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Mr Todd Buttsworth
Second Clerk-Assistant
House of Assembly
Parliament House
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via email todd.buttsworth@parliament.tas.gov.au

Dear Todd

Attached is the RACS submission to the Legislative Council Select Committee on Firearms Reforms.

We commend the Tasmanian government for conducting the review and greatly appreciate the extended time provided to RACS for preparing the submission.

Thank you for giving due consideration to our submission into this important issue affecting not only Tasmanians but all Australians who want and expect a safe environment to live and bring up children.

Kind regards

Mr John Batten
President

Mr John Crozier
Chair Trauma Committee

Mr David Penn
Chair Tasmanian Committee

ROYAL AUSTRALASIAN COLLEGE OF SURGEONS



**SUBMISSION TO THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON
FIREARMS LAW REFORMS**

January 2019

INTRODUCTION

Established in 1927, the Royal Australasian College of Surgeons (RACS) is the leading advocate for surgical standards, professionalism and surgical education in Australia and New Zealand and across the Indo-Pacific. The College is a not-for-profit organisation representing more than 7,000 Fellows, and 1,300 Trainees and International Medical Graduates (IMGs) on a pathway to Fellowship.

RACS has a proud history with regard to trauma prevention and the College's Trauma Committee is based on a tradition of research, application of fact to a defined problem, inter-disciplinary organisation, and an integrated cooperative approach with other organisations and the community to achieve successful outcomes in reducing the tragic effects from injury.

RACS recognises the seriousness and frequency of trauma associated with firearms across Australia and New Zealand and recommends strict gun control including the compulsory national register of all firearms, the banning and prohibition of importation by individuals of semi-automatic and pump-action rifles and shotguns, as well as that compulsory training, education and licensing measures continue in Australia. RACS also recommends that a mechanism for regular review of firearms control measures be put in place.

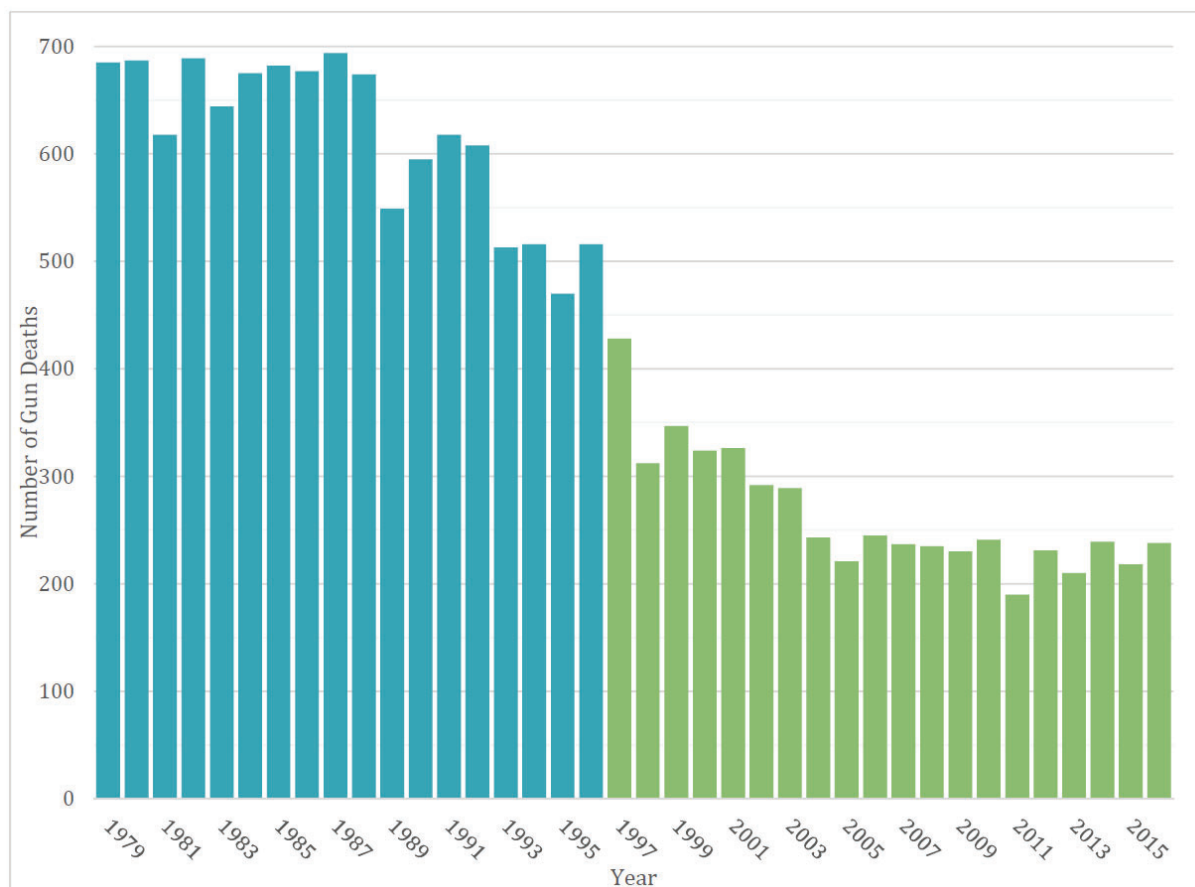
SUMMARY

In 1996 Australia's Commonwealth and State governments introduced a nationally consistent set of regulations – the National Firearms Agreement (NFA) as a direct result of the Port Arthur Massacre where 35 people were killed and 18 were seriously injured.

The Agreement's primary goal was to reduce injuries and death from firearms in Australia. Since the introduction of the NFA, there has only been one mass shooting in Australia, (Margaret River, May 2018), compared to 13 mass shootings prior to the Agreement.

The NFA sought to significantly restrict the sale, distribution and use of firearms in Australia, particularly automatic and semi-automatic weapons, by establishing a maximum 5-year license period, uniform standards for the security and storage of firearms and a 'genuine reason' for owning, possessing or using a firearm in Australia.

The regulations in the NFA were well researched, based on evidence and investigated the different ways that injuries and deaths from firearms could be prevented through effective regulations, and in the 20 years following the Port Arthur Massacre, and the introduction of the NFA, gun deaths in Australia have halved.



Total number of gun deaths in Australia

The loosening of gun laws would only serve to undermine and weaken the NFA, and significantly harm public safety which would negatively impact the low fatality rates we have enjoyed in the last 20 years as a result of the implementation of the NFA in 1996.

From a medical point of view, RACS sees the loosening of gun laws as a health issue involving trauma and injury, not just deaths but morbidities including long-term disability. Even the slightest change in these regulations could see those in our community who are most vulnerable gaining access to firearms leading to self-harm, suicide and potentially unintentional injury or death.

Australia does not share the same gun culture and horrific statistics as the United States. In fact, guns have a very limited role in Australian society and the use of a firearm is restricted to a small set of individuals and circumstances. Broadening the use of firearms has the potential to lead to horrific and unnecessary circumstances that we have seen in the United States over the years.

RECOMMENDATIONS

RACS recommends **that the National Firearms Agreement be more rigorously implemented and strengthened**. Warner and Sherwood found in 2006 that there are inconsistencies between the states, and a number of states have failed to adhere to the Agreement in terms of licensing and the transport of firearms.

RACS recommends **that loopholes are closed in areas where there has been non-compliance**. This inquiry should be the catalyst to amend areas of non-compliance and Tasmania should lead other States to uphold their commitment to NFA by closing these loopholes across the Nation.

RACS recommends **that the Legislative Council strongly opposes the proposed changes that are at direct odds with the spirit and values of the NFA**. Loosening of gun laws and allowing a gun lobby to provide advice to government on matters of the NFA would encourage an unhealthy and unnecessary gun culture. Those at the forefront of trauma and injury as a direct result of the use of firearms are best placed to provide this advice; first responders, health experts, victims groups and firearms safety groups. Rather than erode the progress of the NFA, these groups will advise on how to reduce injury and death from guns.

RACS supports the recommendations of the Australian Medical Association's with relation to firearms. <https://ama.com.au/position-statement/firearms-2017>

CONCLUSION

RACS appreciates the opportunity to put forward this submission and for your consideration of our recommendations. RACS proposes that the Legislative Council and the Tasmania government uses this opportunity to further strengthen the NFA, to close any gaps in the current legislation that may inhibit the effectiveness of the NFA and not consider the watering down of legislation that would result in an unhealthy gun culture.

REFERENCES

Werner, K., & Sherwood, S. (2006). *Firearms Legislation in Australia A Decade After the Nationwide Agreement*.

Australian Medical Association. (2017). *AMA Position Statement – Firearms 2017*.

GunPolicy.org *Australia – Gun facts. Figures and the Law*. University of Sydney; 2018