
Monday, 15 October 2007

GOVERNMENT REJECTS CALL FOR TOTAL GUN BAN

Police Minister Paul Holloway and Attorney-General Michael Atkinson today ruled out a total ban on the legal ownership of guns in South Australia.

Mr Holloway says the Rann Government has already increased the penalties for criminals who use weapons in the course of their crime and new firearms legislation that specifically targets illegal weapons will be introduced soon.

He says in spite of recent shootings there has not been a sudden increase in gun crime.

“The number of incidents this year is no higher than last year and to suggest otherwise is merely scaremongering. Of course we are concerned about any shooting, but police have made it clear they do not believe the weekend shooting was a random attack,” Mr Holloway says.

Speaking on A.B.C. Radio this morning, Director of Public Prosecutions Stephen Pallaras called for all gun ownership to be outlawed, including those owned by farmers, pastoralists and members of registered sporting gun clubs.

However the Government has rejected the suggestion as a knee-jerk reaction.

Attorney-General Michael Atkinson says gun ownership is already strictly controlled in South Australia.

“The guns being used in street shootings are not guns owned by responsible members of sporting gun clubs, some of whom have represented the State and Australia in national and international competitions, including the Olympics, winning many medals.

“Farmers also need guns to control pests and feral animals which endanger the state’s multi-million dollar livestock industry.”

Mr Atkinson says weapons used in street shootings have invariably been obtained on the black market through underworld fixers, such as the criminal bikie gangs.

“I’m concerned that an unsophisticated attempt to ban all guns could see even more ending up in the hands of those criminal gangs,” Mr Atkinson says.

“That’s why we are taking on the criminal bikie gangs. If we make life too uncomfortable for them in South Australia, much of this sort of crime will go with it.”

Included in the first phase of the bikie gang legislation is legislation specifically targeting illegal weapons, which will include:

- **Definition of Possession** – The definition of ‘possession’ will be clarified, placing the onus on any person reasonably suspected of being in possession of a firearm to establish a lawful excuse.
- **Offence to possess a loaded firearm without lawful excuse.** A second tier of this offence will provide a greater penalty if the possession of the loaded firearm is associated with circumstances of aggravation. This will strengthen the operational capabilities of Police and significantly enhance the capability of the Crown against organised crime groups, such as criminal motorcycle gangs, as well as providing a strong deterrent against misuse of firearms;
- **Power to issue a Firearms Prohibition Order** - Police will get the power to issue a firearms prohibition order when any person - **licensed or not** - is suspected on reasonable grounds of being unsafe or unfit to possess firearms.
- **New offence of “possess firearms whilst under any Firearms Prohibition Order”** - It will be an offence for a person to possess a firearm whilst the subject of a firearms prohibition orders. A breach of this offence will result in a term of imprisonment to reflect the gravity of the situation;
- **New offence of “knowingly supply a firearm to a person who is the subject of a Firearms Prohibition Order”** - It will be an offence knowingly to supply a firearm to a person who is the subject of a firearms prohibition order. A breach of this offence will result in a term of imprisonment to reflect the gravity of the situation;
- **Power to require a person deemed in possession of a firearm to provide details regarding the firearm, its owner and who last possessed the firearm** – Police will be provided with the power to require a person to provide details regarding a firearm located in any premises or vehicle;
- **New offence of “failing to provide details regarding a firearm, its owner and who last possessed the firearm”** – It will be an offence to fail to provide these details requested by police;
- **New offence of “carry a concealed firearm on a person without lawful excuse”** - It will be an offence to carry a concealed firearm on a person without lawful excuse;
- **New offence of “manufacture or modify a firearm without a lawful excuse”** - It will be an offence to manufacture firearms without a lawful excuse; and
- **New offence of “alter or deface a serial number or possess a firearm with an altered or defaced serial number”** - It will be an offence to alter or deface serial number or possess a firearm with an altered or defaced serial number.

Police Minister Paul Holloway says that South Australia Police strictly enforce the Firearms Act and will not license anyone that they consider is not a fit and proper person to hold a licence, or, would be a person whose possession of a firearm would be contrary to the public interest.

The penalty for a person who has possession of a firearm without holding a firearms licence is up to 10 years imprisonment or a \$50,000 fine.

Illegal use of a firearm is covered by a range of offences including punishments of up to life imprisonment.