



Submission cover sheet

Inquiry into Legislation on proposed firearms reform

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ACT Firearms (Public Safety) Amendment Bill 2026 Inquiry – Submission

I would like to thank the ACT Assembly on its decision to have an Inquiry and allow submissions. These are important issues and warrant careful consideration and engagement.

The regulation of firearms in Australia is based on the effective control of three primary risks. Who is allowed to own and use firearms (the **licensing control**). What firearms they are allowed to own and use (the **category control**). How they must store and transport firearms (the **safe storage control**).

Any analysis of this framework should start with an understanding of these risks and how they are controlled. It is clear that two of these controls have failed to mitigate the risk with the consequence being the horror of Bondi. The primary control which failed was clearly the licensing control. The secondary control which some would consider also failed was the type of firearms used, in particular button release shotguns.

The Licence Control improvements:

- Incorporating criminal intelligence red flags in the continuous risk based review of licensed firearm owners fit and proper person status (and empowering immediate license revocation and firearms confiscation on the basis of this intelligence). The fit and proper person criteria should include association with extremist groups and views. It should also include potential domestic violence criteria. **The recently proposed Firearms Prohibition Order and completion of the digital registry appears to provide ACT Police with the tools they need in this regard. The best return on investment in community safety in the ACT is completing the ACT digital firearms register, integrating it with the national register and integrating it with criminal intelligence systems (and investing in criminal intelligence capability).** The ACT is already advancing this measure with completion due in 2028.
- Restricting licenses to Australian citizens and appropriate exceptions such as NZ citizens permanently residing in Australia.
- Requiring first time applicants to provide a personal referee and their partner (or for single people a family member) for interview as part of their initial license assessment (the NZ system, even pre-Christchurch, was superior to Australia's in this regard with experienced retired police officers undertaking separate applicant, spouse and referee interviews).

The Category Control:

- Any new firearm action that may be sold on the Australian market should be assessed prior to allowing importation. **Banning/reclassifying of button release actions is in my view a reasonable part of a response and should be the focus of buybacks.** I also accept that straight pull actions might be similarly viewed, but there is less technical veracity in this as they are at best a marginally 'quicker' action in some models.

- The prohibition on belt fed firearms is a odd in that there are no such firearms commercially available in Australia. If such a firearm was available it would have an automatic, or at least semi-automatic, action. Such actions are already prohibited or highly restricted. The main issue with this provision is that it undermines firearm owners confidence in the technical authority of those developing policy and advising government.
- Air rifles clearly pose a lower risk to safety than other firearms and should have a separate class to the current A,B,C,D and be excluded from any proposed caps. Power/velocity thresholds may be required to ensure there is not technology creep that results in increased risk. With rabbits on the increase providing a reasonably accessible pathway for air rifles would contribute to safe control in many land management units.

The Safe Storage control:

- An important and effective control that is working well.

Red tape that does not provide meaningful risk control:

- The ACT government is to be **commended for retaining existing license periods**. Reduced license duration is an administrative burden on the police that does not provide any increase in risk control **provided a continuous risk based scrutiny of licensees fit and proper person status** is in place. The ACT digital register project and the proposed Firearm Prohibition Order provides well for this.
- General reductions in firearm numbers owned (a cap) might seem appealing but is largely **irrelevant as a risk control**. It will result in a **burden on the budget** funding buybacks in excess of reclassified firearms **for no discernable improvement in community safety**. These resources are better deployed to the Police, on the registry, and on continuous risk based review of licensees fit and proper person status. There has been no evidence, ie actual data on theft and crime in the ACT or Australia, provided to support the underlying contention that more guns has in any way increased the risk to public safety – as noted above licensing, restrictions on the types of firearms, and safe storage requirement are the primary risk controls. **Without evidence of this nature the contention in the explanatory memorandum that this element in the proposed legislation meets the reasonable and proportionate test in the Human Rights Act 2004 is difficult to sustain.**
- Should the Assembly decide to proceed with caps the legislation should be clear that a licensee with one genuine reason is permitted to own up to 5 firearms and that a licensee with more than one genuine reason is permitted to own up to 10 firearms. As individual firearms may be suitable for a wide variety of uses across more than one genuine reason there should be no restriction on a licensee using their firearms in this manner. For example, a 12 gauge shotgun that is suitable for controlling a range of vertebrate pests is also suitable for participating in a variety of clay target disciplines.

The law abiding nature, and positive safety culture, of Australian firearm owners needs to be acknowledged. Similar to the UK, Canada and NZ firearm related deaths were in decline prior to the 1996 reforms and this trend has continued. Interestingly, this decline cannot be statistically attributed to the 1996 reforms. Perhaps it can be credited to some extent to responsible firearm ownership and culture in this country. (*Association Between Gun Law reforms and Intentional Firearm Deaths in Australia, 1979-2013*. Journal of the American Medical Association, Chapman, Alpers and Jones 2016).

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