

# THE HOWARD LIBRARY

## CASE STUDY: THE NATIONAL FIREARMS AGREEMENT

**Australia's firearms laws are recognised around the world as a model for effective gun control. This case study will explore how the National Firearms Agreement was developed and adopted in Australia, including the role of the Prime Minister and Cabinet.**

### THE PORT ARTHUR MASSACRE

Port Arthur is an historic site and popular tourism destination in South-East Tasmania. On 28<sup>th</sup> April 1996, a 28-year-old man from Hobart opened fire on groups of holiday-makers at Port Arthur with semi-automatic firearms.

By the time police apprehended the gunman, he had killed 35 people and injured 18 others. It was – and remains – the worst mass shooting committed by a single person in Australia's history. The gunman pleaded guilty in court and was sentenced to imprisonment for the term of his natural life.

The massacre received significant media attention in Australia and internationally as it was also the world's worst mass shooting at that time. In its aftermath, many news outlets claimed that inadequate gun laws had contributed to the tragedy. Opinion polls revealed a surge in community support for immediate reforms to Australia's inconsistent gun laws.

### THE ROLE OF THE PRIME MINISTER



*Australian Prime Minister John Howard addresses a gun rally in Sale, Victoria, 1996, wearing a bullet proof vest.*

*Source: Newscorp*

A new Australian Parliament – with a new Government and Prime Minister – sat for the first time two days after the massacre. The Liberal Party and National Party had won the 1996 federal election earlier that year. They worked as a coalition – a team – to form government by securing 94 of the 148 seats in the House of Representatives.

[In his first speech to Parliament as Prime Minister](#), John Howard claimed that the Port Arthur Massacre was an opportunity for the nation to reflect on the effectiveness of its gun laws. He said that he would take personal responsibility for leading change in this area:

“I will do all that I humanly can as leader of the government to bring about a significant improvement (to gun laws) and to address some of the great deficiencies that exist.”

At the time, each state and territory had its own gun laws. These laws were strict in some parts of the country and relaxed in others. Howard would soon propose a policy – a plan of action – that would seek to introduce strict, uniform gun laws across Australia.

## THE ROLE OF CABINET

Cabinet is the top decision-making body in the Australian Government. It is a leadership group chaired by the Prime Minister and made up of around 19 Government Ministers, each with their own portfolio. All new Australian policy decisions must be agreed to by Cabinet.

On the 6<sup>th</sup> of May 1996, Cabinet endorsed a draft policy for 'effective nationwide control of firearms.' Under the policy, all gun-owners would require a licence and all firearms would need to be registered. Gun-owners would need a genuine reason for owning their firearm, such as for sport, farming or hunting. A genuine reason did not include self-defence. Automatic firearms and semi-automatic firearms would be banned.

As leader of a Coalition government, Howard's Cabinet included Ministers from the Liberal party and the National party. Many of his National party colleagues represented rural electorates where gun ownership was part of everyday life. They faced a potential back-lash from voters – particularly farmers – who saw the policy as a threat to their livelihoods.

Tim Fischer, the National Party Leader and Deputy Prime Minister at the time, worked hard to persuade regional voters that the policy was necessary because the new laws would make people safer. He held firm despite hostility and threats of violence. In the Queensland town of Gympie an effigy of Mr Fischer was hung from a noose outside the town hall with the word 'traitor' emblazoned across its chest.

## WORKING WITH THE STATES AND TERRITORIES

The Australian Constitution – the rule book for how our nation is run – restricts the law-making power of the Australian Parliament. The Constitution gives the Australian Parliament the power to control the importation of firearms. However, making laws for the possession and use of firearms is a state and territory responsibility.

In all states and territories, gun laws usually fall under the portfolio of the Police or Justice Minister. Before Port Arthur, the Australasian Police Ministers Council (APMC) had started investigating how gun laws could be improved throughout the country. On the 10<sup>th</sup> of May 1996, an emergency meeting of the APMC was held in Canberra. Prime Minister John Howard opened the meeting.

At this emergency meeting the APMC reached an historic agreement, known as the National Firearms Agreement (NFA). The NFA was made up of eleven resolutions – agreed changes – that reflected the essential features of the Howard Government's policy.

These changes were later passed into law by the state and territory parliaments. Today, the NFA is still the basis of firearms laws across Australia.

## THE GUN BUY-BACK

When Australia's gun laws changed, citizens who owned automatic and semi-automatic firearms now found themselves in possession of banned weapons. During 1996-97, a 'gun buy-back' scheme was introduced to remove these now illegal firearms from the community.

Under the gun buy-back, licensed and unlicensed individuals could choose to hand their firearms – registered or unregistered – over to the government and receive compensation (payment) for doing so. Those who surrendered banned firearms did not face any legal consequences, as the scheme was accompanied by an amnesty on prosecutions.

Around 600,000 legal and illegal firearms were surrendered and later destroyed during the gun buy-back. This represented an estimated 20 to 30 percent of all the privately-owned firearms in Australia at the time.

## THE LEGACY OF THE NATIONAL FIREARMS AGREEMENT



*Students take part in a March for Our Lives rally. March for Our Lives is an organisation founded by the survivors of a 2018 school shooting in Florida. They are calling for stricter gun laws in the USA.*

Australia has suffered three mass shootings since the Port Arthur Massacre. One occurred in a city street and resulted in the deaths of five people, while the other two were tragic cases of family violence. By contrast, the United States of America recorded 33 mass shootings in 2019 alone.

Today, the National Firearms Agreement is remembered as a defining moment in Australia's history. The decisive action of the Prime Minister and the swift co-operation of the state and territory governments resulted in sweeping reform to Australia's gun laws, and a long-term reduction in gun violence in Australia.