

HOUSE OF ASSEMBLY SELECT COMMITTEE

FIREARMS LEGISLATION AND POLICY

Submission by: Ronald Cornish

Tel:

BACKGROUND:

In 1996 I was a Minister in the Rundle Government, responsible for the introduction of Firearm Law Reform agreed to by the Federal Government and all State and Territory Governments in Australia, in the form of the National Firearms Agreement (NFA).

As Leader of the House of Assembly, I was part of the negotiating team of Messrs Tony Rundle (Premier), John Beswick (Responsible Minister), Michael Field (Leader of the Opposition) and Christine Milne (Leader of the Greens), which agreed to the National Firearms Agreement provisions and passed them through the House of Assembly without amendment.

In preparing this submission, I consulted John Beswick, the responsible Minister for carriage of the legislation, who provided me with the following information (comments) which I believe to be very relevant and provides the background to the introduction of the Rundle Government's Firearm Law Reforms: -

“While John Howard is rightly given a lot of the credit for leading the charge and being very strong in insisting that the integrity of the proposed legislation was not compromised, the actual form of the legislation was thrashed out by the State Ministers and Attorneys General in several meetings which I attended on behalf of Tasmania.

The first meeting was attended by the Prime Minister and Tony Rundle as Premier of Tasmania, but no other Premiers attended. John Howard had spoken to them beforehand and got them to agree to what he wanted to do. There was another meeting at which John Howard intervened to ensure that a particular proposal, that would have weakened the legislation, was not adopted.

An important point is that it took the Port Arthur massacre to get the states to agree on doing something that should have been done before, namely, to bring in uniform firearms legislation, but to their credit all the State Ministers supported it in the face of much resistance from firearms lobbyists within their own States and electorates.

As you would recall there was general support for it in Tasmania and it was historically significant that all three political parties were able to agree on such a potentially controversial piece of legislation. The role of the negotiating team, to which you refer, was to keep all parties informed of what was being developed at the national level and thus to keep them onside whilst also giving me feedback, if required, to take back to the ministerial council.

It is, I think, significant that there has been no other such mass shooting in Australia since the NFA was promulgated 22 years ago. It would be a great shame if the likelihood of a recurrence were to be increased by some ill-advised watering down of the legislation.

I fully agree with your suggestion that any proposed change that even remotely contravenes the NFA should go to the Police Ministers Council for consideration.

I also agree with your comments about the proposed Firearm Owners Council”.

The Port Arthur massacre of 1996 had a profound effect on all Tasmanians, an effect that is still felt today, for those who experienced it and who were effected by it.

The laws passed by both houses in 1996 have put Australia to the forefront in gun control legislation.

At the time there was a strong lobby group opposed to those reforms, but to the credit of Prime Minister Howard and all State Premiers, an agreement was reached and legislated.

Subsequently an arsenal of firearms was forfeited to Police ,which I believe has resulted in a drop in firearm offences and firearm related suicides.

I do not support any amendments to Tasmanian legislation that would weaken any of those reforms.

LIBERAL PARTY POLICY:

I have read the Liberal Party policy document released by the then Minister Rene Hidding, on 9th February, 2018.

I have a very strong objection to the proposal for a Tasmanian Firearm Owners Council (TFOC).

The policy document proposes a nine-member statutory body with the Chair and members being paid positions and nominations open to major stakeholder bodies.

The proposed remunerated body would have a vested interest in changing the law to substantiate its existence as well as for receiving its remuneration.

Any member of the TFOC who did not submit to the whims and demands of the stakeholder bodies would be quickly replaced.

I also express my concerns relating to the proposal to promote the re-development of Firearms Services (FAS) into a **civilian led, responsive, regulatory body**.

It seems to me that such a proposal relieves the relevant Minister of control and responsibility for a very sensitive and responsible function relating to firearm control.

The proposal to extend periods of licenses for: - up to 10 years for Category A and B and
for 2 years for a Category C agent or primary producer

is clearly in contravention of the National Firearms Agreement.

The Premier has publicly declared, on several occasions, that no amendments will be introduced that are in contravention of that agreement; therefore your committee should immediately find that this proposal cannot be supported.

Infringement notices for minor storage offences weakens the law as it now stands and should not be supported.

The term “minor” should not apply to the responsibility for complying with the storage laws as they now stand. Those laws are an important and intricate part of the existing law and removal of firearms for non compliance is an important requirement for tighter gun control.

The proposed **Memorandum of Understanding** between the Government, Tasmania Police and the TFGA is a recipe for disaster, as it is unlikely that consensus would be achieved. That the MOU has to be revised every two years further aggravates the situation.

The points raised under the “tools of trade” proposal are also clearly outside the requirements of the National Firearms Agreement and their implementation would lead to a weakening of the current law.

The proposal to allow **Category C licence holders to use sound suppressors is of particular concern**. The current law prohibiting the use of such devices protects the public and should be retained. The use of these devices is also against the National Firearms agreement.

The policy document lists seven dot points under the heading. “Clarifying requirements for responsible firearms owners”. Each needs the carefulest scrutiny and consideration.

The proposal to refer certain matters to the proposed new Tasmanian Firearm Owners Council (TFOC) is “passing the buck” to a vested interest body. Four dot points are listed in the policy document. All proposals would be accepted and recommended by the TFOC, regardless of whether or not they complied with current legislative requirements, thereby leading to amending and weakening the current legislation, or causing Tasmanian legislators to be the catalyst for weakening laws in other states and territories.

CONCLUSION:

As a former member of the House of Assembly and as a Minister in a Government responsible for the introduction and passage of the Firearm Law reforms, resulting from the National Firearms Agreement, I am proud that Tasmania was to the forefront in introducing laws which are now the envy of the world.

I experienced the intense political pressure resulting from the introduction of our current laws.

I am immensely proud that the government of which I was a member, did not weaken and delivered reforms.

I am totally opposed to any attempt to now weaken those hard won reforms.

I fear that the current government will proceed with its ill advised policy.

I am also fearful that Legislative Councillors, who predominately represent rural electorates, will bow to the pressures of their electors, if they are put in the position of considering the amendments proposed by the Hodgman government.

Finally, I would submit that any findings that you make (if in agreement with any of the proposals in the Liberal policy document) be referred to the Council of Police Ministers and only be legislated if there is unanimous agreement of that Council.

I urge your committee to be strong in opposing the policy document amendments and wish you well in your deliberations.

Signed

Ronald Cornish

Ministerial Positions Held:

Minister for Police & Emergency Services (1988 -1989)

Minister for Sea Fisheries (1988 - 1989)

Minister for Licensing & Gaming (1988 - 1989)

Minister for Road Safety (1988 -1989)

Minister Assisting the Premier (1988 - 1989)

Minister Responsible for T.A.B. & Electoral Office
(1988 -1989)

Attorney General (Feb. 1992 - March 1996)

Minister for Justice (Feb 1992 - March 1996)

Minister for Finance & Budget Management (Feb. 1992
- Feb.1993)

Minister Assisting the Treasurer (Feb. 1993 - March 1996)

Minister for Finance (March 1996 - August 1998)

Minister for Public Sector Administration (March 1996 -
August 1998)

Minister for Industrial Relations (March 1996 - Aug 1998)

