



**Under section 151 of the *Weapons Act 1990* 'Disclosure by professional carer of certain information'**

If a professional carer is of the opinion that a person is an unsuitable person to possess a firearm, the professional carer may inform the Commissioner, Queensland Police Service (QPS), of the opinion and give the Commissioner any relevant information about the person, including the person's identity.

A professional carer may form the opinion that a person is unsuitable to possess a firearm for either of the following reasons:

- a. because of the person's mental or physical condition; or
- b. because the person may be a danger to themselves or someone else.

For public sector health practitioners, the **Ministerial Direction 'Mandatory reporting to the Queensland Police Service where a person is unsuitable to possess a firearm' (QH-MD-003)**, made under section 44(1) of the *Hospital and Health Boards Act 2011* (Qld), makes it mandatory for a Queensland Health (QH) professional carer who forms the opinion that a person is an unsuitable person to possess a firearm to notify the Commissioner.

**If there are immediate or urgent safety concerns about someone's behaviour or access to a weapon, call Triple Zero (000).**

**For non-urgent matters, contact Policelink (131 444) or your local police station.**

**Person's Details** (subject of the disclosure under section 151 of the *Weapons Act 1990*)

Surname/family name:	Middle name(s):
First name:	Date of birth:
Contact telephone/mobile number (if known):	Email address (if known):
Home address:	

**Reason For Notification**

In my opinion the person named above is unsuitable to possess a firearm:

- Because of the person's mental health or physical condition
- Because the person may be a danger to themselves or someone else

Reasons why the person is considered unsuitable to possess a firearm, including (if known):

- their ability to access firearms; and
- any current or past domestic and family violence.

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Date person examined/spoken to:	Time person examined/spoken to:	Location of person at time of notification: Hospital inpatient      In community
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Disclosure of information on this form: *(tick all applicable boxes)*

- I have advised the person named above of this notification to Weapons Licensing (optional)
- I do **not** wish my name to be disclosed to the person
- I wish to be advised in advance if there is to be a review or appeal of a decision by Weapons Licensing
- If a Right to Information (RTI) request is made about this notification, I wish to be consulted before any release is made

**Professional Carer's Details** (making a disclosure under section 151 of the *Weapons Act 1990*)

Full name:	Contact telephone/mobile number:
Profession: <i>(Doctor/Nurse/Psychologist/Social Worker/Professional Counsellor)</i>	Email address:
Organisation: <i>(Unit, Clinic, Ward, Hospital)</i>	
Signature:	Date submitted:

- Email a copy of the completed notification form to Weapons Licensing, QPS: [Weapons.Compliance@police.qld.gov.au](mailto:Weapons.Compliance@police.qld.gov.au)
- Upload a copy of the completed notification form to the person's clinical record.



**Reason For Notification** *(continued)*

Reasons why the person is considered unsuitable to possess a firearm, including (if known):

- their ability to access firearms; and
- any current or past domestic and family violence.

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**Information for professional carers making a disclosure to Queensland Police Service (QPS) who are of the opinion that a person is unsuitable to possess a firearm**

Section 151 of the *Weapons Act 1990* provides protection for the professional carer from any criminal or civil liability that may arise from making a notification and provides they are not in breach of any duty of confidentiality they owe to a person.

For guidance on disclosing health information to the QPS, see the publication *Firearms notifications by health practitioners: A guide to disclosing health information to the Queensland Police Service*.

**Notification**

Notification **must** be provided on this form and state sufficient information about:

1. the person’s name and contact details,
2. the professional carer’s opinion why the person is unsuitable to possess a firearm.

A copy of this completed notification form **must** be emailed to QPS via: [Weapons.Compliance@police.qld.gov.au](mailto:Weapons.Compliance@police.qld.gov.au)

A copy of this completed notification form is to be uploaded to the person’s clinical record.

For non-urgent safety concerns about someone’s behaviour or their access to a weapon, call Policelink on 131 444 or contact your local police station.

Following notification, Weapons Licensing will further investigate a person’s suitability to hold a licence or possess a firearm. Clarification may be sought from the professional carer and other sources.

**Advising the person of the notification**

Information sharing with informed consent is always preferred. If appropriate, a professional carer may support a person with a weapons licence to notify the QPS of a change in their mental or physical health, as required by the *Weapons Act 1990*.

If a person does not consent, or it is inappropriate to seek consent, the *Weapons Act 1990* allows notification to QPS without consent. Professional carers working in public sector health services who are of the opinion that a person is not suitable to possess a firearm **must** make a notification, even if the person does not consent.

**Who can access this information?**

Health information disclosed by professional carers is securely stored by Weapons Licensing. A professional carer’s name and contact details are not disclosed by QPS to the person who is the subject of the notification.

**Reviews, appeals and right to information requests**

If a person seeks a review of a weapons licensing decision in the Queensland Civil and Administrative Tribunal (QCAT), appeals a decision to a court, or makes an application under the *Right to Information Act 2009* (Qld), it is the practice of QPS to redact the professional carer’s name, signature and contact details.

When a firearm licence is revoked, suspended or refused, Weapons Licensing will advise the person of the reasons for the decision and their review and appeal rights.

If a review or appeal is made, Weapons Licensing will review the person’s file and may seek clarification of health issues from the professional carer who provided the notification about the information they provided.

**Professional carers**

Section 151 of the *Weapons Act 1990* and section 160 of the *Weapons Regulation 2016* provide that professional carers are:

- doctors;
- psychologists registered under the Health Practitioner Regulation National Law, other than students;
- nurses registered under the Health Practitioner Regulation National Law, other than students;
- social workers in specified settings; and
- professional counsellors in specified settings.

Specified settings are:

- hospitals or nursing homes;
- medical, pharmaceutical, paramedical or mental health services;
- ambulance services; and
- community welfare services that are government funded.

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