primary Producer Licence, creating unnecessary administrative burdens and reducing practical flexibility. Allowing these licence holders to use their own firearms in appropriate circumstances

would streamline farm operations, improve responsiveness to urgent situations, and ensure more effective and humane outcomes when dealing with livestock and pest management.

2.5 Failure to provide clear, accessible information

Despite repeated requests from WAFarmers and other peak bodies, government agencies did not produce a comprehensive, plain-English guide or Q&A to help primary producers and other licence holders navigate the new regime. Ultimately, WAFarmers had to draft its own summary in consultation with WA Police for publication in *Farm Weekly*. This burden should never have fallen to industry bodies.

2.6 Consultation and legislative process concerns

While we support the objective of modernising the legislation, the process suffered from serious shortcomings:

- No formal discussion paper or issues paper was provided before drafting commenced.
 - Key stakeholders were not given a draft of the Act or Regulations to review, limiting opportunities to identify unintended consequences.
 - Consultation was largely one-way, with decisions often announced in the media shortly after stakeholder meetings.
 - Media releases tied reforms to high-profile incidents, politicising what should have been an evidence-led policy exercise.
 - Ambiguities remain, such as around whether family partnerships, companies or trusts can hold multiple primary producer licences despite verbal assurances.
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2.7 Caps unfairly limit primary producers who also compete in shooting sports

Under the **Firearms Act 2024 (WA)**, a primary producer may also hold a Competition Licence. However, the Act imposes a combined cap of **10 firearms total**, regardless of whether these are for farm use or sporting competition.

This means a farmer managing multiple properties — each needing different calibres for varied pest species — who also competes in shooting sports, is effectively forced to split their cap (for example, 5 for farm, 5 for sport). By contrast, a dedicated sporting

shooter or a farmer with no sporting interests can each hold up to 10 firearms solely for their single purpose.

This approach fails to reflect the distinct needs of primary production versus sporting disciplines, both of which typically require a spread of calibres and firearm types. It unfairly penalises primary producers who also contribute to WA's sporting shooting community, despite meeting all safety, storage and club participation requirements.

3. Implementation Issues

Since the staged commencement in April 2025, farmers have encountered:

- **Information confusion:** No clear list of acceptable documents to prove primary producer status (e.g. CBH receipts, livestock sales docket, chemical purchase records).
- **Unworkable calibre rules:** Unclear restrictions around matching property size, location or pest burdens.
- **Ignored co-ownership history:** Experienced co-owners not recognised when applying to be authorised persons.
- **Delays in licensing:** With Firearms Licensing overwhelmed and unable to provide clear guidance.
- **No amnesty for heritage firearms:** Risking the loss of culturally and historically significant collections.
- **Ambiguities in regulations:** Leading to inconsistent advice from Licensing.
- **Additional compliance costs:** With new fees lacking transparency on cost-recovery principles.
- **Digital hurdles:** An online-only system disadvantages older farmers or those with poor connectivity.
- **Lack of DPIRD–Police coordination:** Potential animal welfare issues where firearms are needed for humane destruction.
- **Confusion over who is a qualified trainer:** to train farm workers to be able to be legally able to use a primary producers firearms.

4. Recommendations

In line with the Committee's terms of reference to examine legislative effectiveness, consistency with fundamental principles, and unintended consequences, WAFarmers and the PGA recommend the following targeted actions:

4.1 Eligibility and ownership structures

- Move to explicitly allow multiple Primary Producer Licences across family partnerships, companies and trusts operating multi-property farming enterprises.
 - Recognise the diverse structures of modern agricultural businesses to ensure licensing reflects practical management realities with farm managers being eligible to apply for a primary producer's license.
 - Amend the Firearms Act 2024 (WA) to explicitly permit farm workers and family members holding recreational hunting licences to use their own firearms for primary production tasks, provided they meet suitable training and safety requirements.
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4.2 Caps on firearm numbers

- Remove all numerical caps on firearm ownership in line with the Law Reform Commission 2016 recommendation, which found existing "genuine reason" and "genuine need" tests sufficient to prevent unjustified accumulation.
- Alternatively remove any caps on Category A and B firearms as they are of little value to organised crime and there is little difference in owning 1 firearm or 6 or 11 (when it comes to community safety (it only takes one firearm to cause a fatality)).
- Alternatively, allow licence holders to double caps based on a proven history of responsible ownership and by meeting the highest level of storage standards (such as Level 2 or Level 3 safes, alarms and CCTV).
- Introduce a heritage allowance that exempts unrendered collectible or pre 1950 heirloom firearms from standard caps, safeguarding WA's rural and family history.
- Allow primary producers with 10 firearms who hold a Competition Licence to maintain a separate allocation of an additional 10 firearms for genuine sporting use, beyond those needed for farm operations,

4.3 Mental health screening regime

- Remove the mandatory GP-based mental health assessment requirement for existing firearms license holders, noting there is no international evidence supporting its effectiveness in preventing firearm incidents.
- Redirect a proportion of firearms licensing revenue to a non for profit such as Rural West or SafeFarms to run a community-based notification and outreach system, modelled on New Zealand's approach, which encourages family, colleagues and local professionals to mental health concerns of known firearms owners.
- Support this with targeted rural mental health campaigns that reduce stigma and promote early help-seeking.

4.4 Implementation and communications

- Develop a clear, professionally designed Firearms Owners Handbook (digital and print), accompanied by an app and short instructional videos tailored for primary producers, sporting shooters and collectors detailing the rules and responsibilities of firearms license holders
- Ensure the online licensing portal and platform is robust by using external consultants to stress-test the system with real users.
- Ensure the information available provided by licensing is easy to understand and follow by using focus groups to provide real time user feedback.
- Ensure that licensing staff are providing consistent answers and that face-to-face options for those with limited digital literacy or connectivity.

4.5 Legislative transparency and proportionality

- Legislate clear, measurable public safety objectives linked to the caps and restrictions imposed by the new Act so that the Act's impact can be transparently evaluated over time.
- Commit to a full statutory review within three years, including structured stakeholder workshops to identify unintended consequences and ensure the legislation remains fit for purpose.
- Clarify the discretionary powers and appeal pathways available under the Act through published regulatory policy to enhance fairness and accountability.

- Audit firearms licensing fees to confirm they are genuinely cost-recovery based.
 - Provide a public breakdown on the cost of services and the revenue raised.
 - Set targets for rapid turn around times on licensing applications with a digital time clock linked to every application which can be tracked through the system.
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4.6 Regional sporting shooters

- Reduce the minimum annual attendance requirement at country sporting clubs from six to three, recognising the combined impact of seasonal farming demands and long travel distances on rural participation.
 - Offer fee concessions for WA Seniors Card holders to bring it in line with other licensing schemes such as recreational fishing licences, where seniors are eligible for discounted fees.
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4.7 Qualified trainers for on-farm safety

- Clearly define the qualifications and accreditation required to be recognised as a firearms safety trainer.
 - Recognise firearms instructors with nationally accredited units under the Australian Qualifications Framework, Category H club instructors, or approved trainers with demonstrated experience under existing WA Police or industry standards.
 - Publish an official list or guidance note through WA Police Licensing to remove uncertainty for primary producers.
 - Develop a short course specifically focused on agricultural firearm use, including pest control, animal welfare dispatch and on-farm safety protocols, to ensure training is tailored and relevant.
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4.8 Evidence of primary producer status

- Develop an explicit, non-exhaustive list of acceptable documents to prove primary producer status (e.g. CBH receipts, livestock sales docketts, chemical purchase records, rates notices, livestock brand notices, or farm insurance policies).
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4.9 Calibre restrictions

- provide clear guidance by developing a practical framework that helps firearm applicants understand permissible firearm calibres based on property size, location, and predominant pest pressures.
 - Develop an online approvals pathway for primary producers dealing with significant feral animal threats on large or remote properties can access suitable calibres and semi automatic centre fire firearms necessary for humane animal control without disproportionate regulatory barriers.
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4.10 Recognising co-ownership and prior experience

- Give appropriate weight to prior co-ownership and practical experience under earlier licensing arrangements when assessing applications to be authorised persons on a Primary Producers Licence.
 - Provide clear guidance on acceptable supporting evidence, such as previous co-held licences, property partnership records or statutory declarations outlining operational history.
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5. Rebuilding Relationships

The State Government's handling of the consultation process and the significant impact of the new firearm regulations on the firearms community have been disappointing. It is critical to rebuild trust and relationships with this community. Although this issue extends beyond the Committee's current terms of reference, WAFarmers and PGA strongly encourage the Parliament, particularly the Government, to recognise the essential role the shooting community plays in feral animal control. Restrictions and caps on firearms licenses have reduced the available pool of shooters, potentially undermining effective feral animal management.

WAFarmers and PGA propose the State Government invest in managing feral animal risks through coordinated partnerships by:

- Mandating the biennial production of a “State of the Ferals Report,” jointly prepared by DPIRD and DBCA, to maintain an accurate feral animal risk heat map.
- Establishing formal partnerships between government, biosecurity groups, and recognised sporting shooter organisations for organised, controlled feral animal culling.
- Fund a full time FTE out of DPIRD to help coordinate regional feral animal shoots with grower groups, councils, sporting shooter clubs and biosecurity groups and or establish a series of recreational hunting clubs for the sole purpose of targeting feral animals in freehold and crown land.
- Offering licensed recreational shooters who regularly participate in approved control operations practical incentives, such as eligibility for increased firearm caps or streamlined access to higher calibre or specialist pest control firearms, contingent upon demonstrated safe participation.

4. Conclusion

WAFarmers and PGA remain committed to working with the government to secure a firearms regulatory system that enhances public safety while ensuring WA’s primary producers can continue essential business activities. We urge the Committee to recommend these targeted reforms to restore balance, uphold legislative integrity, and protect both community interests and the practical realities of farming in Western Australia.