



24 October 2018

Mr Mark Shelton MP
Chair
Select Committee on Firearms Legislation and Policy
Parliament House
Hobart TAS 7000

Via email: todd.buttsworth@parliament.tas.gov.au

Dear Mr Shelton

Thank you for the invitation to make a written submission to the House of Assembly Select Committee on Firearms Legislation and Policy.

As you would understand, firearm safety in Tasmania is very important to the Alannah & Madeline Foundation. Our Founder Walter Mikac has naturally taken an interest in this inquiry and has encouraged the Foundation to be forthright and persistent in our efforts to ensure that the Tasmanian government take the opportunity to lead Australia in firearm safety rather than bow to the pressure of self-interested parties and consider watering down their laws and regulations.

We read with great concern in February this year when the government firearm policy statement was circulated. It included several clear breaches of the National Firearms Agreement which all Australian governments, including Tasmania, have signed.

We were encouraged by the Legislative Council Select Committee Inquiry into Firearms Law Reforms and very pleased when the Premier made several public, and indeed personal, undertakings that Tasmania will never breach the National Firearms Agreement.

We are of course somewhat confused about the new enquiry but hope that our submissions assist the Committee to consider the impact that the proposed firearm law reforms might have on the safety of Tasmania's population, especially its children.

As Walter has said, we encourage the Committee to take this opportunity to strengthen Tasmania's firearm safety framework in order to respect those still impacted by Port Arthur and to demonstrate to all of Australia that self-interested parties seeking to water down firearm legislation do not reflect the views of 90% of the population.

The Foundation hopes that the Committee provides the opportunity for Walter or other representatives to address our concerns in person.

Yours sincerely

Lesley Podesta
Chief Executive Officer

Introduction

In March this year the Alannah & Madeline Foundation was disappointed, like many others in Tasmania and indeed Australia, when an apparent “secret deal” was done by the then Police Minister and members of what can be loosely defined as the “gun lobby”. Certainly, those with vested interests in making firearms more accessible, more normalised and more available celebrated the proposed concessions.

Following the outcry from a broad cross section of the Tasmanian population and throughout Australia we were heartened when Premier Hodgman stated, and then often reiterated, his support for the National Firearms Agreement and thereby recognised the sensitivities of Tasmanians to the legacy of the tragedy at Port Arthur.

The Foundation has heard from many first responders, affected families, loved ones and concerned members of the Tasmanian community who reflect regularly on that sad day.

So, it is with great trepidation that we make another submission to the Tasmania Parliament as they consider Firearm Legislation and Policy.

We strongly urge the Select Committee to look beyond the pressure of paring down legislation and regulation to meet the needs of self-interested parties. Instead, we ask the Committee to look to the wellbeing, health and safety of its citizens and consider how Tasmanian firearm legislation and policy can be strengthened to not only meet the requirements of the National Firearm Agreement but be an exemplar in our Commonwealth.

The Foundation stands by its original submission to the Legislative Council Select Committee into Firearms Law Reforms. In addition, we make the following observations.

ToR 1

Current and future firearms licensing regimes, including training and testing, licence renewal, licence infringement and licence categories;

Further to our Submission to the Legislative Council Select Committee we call on the House of Assembly Select Committee to uphold its governments commitment in 2017 to the renewed National Firearms Agreement.

We encourage the Committee to not only meet its obligations but to set the standard for other jurisdictions. The Tasmanian government has the opportunity to reflect on the recent outcry and to respect the sensitivities of all those touched by Port Arthur and set a new benchmark in Australia for community safety regarding firearm safety.

ToR (2)

Compliance with the provisions of the National Firearms Agreement;

Our submission to the Legislative Council Select Committee clearly outlined how the proposed 2018 Firearms Policy statement breached the National Firearms Agreement.

We strongly call on the Committee to look beyond ways of “tinkering” with the legislation to avoid breaching the Agreement that all jurisdictions support and which has created a safe firearm framework for over 21 years.

There is a significant body of evidence, some of which we highlighted in our previous submission, which supports the benefits to the Australian community of the gun reforms introduced in 1996.

The current National Firearms Agreement provides ample scope for licensed firearm owners and users to pursue their interest within a well-regulated framework that protects all Australians. It provides for professionals, primary producers and others who have a genuine reason and need for owning and using firearms.

The Foundation acknowledges that most licensed firearm owners and users are law abiding, good people. However, we have the view that is shared by the majority of Australians that our current laws are satisfactory or could be tighter. There is no public support for relaxing our gun laws. It is only a very small group of firearm manufacturers, importers, owners and users that insist on change. Unfortunately, it is this group that is well organised, well-resourced and exerts influence to call for change that is not supported outside of their fraternity.

The Committee should resist this call for change and listen to the majority of Tasmanians.

ToR (3)

The roles of Tasmania Police, Firearms Services (FAS) and the creation of a broad-based consultative committee;

The Foundation re-states our call that any Firearm Consultative Committee must include at the very least a balance of advocates for firearm safety. Some jurisdictions have previously had consultation or advisory processes that have only contained parties associated with the "gun lobby".

The Foundation believes that only a truly balanced and cross-sectoral committee will reflect the needs of the Tasmanian people. In fact, recent figures indicate that only about 7% (certainly less than 10%) of Tasmanians are licensed firearm users so the representation of the "gun lobby" might even be considered commensurate with their representation in the community.

ToR (4)

Consideration of public submissions to the Legislative Council firearms laws inquiry

We hope our previous submission assists the Select Committee.

ToR (5)

Any other relevant matters.

Agreements or discussions between the Government, Tasmania Police and the TFGA

The Foundation calls on the Committee to investigate the status of any agreement or discussions between the Government, Tasmania Police and the TFGA, which was alluded to in the 2018 Firearms Policy statement in March 2018. We would be concerned if there were any discussions that were attempting to introduce the concept that firearms could be considered 'tools of trade' for primary producers.

Silencers

The Foundation also calls on the Committee to seek assurance that no discussions are being undertaken to consider the ownership and use of sound suppressors by Category C licence holders or any other category.

Political Donations

Considering the Four Corners show this week, the Foundation calls on the Committee to investigate whether any donations have been made to any political party from organisations or companies associated with the firearm industry.

Firearm Consultation processes in Tasmania

In Mr Hidding's letter on 9 February 2018 he wrote to "Consultation Group Members". The Foundation asks the Committee to investigate who was on this Consultation Group, how it was formed, its Terms of Reference and why it excluded representatives from the majority of the Tasmanian community who have concerns over the role of firearms in community safety.