



# Submission cover sheet

## Inquiry into Legislation on proposed firearms reform

Submission number: 034

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**SUBMISSION TO THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY ELEVENTH ASSEMBLY STANDING COMMITTEE ON LEGAL AFFAIRS INQUIRY INTO THE FIREARMS (PUBLIC SAFETY) AMENDMENT BILL 2026**

**Purpose**

1. This submission is prepared to assist in the consideration of proposed firearms policy reforms.
2. Given the limited time available, this submission particularly aims to provide evidence-based analysis to present alternative, proportionate policy options that uphold public safety while ensuring regulatory effectiveness, fiscal responsibility, and legal defensibility in relation to proposed quantitative limits on the possession and use of firearms.

**Background**

3. The Firearms (Public Safety) Amendment Bill (the Bill) to amend the *Firearms Act 1996 (Firearms Act)* is the most significant change to firearms legislation since the 1996 National Firearms Agreement (NFA), enacted shortly after the Port Arthur massacre, establishing strict, uniform gun laws across all states and territories
4. The NFA banned semi-automatic and automatic rifles/shotguns, and introduced mandatory registration/licensing, and facilitated the large-scale compulsory acquisition of property from Australian citizens.
5. The Explanatory Statement rationale/premise provided for the amendments is to strengthen gun laws in the ACT in accordance with National Cabinet commitments following the terror attack at Bondi Beach on 14 December 2025.
6. This submission considers the primary objective of the Bill which is to improve public safety. It focusses on the introductions of quantitative limits on the possession and use of firearms and whether there is sufficient evidence that this measure will reduce the capacity for harm caused by diversion of firearms to illicit markets and reduce the 'proliferation of illegal weapons that threaten the security of the ACT community'.
7. The amendments have been developed almost solely by the Justice and Community Safety Directorate (JACS) through close consultation with: ACT Policing; Human Rights and Social Policy Team; and Security and Emergency Management Division. Further, there has been minimal consultation with stakeholders other than targeted stakeholder consultation about digital blueprints.

**Human Rights**

8. The foundational proposition for introducing quantitative limits on the possession and use of firearms is to improve public safety consistent with the *Human Rights Act 2004 (HRA)*.

9. The Human Rights Compatibility Statement provides that “the Bill is not a Significant Bill” and, as a consequence, is not “...likely to have significant engagement of human rights”. Although not explained, the deeming of the Bill as “not a Significant Bill” provides the rationale for not providing “... more detailed reasoning in relation to compatibility with the *Human Rights Act 2004*”.

10. However, notwithstanding deeming the Bill as “...**not** a Significant Bill”, all premises supporting quantitative limitations on firearms rely solely on assumptions provided to support the compatibility of the Bill with human rights as set out in the *HRA*. Accordingly, there is clearly significant engagement of human rights employed to support the imposition of arbitrary limits on the possession of firearms and concomitant compulsory acquisition of private property from a defined targeted group within the ACT population.

11. Given the closed nature of the development of the Bill and the deeming of the Bill as “**not** a Significant Bill”, the rationale provided by the Explanatory Statement to support arbitrary limits and compulsory acquisition of firearms is founded on erroneous assumptions not supported by facts or evidence.

12. The following evidence-based, detailed reasoning, is provided to help inform debate to enable the committee to make an evidence-based determination on the probity of imposing quantitative limits and compulsory acquisition of private property.

### **Reasonable limitations**

13. Section 28 of the *HRA* provides the circumstances in which rights protected under the *HRA* may be subject to reasonable limitations.

14. The Explanatory Statement provides that the primary human right promoted and engaged by the Bill is the right to life and sets out the framework used to determine acceptable limitations, and requirements for any limitation, that may be placed on human rights. Those limitations are that they must be authorised by a Territory law, pursue a legitimate aim, and be reasonable to achieve that aim.

15. The test for reasonableness relied on by the Explanatory Statement is provided by reference to *R v Oakes* and summarised as:

“... the measures must be rationally connected to the legitimate aim, the limitation must impair the right as little as possible, and there must be proportionality between the effects of the limitation (the restriction on rights of those affected) and the importance of the legitimate aim.<sup>1</sup>”

16. The limitations on human rights in the Bill concerning arbitrary limits relies on several assumptions, which are stated to be:

“... proportionate and justified in the circumstances because they are the least restrictive means available to achieve the purpose of promoting the safety of

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<sup>1</sup> [1986] 1 S.C.R. 10, [70]

the community while balancing the interests and genuine needs of licenced firearms users”.

### **Reducing proliferation of firearms**

17. The Bill engages several rights that promote the right to life and protect individuals from foreseeable threats to their lives by imposing numerical caps on the number of firearms an individual can possess or use, which the Explanatory Statement states “... reduces the proliferation of firearms in the community and lowers the risk that firearms are stolen or misused by dangerous individuals”.

18. The Explanatory Statement provides no evidence to support the proposition that reduction of the number of firearms owned by licenced firearm owners or a numerical cap on firearms possession lowers the risk of firearms misuse or theft.

19. Relevant, reliable and credible evidence of the last 30 years demonstrates that in Australia, there is no statistically significant causation or correlation between the number of legally owned firearms in the community and public safety. To the contrary, the evidence demonstrates that, although the level of firearms ownership has increased by 25% since the National Firearms Agreement (NFA), (annex A) firearm homicide has declined by almost 50% (annex B).<sup>2</sup>

20. Australian Bureau of Statistics data shows firearm homicides started falling in the early 1980s, continuing to fall at the same rate after 1996. In 1996, the rate of firearm homicide in Australia was 0.2 per 100,000 and in 2024 the rate was 0.09 per 100,000. Firearms deaths in Australia are lower than before the NFA was introduced, regardless of the rise in the number legally owned firearms.

21. Evidence demonstrates that, although there are now more firearms in Australia than before the NFA, the rate of all misuse or homicide has almost halved. Accordingly, the intuitively appealing assumption that a reduction in the number of firearms in the community is erroneous. The assumption is not supported by relevant, reliable credible or corroborated evidence and there is no demonstrably significant causation or correlation between levels of legal firearms ownership in Australia and firearm misuse or homicide.

### **Lowering the risk that firearms are stolen**

22. Although providing no credible evidence that a “...numerical cap on firearms possession lowers the risk of firearms misuse”, the Explanatory Statement attempts to reinforce the assumption by proposing the measures are intended to reduce the capacity for harm caused by the diversion of firearms to illicit markets and, somewhat emotively, states this “... will prevent the proliferation of untraceable and illegal weapons that threaten the security of the ACT community”.

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<sup>2</sup> The apparent 25 percent increase in firearm ownership does not account for the 50 percent increase in the Australian population since 1996 ABS. Therefore firearms ownership per capita has dropped <https://www.abs.gov.au/statistics/people/population#:~:text=Australia's%20population%20was%2027%2C614%2C411%20people,net%20overseas%20migration%20was%20305%2C600.>

23. Although reminiscent of NSW Premier Minns emotional and emotive vow to "... take these weapons of 'mass destruction' off the streets ..." (although, ironically putting more semi-automatic rifles on the streets than ever before in the hands of NSW Police at public events) the Explanatory Statement employs the intuitively appealing justification that:

"By imposing numerical caps on the number of firearms an individual can possess or use, the Bill reduces the proliferation of firearms in the community and lowers the risk that firearms are stolen or misused by dangerous individuals".

### **Victim-blaming**

24. It is disappointing in a progressive jurisdiction, such as the ACT, that justification for a numerical cap on firearms possession relies on the rationale that firearm owners who have had a crime committed against them and had their property stolen are to blame for firearms being "misused by dangerous individuals".

25. It would be a preposterous proposition, which no right-thinking person could possibly countenance, to contemplate the intolerable corollary of introducing legislation to lower the risk of sexual assault by dangerous individuals by imposing caps on the number and to what time women and the LGBTQIA+ community can be out at night.

26. To engage in victim-blaming licenced firearm owners who have a crime committed against them to justify arbitrary limits and, ultimately, the compulsory acquisition of their property, appears to be anathema that cannot be demonstrably justified in a free and democratic society.

### **Risk of firearms being stolen**

27. The general theory supporting arbitrary limits on firearm ownership, and the assumption that the reduction of firearms lowers the risk of firearms being stolen, was provided by The Australia Institute: *Firearm theft in Australia Two decades of stolen guns*.

28. The research was heavily relied on by the anti-firearms lobby (annex C1 & 2) in a concerted media campaign through the National Broadcaster (annex D). It was ultimately, relied on by Home Affairs Minister Tony Burke when tabling the *Combating Antisemitism, Hate and Extremism* package to justify numerical limits on firearms possession and a 'buy back'.

29. The Bill was passed by the Senate with support from the Australian Greens, despite opposition from the Coalition, which argued it unfairly targeted legal firearm owners. It is noted no peak firearm bodies, firearms experts, or experts with knowledge of firearm laws and facts were consulted or interviewed by the ABC.

30. Notwithstanding a large percentage of The Australia Institute Canberra personnel being members or former members of the Australian Greens (annex E) the data relied on, relating to the ACT (annexes F and G) does not support the

proposition that the number of firearms possessed by individuals in the ACT poses any greater threat of theft regardless of whether, or not, an arbitrary limit on 5 or 10 firearms is imposed.

### **Risk of firearms theft in the ACT**

31. Although somewhat, unnecessarily, critical of the ACT Firearms Registry and the work by Registry staff, The Australia Institute research (annex G) shows that from 2018 and 2025, between 1 and 28 firearms have been stolen from firearm owners. These figures do not indicate that any firearm owners with more than 10 firearms have been victims of firearms theft.

32. Logically, if it was the case that firearms were stolen from firearm owners with more than 5 or 10 firearms, then this would indicate that from 2018 to 2025 there have been, respectively, approximately 22 or 11 cases of theft of firearms from ACT firearm owners. This does not support The Australia Institute theory that the possession of more firearms equates to more firearm thefts and, as a matter of fact, the data shows that firearms theft in the ACT has been decreasing for the past 5 years while the number of firearms has increased.

33. The data from AFP figures clearly does not support the intuitively appealing Australia Institute opinion that arbitrary limits on the number of firearms owned by an individual, firstly, is linked to the number of firearms stolen or, secondly, that an arbitrary limit will reduce the number of firearms being stolen.

34. Although there is insufficient relevant, reliable credible corroborated evidence available, what research there is provides for an intuitively appealing argument for imposing arbitrary limits on the number of firearms possessed by an individual. Not surprisingly, available research favours firearm laws similar to, if not mirroring, the Australian Greens stated firearms policy.<sup>3</sup> Notwithstanding, the research does not support the proposition that imposing arbitrary limits on firearm ownership will meet the stated intent of the Bill.

35. Although a relatively minor consideration for decision-makers, the financial impost on the ACT and Commonwealth governments of compulsory purchasing thousands of firearms (in accordance with established legal principles) and the management of the 'buy back' scheme to taxpayers will likely impose considerable fiscal pressure on an already strained ACT budget.

36. Absent evidence that the proposed imposition of arbitrary quantitative limits will lower the risk of firearms being stolen, there is insufficient justification to support the proposition that arbitrary quantitative limits and concomitant compulsory purchase of firearms is the least restrictive or fiscally responsible means available to promote the safety of the community.

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<sup>3</sup> The Greens, Ensuring a Just, Fair and Safe Australia: Justice and Safety for All Australians at Home and Abroad, [https://greens.org.au/sites/default/files/2018-06/20160629\\_A%20Just%20Australia.pdf](https://greens.org.au/sites/default/files/2018-06/20160629_A%20Just%20Australia.pdf)

## **Firearm security and compliance**

37. Although not publicly available, it is more likely that most firearm thefts are from firearm owners with less than 5 firearms, which is supported by there being no publicly available reports or evidence of mass thefts of 5 or 10 firearms from an individual firearm owner.

38. Firearm owners with more than 10 firearms are legally required to take extra protective measures prescribed by the ACT Firearms Registry to prevent firearms theft. If there had been a rise in the instances of firearms theft from firearm owners with more than 10 firearms, no doubt the ACT Policing Chief Police Officer would have directed further protective measures. No such directive has been issued.

39. Current storage requirements for more than 10 firearms are publicly available need not be repeated here. However, in practical terms, the enhanced preventative security measures required for more than 10 firearms would require a prospective thief, or more likely thieves, to either use cutting equipment or heavy machinery, sufficient time and opportunity, and sound deadening equipment to successfully either remove or cut into the type of safe legally required to store more than 10 firearms.

40. Accordingly, the implementation of preventative security measures consistent with a risk-based safe-storage approach combined with compliance inspections, advice and monitoring would lower the risk of firearms theft and reduce the proliferation of illicit firearms in the community in a more practical and fiscally responsible manner than the imposition of arbitrary limits and compulsory acquisition.

41. A preventative security risk-based storage approach would also future-proof possible increases in the number of firearm licences and firearm ownership. Although counter-intuitive, the Bill may have the unintended consequence of increasing the number firearms in the community owned by more, rather than fewer licenced firearm owners.

42. Media reporting provides that there are currently 22,000 to 23,000 firearms owned by approximately 7,000 ACT firearm owners. By crude reckoning, if all current ACT licenced firearm owners are permitted by law to possess up to 5 firearms, and chose to do so, this would result in ACT firearms owners collectively possessing 35,000 firearms, or 70,000 if there is a 'genuine reason' for 10 firearms. This appears to defeat the objects of the legislation, the purpose of which is to reduce the number of firearms in the ACT and improve community safety.

43. Accordingly, there is no evidence that the imposition of arbitrary quantitative limits on firearm possession will lower the risk of firearms being stolen; reduce the capacity for harm caused by the misuse or diversion of stolen firearms to illicit markets; or prevent the proliferation of untraceable and illegal weapons that threaten the security of the ACT community. Consequently, there is insufficient evidence that

arbitrary quantitative limits will meet the intent of the Bill and there is no rational connection to the legitimate aim of the proposed legislation.

### **Legislation befitting of the ACT**

44. Historically, Australia's firearms governance system has demonstrated strong compliance outcomes and low rates of firearm-related crime among licensed firearms owners. However, key administrative and compliance functions remain under-resourced. While there have been no substantive changes to firearms laws in the past 30 years (other than recent amendments in Western Australia and New South Wales), changes have not occurred in the commitment to resourcing, technological advancements, and demographic and cultural shifts in society.

45. The experience of the firearms community demonstrates the effectiveness of good governance and diligence. However, public records indicate that the murders of Constables Matthew Arnold and Rachel McCrow at Wieambilla, and police officers Neal Thompson and Vadim De Waart-Hottart near Porepunkah, were linked to systemic failures in information sharing, rather than firearms regulation.

46. Similarly, the Bondi terrorist attack highlights failures in human and systems processes, not issues stemming from lawful firearm ownership. The terrorist threat in Australia has increased over the past 25 years, whereas the threat from law-abiding, licensed firearms owners using legally owned firearms for legitimate purposes has not. Maintaining and improving public and community safety requires greater cooperation between government and the firearms-owning community to address complex human and systems challenges, rather than arbitrary limits and compulsory acquisition of property.

### **Current ACT firearms regulatory system**

47. Despite the apparent implied criticism of the operation of the ACT Firearms Registry by The Australia Institute (annex F) the circumstances leading to the systems failures experienced by NSW and QLD do not exist under the current ACT regulatory system.

48. As the Explanatory Statement correctly identifies, “firearms are heavily regulated in the ACT (and across Australia), with possession, use, acquisition and disposal of firearms and related items subject to a strict regulatory regime”.

49. ACT firearms laws and regulations currently provide measures to limit the number of firearms that a firearm owner can possess. This is regulated by the Registrar of the ACT Firearms Registry who may only grant a Permit to Acquire a firearm, and subsequent firearms, on the basis of a firearm owner having a ‘genuine reason’. If the applicant does not have a ‘genuine reason’ the application will be denied.

50. Although The Australia Institute research is critical of the paper-based “very analogue” systems employed by the ACT Firearms Registry, it is the very personal “analogue” nature of the service provided that distinguishes regulation of firearms in

the ACT from other jurisdictions. Being a relatively small jurisdiction, Registry staff make time to provide advice and guidance to the extent, in some instances, know the names of more regular users.

51. The approach to firearm regulation by the ACT Firearms Registry has engendered unprecedented cooperation and firearm community engagement which has ensured effective good governance and diligence across the ACT firearms owning community, while ensuring a zero limit on firearms possession is imposed on people who should not have firearms.

52. The demographic profile of the ACT is distinct from other Australian states and territories, characterized by a younger, more highly educated, and higher-income population. As of 2025, the ACT continues to have the second-youngest population in the country and is defined by its role as a service-based economy with a high concentration of public administration<sup>4</sup> and concomitant security clearances.

53. As such, despite ‘research’ to the contrary,<sup>5</sup> the regulation and use of firearms in the ACT (and Australia generally) cannot be accurately likened to the United States. While both nations allow civilian firearm ownership, they are ‘poles apart’ regarding legislation, firearm culture, and the legal rationale for owning a firearm.<sup>6</sup>

54. Similarly, likening the ACT firearms regulatory system to other states and territories is a demonstrably erroneous characterisation, particularly given recent systemic failures in information sharing and failures in human and systems processes in other states that, by implication, use ‘less paper-based “very analogue” systems’.

55. Although there is no question that key administrative and compliance functions remain under-resourced, retaining the existing ACT regulatory exemplar of suitability-based licensing framework without arbitrary numerical limits would be the fiscally responsible approach to limiting firearms possession in the ACT, which would benefit from increased resourcing for licensing assessments, intelligence-led vetting, compliance inspections, and a risk-based safe-storage approach and monitoring.

### **Genuine needs of licenced firearm users**

56. Although not to be taken as being indicative of a predetermined outcome, it is noted the template letter sent to several engaged ACT firearm owners from the office of the Minister for Police, Fire and Emergency Services provides:

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<sup>4</sup> ABS, [https://www.abs.gov.au/articles/snapshot-act-2021#:~:text=Islander%20population%20summary.-,Country%20of%20birth,Nepal%20\(1.3%25\)](https://www.abs.gov.au/articles/snapshot-act-2021#:~:text=Islander%20population%20summary.-,Country%20of%20birth,Nepal%20(1.3%25))

<sup>5</sup> Alannah and Madeline Foundation, Submission: Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026 <https://documents.parliament.qld.gov.au/com/JICSC-CD82/FAKGOHCTB2-7A6B/submissions/00000280.pdf>

<sup>6</sup> Brendon Murphy, Regulating Firearms: Comparative Legal Psychology in Australia and the United States December 2023 <https://www.researchgate.net/publication/376486273>

“A limit of five firearms will still allow a firearms owner to own a range of types of firearms of different action types and calibre to continue to undertake different activities”.

57. Unfortunately, this assumption does not address concerns raised by Mr Shane Rattenbury MLA as to why the ACT should not follow the NSW approach,<sup>7</sup> nor does it represent the practical realities of participation in sports shooting activities. Although reasonable minds may differ, it may be of assistance to consider the proposed legislation from an evidence-based, best practice, perspective, rather than emotive well-meaning opinion. The Bill does not balance the interests and genuine needs of licenced firearms users.

58. The NFA condensed shooting sports participation to enthusiasts who are active sporting, collecting and hunting shooters who are typically members of several internationally approved and recognised shooting disciplines. Arbitrary limits do not reflect the operational realities of lawful shooting sports.

59. Sporting shooters often participate in multiple disciplines, with each discipline having a multitude of subdisciplines requiring several firearms from different eras in a multitude of calibres and with a variety of actions. Shooters frequently compete across shotgun, rifle, pistol competitions within each discipline including centrefire and rimfire categories requiring different calibres and actions including bolt action, lever action, rolling block, muzzle loading and cap and ball systems.

60. The following examples of participation in sports shooting disciplines are by no means exhaustive but provides evidence that the imposition of arbitrary limits on firearms possession considerably impair the ability of firearm owners to participate in sports shooters activities and are not the least restrictive means available to achieve the purpose of promoting the safety of the community.

### **Pistol**

61. Licensed pistol owners form a distinct group of sporting target shooters in Australia, recognised under the National Handgun Agreement. Pistol ownership and use have always been heavily regulated, with pistols permitted only at approved club premises for target shooting sports and never for hunting. The growth in pistol shooting has attracted a diverse demographic, including many female and disabled shooters, due to the size and weight advantages of pistols over rifles. Typical participants require several pistols of different action types, sizes, and calibres, including backups for national and international competition.

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<sup>7</sup> “Mr Rattenbury also said he would like the government to further explain why the proposed bill's cap on the number of guns was different to that in NSW”. <https://www.abc.net.au/news/2026-02-02/proposed-new-act-laws-to-limit-number-of-guns/106292942>

## **Collectors**

62. Firearm collectors represent a significant part of the firearms enthusiast community, with collecting recognised as a genuine reason to possess firearms subject to strict criteria. Arbitrary limits on firearm numbers would hinder the assembly of meaningful collections, give the multitude of varieties, types and specifications of even a single make or marque of historic firearm, leading to the destruction of valuable, antique, historically significant firearms, and the destruction of cultural heritage – such as firearms used by Australian soldiers during numerous conflicts through the 19<sup>th</sup> and 20<sup>th</sup> centuries.

63. The template provided by the office of the Minister for Police, Fire and Emergency Services provides that licensed collectors will not be subject to numerical limits; however, the current firearms regulatory scheme prohibits all firearms registered on a collector's licence from being used.

## **Rifle, shotgun, pistol and revolver**

64. As a consequence, the prohibition on the use of antique and historically significant firearms registered on a collector's licence would result in those firearms being prohibited from use in disciplines that specifically require their use - such as the SSAA ACT Military Firearms, Black Powder, Muzzleloading, Single Action, Sporting Shooters Pistol Club ACT and several others.<sup>8</sup> Most clubs are multidisciplinary and have subdisciplines that require the use of rifles, shotguns, revolvers and pistol from not only different decades but from different centuries, which are not interchangeable or transferable between disciplines.

## **Hunting**

65. On 19 December 2025, Prime Minister Anthony Albanese when announcing the arbitrary limits on firearms possession and a national gun 'buyback' scheme stated that there was 'no need' for high numbers of firearms in the suburbs. However, that comment was perhaps hasty, ill-considered and inconsistent with environmental protection considerations provided by the Department of Climate Change, Energy, the Environment and Water.<sup>9</sup>

66. Although there may be 'no need' for hunters to possess hunting rifles in the suburbs, when licenced hunters travel from the suburbs to traditional lands and regional and rural Australia, they do have a 'genuine reason' to possess a variety of hunting rifles. These rifles are used responsibly, at no cost, to provide effective control of imported invasive species such as introduced feral cats, dogs and foxes that kill livestock and hard-hoofed animals (horses, deer, pigs, goats, camels, cattle) which severely degrade Australian land.

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<sup>8</sup> <https://www.ssaaact.org.au/disciplines-clubs-sections/>

<sup>9</sup> Australian Government Department of Climate Change, Energy, the Environment and Water: Feral animals in Australia 2025 [https://www.dcceew.gov.au/environment/invasive-species/feral-animals-australia#:~:text=Feral%20animals%20in%20Australia%20can%20impact%20native,European%20wild%20rabbit%20\\*%20European%20red%20fox](https://www.dcceew.gov.au/environment/invasive-species/feral-animals-australia#:~:text=Feral%20animals%20in%20Australia%20can%20impact%20native,European%20wild%20rabbit%20*%20European%20red%20fox)

67. Because Australian ecosystems evolved without hooved mammals, these animals cause immense damage by compacting soil, triggering erosion, destroying vegetation, and fouling water sources. They are a primary cause of habitat degradation and biodiversity loss.<sup>10</sup>

## **Summary**

68. This submission provides an evidence-based analysis of the Firearms (Public Safety) Amendment Bill 2026, which seeks to introduce the most significant legislative changes to firearms in the ACT since 1996. While the Bill's stated purpose is to enhance public safety, the proposed arbitrary limits and policy shifts must be weighed against their actual regulatory effectiveness, fiscal responsibility, and legal defensibility.

69. The submission highlights that the amendments were developed with minimal consultation with key firearm stakeholders beyond government directorates and assumptions consistent with the anti-firearm lobby and Australian Greens firearm policy. It advocates for alternative, proportionate policy options that uphold public safety without undermining the practical requirements of law-abiding firearm owners.

## **Conclusion**

70. The foundational proposition that arbitrary quantitative limits on firearm possession will improve public safety is not sufficiently supported by the evidence provided in the Explanatory Statement. By focusing on numerical caps rather than individual risk assessment and the current ACT regulatory system, the Bill risks failing its objective of reducing the diversion of firearms to illicit markets. Furthermore, the lack of broad stakeholder engagement during the development of the proposed amendments suggests a top-down approach that overlooks the nuances of legal firearm use in the ACT.

71. To provide legislative reform befitting of the ACT and remain consistent with the *HRA*, any quantitative limitation on the possession and use of firearms must be rationally connected to the legitimate aim of promoting the safety of the community; the limitations must be proportionate and justified in the circumstances; and, be the least restrictive available to achieve the purpose while balancing the interests and genuine needs of licenced firearms users.

## **Key issues for consideration**

### *Arbitrary firearm limits*

72. Current firearms licensing and acquisition processes are based on the applicant demonstrating a genuine reason and individual suitability, with refusals grounded in public safety considerations rather than arbitrary numerical thresholds.

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<sup>10</sup> Australian Government Department of Climate Change, Energy, the Environment and Water: Feral animals in Australia 2025 [https://www.dcceew.gov.au/environment/invasive-species/feral-animals-australia#:~:text=Feral%20animals%20in%20Australia%20can%20impact%20native,European%20wild%20rabbit%20\\*%20European%20red%20fox](https://www.dcceew.gov.au/environment/invasive-species/feral-animals-australia#:~:text=Feral%20animals%20in%20Australia%20can%20impact%20native,European%20wild%20rabbit%20*%20European%20red%20fox)

73. The lack of relevant reliable credible or corroborated evidence providing rational links between numerical firearm limits and improved public safety raises concerns regarding proportionality.

### *Compulsory acquisition*

74. The full financial cost of further compulsory firearm acquisition has not been publicly released. Such schemes require significant up-front expenditure, even with a 50 per cent Commonwealth co-payment. The Northern Territory, Queensland and Tasmania have indicated they do not intend to participate as co-payees.

75. Western Australia's recent buyback scheme was allocated \$64.3 million and initially projected to recover around 40,000 firearms. By January 2025, almost 52,000 had been surrendered. In New South Wales, \$300 million has been budgeted, but stakeholder estimates suggest total costs could reach \$4–5 billion nationally.

76. Among the current cost-of-living crisis and housing shortages, a large-scale compulsory buyback schemes risk being seen as a poor use of taxpayer funds, particularly when firearms are acquired from lawful owners solely for destruction and without clear evidence of improved public safety outcomes.

77. The ACT existing firearms governance framework is effective and fit-for-purpose, though administrative and compliance functions remain under-resourced. Redirecting funds from a 'buyback' scheme to these functions would likely yield greater public safety benefits.

## **Options**

### *Option 1: Implement Arbitrary Firearm Limits and Compulsory Buyback*

- Introduce numerical limits on firearm ownership and require compulsory surrender of 'excess'/'surplus' firearms through a government-funded 'buyback'.
- This option carries substantial fiscal risk, potential for legal challenges, and offers limited evidence of public safety benefit.

### *Option 2: Targeted Regulatory Resourcing and Proportionate Controls (Preferred)*

- Retain the existing suitability-based licensing framework without arbitrary numerical limits.
- Increase resourcing for licensing assessments, intelligence-led vetting, compliance inspections, a risk-based safe-storage approach and monitoring.
- Permit licensed firearms owners to progressively dispose of 'excess'/'surplus' firearms over time via authorised dealers or surrender to the Firearms Registry, with reimbursement at fair market value.
- This approach allows historically significant and collectible firearms to remain within the lawful market, achieving a gradual reduction in firearm numbers without unnecessary destruction.

### *Financial Implications*

- Option 1 would require substantial immediate expenditure with uncertain total cost exposure and limited capacity to amortise costs.
- Option 2 would involve lower, predictable expenditure focused on staffing, resources, systems, and compliance activities, with costs distributed over time and demonstrable operational benefit.

### *Legal and Governance Considerations*

- Arbitrary numerical limits and compulsory acquisition measures may impose considerable administrative burdens and legal risks if proportionality, rational connection to public safety, and reasonableness cannot be demonstrated.
- A suitability-based, evidence-based framework is more likely to withstand scrutiny by tribunals, the courts and the public.

### **Recommendations**

- Note the limited evidence supporting arbitrary firearm ownership limits and compulsory acquisition schemes;
- Agree that firearms policy reform should prioritise individual suitability, regulatory effectiveness, and fiscal responsibility.
- Endorse Option 2 as the preferred policy approach; and
- Direct that any future firearms reform proposals be developed consistently with these principles.

The Australia Institute “*Australian gun control: 29 years after Port Arthur*” May 2025

## The number of guns has risen since 1996

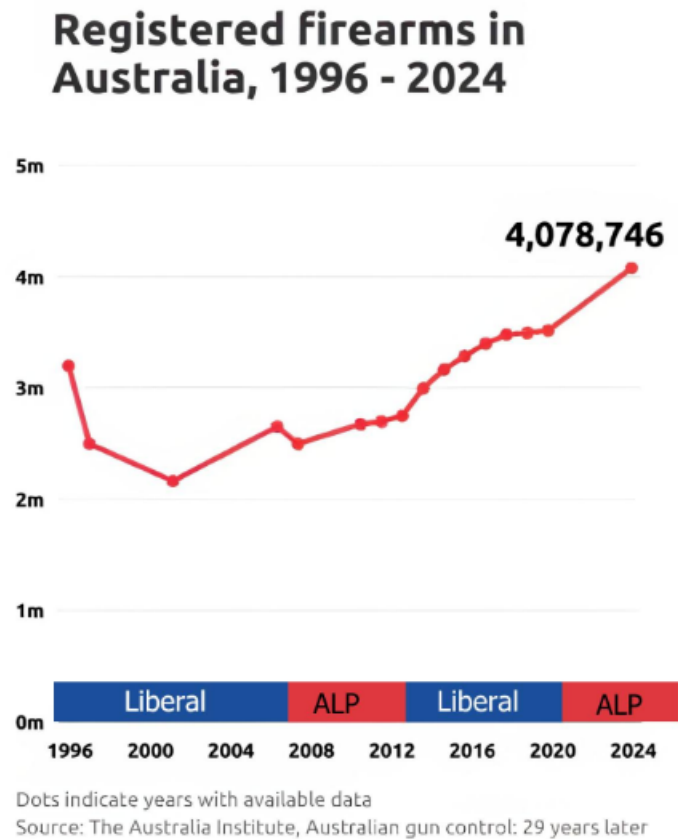
There are over four million registered, privately-owned firearms in Australia, and nearly one million firearm licences.

There is at least one licenced firearm for every seven Australians.

About one in 30 Australians have a firearms licence.

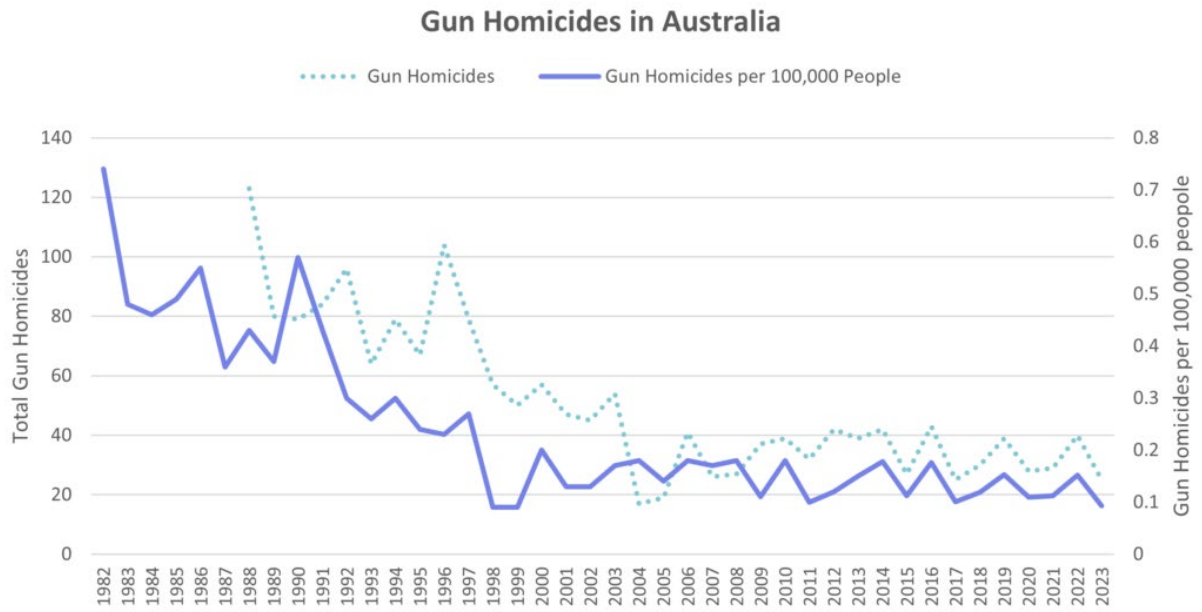
NSW has the most guns, with 1,125,553 registered firearms. Queensland has the second most with 1,076,140 .

Tasmania and the NT have the highest per capita firearm rates, with one firearm for every four people.



Source: Data extracted from [gunpolicy.org](http://gunpolicy.org);

Australian Gun Safety Alliance 2025 “Gun homicides in Australia 1982 to 2023



Source: Data extracted from [gunpolicy.org](http://gunpolicy.org); Australian Bureau of Statistics, 2023

## Anti-firearm Lobby

**29 January 2025** The Australia Institute “Gun Control in Australia: An update on firearms data and policies” Vivien Clarke, Adam Gottschalk, Olivia Chollet and Alice Grundy  
<https://australiainstitute.org.au/report/gun-control-in-australia/>

**29 January 2025** Alannah and Madeline Foundation Stephen Bendel Senior Advocacy Adviser Convenor Australian Gun Safety Alliance Patron Prime Minister Anthony Albanese The Australia Institute Gun Control in Australia: An update on firearms data and policies January 29, 2025 by Vivien Clarke, Adam Gottschalk, Olivia Chollet and Alice Grundy.  
<https://www.alannahandmadeline.org.au/news/report-reveals-more-guns-in-the-australia-today-than-before-port-arthur-tragedy> “gun ownership in Australia varies significantly across states” ... “ACT performs the worst” <https://www.alannahandmadeline.org.au/news/report-reveals-more-guns-in-the-australia-today-than-before-port-arthur-tragedy>

**10 April 2025** Stephen Bendel, Convenor of the Australian Gun Safety Alliance, Senior Advocacy Adviser with Alannah and Madeline Foundation Patron Prime Minister Anthony Albanese Interview with ABC News Radio promoting report conducted by The Australia Institute (TAI) with assistance from Gun Control Australia (GCA) and Australian Gun Safety Alliance (AGSA) site <https://www.gunsafetyalliance.org.au/>

**9 May 2025** The Australia Institute “Australian gun control: 29 years after Port Arthur” By Skye Predavec, Alice Grundy, Rod Campbell  
<https://australiainstitute.org.au/report/australian-gun-control-29-years-after-port-arthur/>

**25 Aug 2025** Guardian Australia by Sarah Martin and Ariel Bogle  
Australia was once the gold standard for gun safety. Experts say it’s losing control  
<https://www.theguardian.com/australia-news/2025/aug/25/australia-was-once-the-gold-standard-for-gun-safety-experts-say-its-losing-control>

**25 August 2025** Guardian Australia by Sarah Martin and Ariel Bogle  
Why the Australian gun lobby says it’s ‘winning’ – Full Story podcast  
‘There are more legal firearms in the country than ever before’.  
Presented by Nour Haydar with Sarah Martin and Ariel Bogle. Produced by Allison Chan and Karishma Luthria, who also did the sound design. The executive producer is Joe Koning <https://www.theguardian.com/australia-news/audio/2025/aug/25/why-the-australian-gun-lobby-says-its-winning-full-story-podcast>

**3 September 2025** Guardian Australia by Sarah Martin and Ariel Bogle  
“I could get a gun within an hour of leaving jail”: how Australia’s licensed firearms end up in criminal hands” New data obtained by Guardian Australia shows that over the past five years <https://www.theguardian.com/australia-news/2025/sep/03/how-licensed-guns-firearms-australia-end-up-criminal-hands>

**Anti-firearm Lobby – cont.**

**29 October 2025** The Australia Institute "Firearm theft in Australia: Two decades of stolen guns" by Rod Campbell and Skye Predavec <https://australiainstitute.org.au/report/firearm-theft-in-australia/>

**30 October 2025** The Point “Every four hours a gun is stolen in Australia: new research” Gun violence has been in Australian headlines regularly in recent months. By Alice Grundy & Rod Campbell <https://thepoint.com.au/news/251031-every-4-hours-a-gun-is-stolen-in-australia-new-research>

**15 December 2025** Guardian Australia Sarah Martin Australia had the ‘gold standard’ on gun control. The Bondi beach terror attack may force it to confront its surging number of weapons <https://www.theguardian.com/australia-news/2025/dec/14/australia-had-the-gold-standard-on-gun-control-the-bondi-beach-terror-attack-will-force-it-to-confront-its-surging-number-of-weapons#:~:text=Registered%20firearms%20in%20Australia&text=Yes%2C%20the%20population%20has%20increased,weapons%20involved%20in%20the%20shooting>

**16 December 2025** ABC News Howard fears gun debate is distraction from antisemitism Former prime minister said the renewed push to tighten gun laws was a distraction, and he feared it would be made into an "excuse". He said the failure that had led to the Bondi massacre was not gun laws but weakness on antisemitism. <https://www.abc.net.au/news/2025-12-16/john-howard-gun-laws-attempted-diversion/106148416>

**16 December 2025** Anthony Albanese must fix our broken gun laws. Anything less will fail to honour the lives of those lost at Bondi Charles Watson and Roland Browne <https://www.theguardian.com/commentisfree/2025/dec/16/bondi-shooting-australian-gun-laws-reform-anthony-albanese-government>

**19 December 2025** Anthony Albanese has announced a national gun buyback scheme, labelling it the largest such measure since John Howard initiated a similar plan in the wake of the 1996 Port Arthur massacre. <https://www.facebook.com/abcnews.au/posts/pfbid02nXE35goaLGZnLos3Xx2QkJqi7T3wygbVHQEkiMny2ecW1PFmpZRJvx7F6sA6n4Ljl>

**22 December 2025** The Australia Institute Ebony Bennett “Suggestions from former prime minister John Howard and others that gun law reform is just “a distraction” are cynical in the extreme”. <https://australiainstitute.org.au/post/the-stark-reality-we-need-to-face-about-guns-in-australia/>

**14 January 2026** Stephen Bendel Senior Advocacy Adviser Alannah and Madaline Foundation, Convenor Australian Gun Safety Alliance, Submission - Joint Committee on Intelligence and Security hearing. <https://www.facebook.com/ShootersUnionAustralia/videos/at-the-joint-committee-on-intelligence-and-security-hearing-on-14-january-2026-s/2796021124080620/>

### **Anti-firearm lobbyists interviewed by ABC News Radio**

**17 Dec 2025 and 22 Dec 2025.** Roland Browne of **Gun Control Australia** provided emotive language about pump action shotguns and semi-automatic “weapons” which, unlike Mr Browne's assertions and opinions, have been effectively almost completely banned and are not available except in highly exceptional circumstances.

**18 Dec 2025.** Rod Campbell from the **Australian Institute**, admitted he knew nothing about most things concerning firearms, but went on to use emotive and inflammatory irrelevant and incorrect anti-firearm opinions.

**19 Dec 2025.** Dr Vincent Hurley whose research interest have nothing to do with firearms or firearms legislation made several erroneous assertions, including that states and territories have ‘perpetual licences’, which is wrong at law and fact.

**20 Dec 2025 at 10 AM.** Rebecca Peters **Australian Gun Safety Alliance** “a self-described ‘visible activist’” made several statements using inflammatory, emotive deceptive and misleading statements about the proposed ‘Buy Back’ but did provide clarification and evidence to support her assertions, despite several requests.

**22 Dec 2025 at 7.15 AM.** ABC reporter and producer Max Tillman incorrectly reported on ‘belt fed shotguns’ which are non-existent; ‘belt fed guns’ which are only used by the ADF and are legally classified as ‘weapons’, not ‘firearms’, which have always been unavailable to civilians; and, illusory unlimited magazine capacities. which is legally incorrect and wrong in fact and at law.

**22 Dec 2025 10.12 AM.** ABC presenter Alex Lewis repeated misleading and deceptive reporting about non-existent ‘belt fed guns’ and ‘unlimited magazines’ and ABC reporter Tamara Wearne subsequently referred to ‘Belt-fed magazines’.

**22 Dec 2025, 10:18 AM.** Sam Lee, Senior Solicitor at the Redfern Legal Centre who did not identify themselves as former director of **Gun Control Australia** provided inflammatory and emotive comments and opinions concerning firearms ownership incorrect at law and fact

### **The Australia Institute: Greens Political Party Association**

#### **Executive Leadership**

Richard Denniss (co-CEO): Former Senior Strategic Advisor to former Greens Leader Bob Brown.

Leanne Minshull (co-CEO): Former Director of Strategy for Bob Brown and Chief of Staff for Tasmanian Greens Minister Cassy O'Connor.

Ben Oquist (Former Executive Director): Former staffer for Bob Brown and husband of Greens Senator Sarah Hanson-Young.

Clive Hamilton (Founder): Ran as a Greens candidate in 2009.

#### **Program Directors & Research Staff**

Ebony Bennett (Deputy Director): Greens media advisor for Greens Senators Christine Milne and Penny Wright.

Bill Browne (Director, Democracy & Accountability): Fundraiser for the ACT Greens.

Skye Predavec (Researcher): Communications and Fundraising for the ACT Greens; mentored by Greens MLA Jo Clay.

Matt Grudnoff (Senior Economist): Collaborator and speaker at Greens events, such as "Politics at the Pub."

Moira Cully (Digital Campaigner): NSW Campaign Manager for the Australian Greens.

Polly Hemming (Director, Climate & Energy): Speaker at events with former Greens Leader Adam Bandt.

#### **Governance & Media**

Emily Bird (Office Manager): ACT Greens events, such as "Politics at the Pub."

Elinor Johnston-Leek Senior Content Producer with a focus on Australian Greens policy issues

Barbara Pocock (Former Deputy Chair): Left the Institute in 2022 to become a Greens Senator.

Glenn Connley (Senior Media Advisor): Manages media enquiries specifically regarding the Greens' political influence and policy.

### The Australia Institute: *Firearm theft in Australia Two decades of stolen guns*

## AUSTRALIAN CAPITAL TERRITORY

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ACT firearms data for 2018–2024 came from a Freedom of Information request to the Australian Federal Police. Before submitting the request, we were told that “This data will be extremely hard to extract however and may not be possible”.<sup>27</sup>

The comment that data on the number of firearms stolen in a jurisdiction is difficult to extract implies that their firearms systems are not easily searched. This may reflect the fact that the ACT firearms register remains mostly paper-based, with the head of the ACT Firearms Registry describing it as “very analogue”.<sup>28</sup> According to ACT Minister for Police Marisa Paterson, the lack of digitisation leads to “loopholes” and “lags” in the registry system.<sup>29</sup> For the planned National Firearms Registry to come to fruition, all jurisdictions including the ACT will need to fully digitise their records by 2028.<sup>30</sup>

Upon receipt of our Freedom of Information request, the AFP requested a one-month extension due to “an excessive number of requests that have come through our office”. After granting a two-week extension, the request was fulfilled after 39 days.

<sup>27</sup> Correspondence with the Australian Federal Police, June 2025

<sup>28</sup> Shirley (2025) “Police and ACT government say mostly paper-based gun registry needs to go fully digital”, <https://www.abc.net.au/news/2025-09-07/act-firearms-registry-mostly-paper-based-police-say-need-digital/105744732>

<sup>29</sup> Shirley (2025) “Police and ACT government say mostly paper-based gun registry needs to go fully digital”

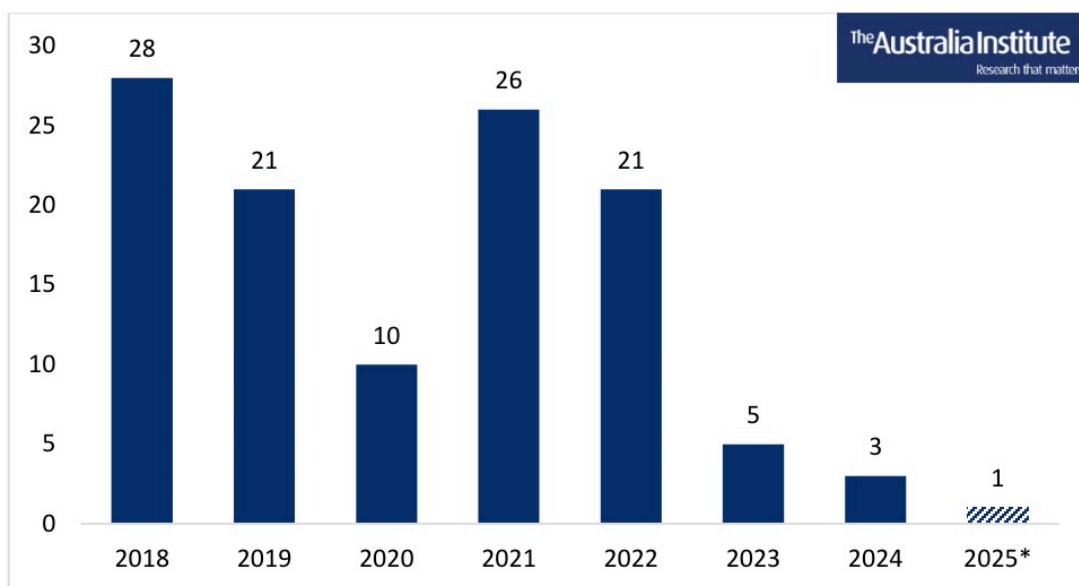
<sup>30</sup> Shirley (2025) “Police and ACT government say mostly paper-based gun registry needs to go fully digital”

The Australia Institute: *Firearm theft in Australia Two decades of stolen guns*

Figure 14: Information provided by the AFP under FOI



Figure 15: Firearm theft in the ACT 2018–2025



Source: Freedom of Information request to the Australian Federal Police

\*Note: 2025 only includes thefts from January to 13 June.