

Questions from Port Arthur go beyond the issues of gun law reform: Attorney-General

Federal Attorney-General and Minister for Justice Daryl Williams gave the opening address at a 'Guns, Violence and Victims' seminar hosted by the Australian Medical Association in Canberra recently.

Mr Williams was welcomed by AMA President Dr Keith Woollard. Other speakers included an emergency medicine staff specialist at Royal Hobart Hospital, Dr Bryan Walpole, a staff specialist psychiatrist at the War Memorial Hospital, Sydney, Dr Michael Dudley, and a victim injured at the Port Arthur massacre, Mr Simon Williams.

The Attorney-General said the themes of the conference – guns, violence and victims – were brought to public attention in a devastating way on April 28 this year following the tragic events at Port Arthur.

“Those events forced Australians to face compelling and difficult questions regarding the availability of firearms in this country, and the need for responsible nationwide reforms to firearms legislation to make Australia a safer place”, Mr Williams said.

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“Yet, as the prime minister foreshadowed in announcing the Commonwealth’s original response to the tragedy, the questions raised by the events at Port Arthur go beyond the issues of gun law reform.

“The horrifying incident has served as the catalyst for Australians to examine their views on a range of critical issues, such as pervasive violence in the media and our treatment of victims of violence.

“It has also prompted vigorous debate across

the country, particularly about the health implications of firearms ownership”.

Mr Williams said he was heartened to see the summit attended by eminent representatives from groups of distinguished, influential, dedicated and committed Australians and was confident that it would advance the cause of rational debate on the issues.

Police ministers from every state and territory had met on May 10, less than a fortnight after the Port Arthur shootings to consider a series of detailed proposals for nationwide reform of firearms laws, he said.

“As Federal Attorney-General and Minister for Justice, I was responsible for formulating those proposals on behalf of the Commonwealth, and for chairing the discussions between ministers.

“Most Australians will be aware that the ministers reached an historic agreement on minimum standards for responsible gun ownership, use and storage, which will form the basis for legislation in every jurisdiction.

“It is understandable that people in the community may still have some concerns about the proposed new firearms laws. This forum will help to clarify the effect of those laws, and to underline their importance in providing safety and security for all Australian families.

“I acknowledge that the national police ministers’ agreement was reached with unprecedented speed. Some gun owners have criticised the government for moving too quickly, claiming that we did not consult properly. I firmly reject this criticism for two reasons:

“Firstly, successive Commonwealth governments had been pressing for reformed firearms laws for many years, and the need for a system for the effective nationwide control of firearms

has been the subject of discussions among police ministers since the Hoddle and Queen Street massacres in 1987.

“Most of the matters dealt with at the 10 May meeting had been included in these discussions, and the Commonwealth had been consulting relevant groups, including farmers and shooters associations, for nearly 10 years.”

The need to control strictly the availability of semi-automatic rifles and shotguns had been raised at Commonwealth level since it was



Federal Attorney-General and Minister for Justice Daryl Williams

recommended by the National Committee on Violence in 1989, Mr Williams said.

The government had moved at the speed demanded by all sections of the Australian community. The Howard government's prompt response to the events of Port Arthur had received unqualified bipartisan support and the Leader of the Opposition, Kim Beazley, stood shoulder to shoulder with the government on the issue of responsible gun laws.

Firearms were inherently dangerous and the responsible regulation of their availability and use was significant to the health of every Australian, Mr Williams said. This had been confirmed consistently by research into the tragic effects of firearms misuse. Statistics provided by the Australian Institute of Criminology's national homicide monitoring program, had shown that there were 1267 homicides in Australia for the four year period from July 1989 to June 1993. Firearms were used in almost one-quarter of all these homicides. Just under one-third of the homicides were inflicted by one family member on another. Just under one-half of all female victims of homicides in the period studied were killed as a result of a dispute with an intimate partner. One-third of all firearm incidents during that four-year period involved multiple victims.

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"From a broader perspective, between 500 and 600 people die from gunshot wounds in Australia every year," Mr Williams said.

"Tragically, about 80 per cent of those deaths are suicides.

"The fact that Australia has the highest rate of rural youth suicide in the world is an issue that has concerned me deeply for some time.

"Moreover, I understand that documented research indicates that if a gun had not been available in many cases, then a different suicide method would not have been used. For example, countries which do not have such high levels of firearms ownership do not have comparably higher levels of suicide by other means."

Mr Williams reinforced earlier statements made by the Minister for Health and Family Services, Dr Michael Wooldridge, in response to "unfounded media speculation" on the nature of possible criteria and systems being examined by a government working group to determine mental and physical fitness to own, possess and use a firearm.

"The government is not contemplating the introduction of medical tests for mental illnesses in relation to gun licence applications, nor are we intending to establish a register of people with mental illnesses for this or any other purpose," Mr Williams said.

He found it ironic that some people had sought to own or keep a gun on the basis that firearms may save lives, and that a gun is required for reasons of 'personal protection'.

"It is frequently suggested that people should be entitled to keep guns in order to defend themselves and their families, and that the resolution unjustifiably infringes this so-called 'right'.

"I reject this view for a number of reasons.

"First, I emphasise that there is no general right under current laws for a member of the public to own a firearm on the grounds of personal protection.

"The resolution [of May 10, 1996] does not affect the legal position regarding the use of force, including firearms, in self-defence against others, and its effect in response to criminal charges. That is a matter for the general criminal law in each state and territory. In this respect, the resolution does not change the present position.

"It simply reinforces the fact that individuals



Tracy Dickerson

Federal Agent Paul McFawn explains the characteristics of various weapons to 'Today' program presenter Elizabeth Hayes during a live national broadcast soon after the Port Arthur tragedy.

should not be permitted to own a firearm solely on the basis that they need it to protect them from other people.

"Second, keeping a gun in the home can give a person an enhanced, but false, sense of security. Statistics show that a firearm intended for personal protection may represent one of the greatest threats to people in that same household."

Mr Williams cited a 1991 survey of 587 firearms deaths in Brisbane which indicated that where a gun is kept in a domestic house, it is

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statistically more likely that all family members will shoot each other dead before any external aggressor is killed.

USA studies also had shown that firearms in the home are rarely used for self-defence, and are much more frequently used against members of the household.

"I believe possession of firearms for personal protection may have a dangerous, self-perpetuating effect in terms of our culture and views towards firearms," Mr Williams said.

"A poll conducted in America in 1994

indicated that almost 40 per cent of firearm owners identified 'protection' as one of their reasons for owning a gun.

"I would not be surprised if their fears were at least partially based on the knowledge that many other American citizens also possess guns.

"I look back nostalgically at the days when security guards and police in Australia did not carry handguns as a matter of course in the street."

Mr Williams said that the government's ministerial taskforce established to examine the portrayal of violence in the media and its effect on behaviour had received about 400 submissions, and it was clear that the subject was a matter of profound interest to Australians.

The Commonwealth had imposed the necessary controls required on importation of firearms and had passed legislation to raise funds to compensate gun owners for the firearms they surrendered.

"I acknowledge that the resolutions break new ground and cause inconvenience to some gun owners," Mr Williams said.

"But not only do these measures have the full and unqualified support of the federal opposition, it is a fact that the majority of gun owners in both urban and rural areas support these reforms. I suggest that those few who may be reluctant to embrace these changes will one day look upon these firearms law reforms in the same way that we all now regard seat-belt laws.

"I emphasise that this government remains committed to the resolutions made on May 10, 1996, and we will do everything in our power to assist the states and territories to implement them smoothly.