

National Women's Safety Alliance

26 April 2023

The Hon Mark Dreyfus KC MP, Attorney-General
Attorney General's Department
Robert Garran Offices
3-5 National Circuit
BARTON ACT 2600

Via email: attorney@ag.gov.au

Cc: firearms.policy@ag.gov.au

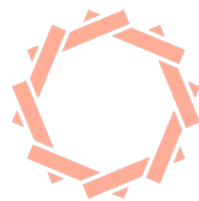
Dear Attorney-General,

The National Women's Safety Alliance (NWSA) welcomes the opportunity to provide advice on the proposed National Firearms Register. While we appreciate that our interest in this consultation might be unexpected, NWSA strongly believes that a national register is a pivotal component towards creating the regulatory framework necessary to end violence against women. Given the significance of such a reform, and its potential to play a role in thwarting intimate-partner or family, it is lamentable that the public consultation paper was devoid of any discussion on domestic and family violence.

Firearm related intimate partner homicides in Australia are fortunately not common¹, likely a result of the existing regulatory framework. Despite this however, where firearms have been used in domestic homicides, there is some evidence to indicate that inefficiencies or gaps in the existing, state and territory-controlled registers, have played a role in firearm related homicides.² Perhaps most significantly, the NSW Firearms Registry was determined to be "*wholly inadequate*" in preventing the murders of teenagers Jack and Jennifer Edwards, by their estranged father, in 2018. The circumstances of the preventable murders of the Edwards children however, where they relate to the Firearms Register, are not isolated. Rather the case

¹ Australian Institute of Criminology (2021) Homicide victims by cause of death in Australia [homicidevictims1989-90to2019-20_0.xlsx \(live.com\)](#)

² https://coroners.nsw.gov.au/documents/reports/2017-2019_DVDRT_Report.pdf



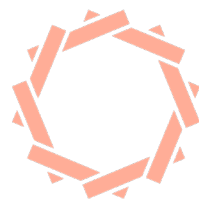
reviews listed in the 2017-2019 NSW Domestic Violence Review Report detail other intimate partner and family homicides where perpetrators of violence had firearms registered to them, despite orders being in place and family court proceedings ongoing.

The abundant benefit of a National Firearm Register would be the streamlining of notifiable offences and the potential to improve the relationship between firearms licensing procedures and family law proceedings. In this regard, our advice reflects several of the recommendations from the Coroners Court of NSW Inquest into the deaths of John, Jack, and Jennifer Edward.³ Specifically, where the regulatory regime could be strengthened by greater coordination between the Federal Circuit and Family Court of Australia (FCFCOA) and the appointed regulatory body.

NWSA recommends:

- The list of prescribed offences of a National Firearm Register reflect the community's evolving understanding of family and domestic violence and therefore include any personal violence offences or domestic violence offences as defined in the *Family Violence Act (2011)*.
- That appointed permit and licensing decision-makers have knowledge and awareness of domestic violence including the heightened risks around separation and escalation risks. We also urge that the decision-makers are themselves vetted for histories of domestic violence offences and undergo character assessments reasonable to their position.
- Decision makers and the appointed federal regulatory authority liaise with the FCFCOA to ensure that information provided by applicants relating to family law proceedings can be verified.
- The regulatory scheme requires an applicant to disclose all histories of protective orders, even those which were eventually withdrawn by the applicant.
- Coordination between the FCFCOA and the regulatory authority be sufficiently robust to ensure that in circumstances where license or permit holders *become* parties to family law proceedings, where domestic violence is reported, that the regulatory authority is notified. Likewise, the system should be sufficiently integrated so that in making a license or permit application the FCFCOA be alerted for the purpose of checking an applicant for a history of family law proceedings involving domestic or family violence.

³ NSW Coroners Court (2021) "Inquest into the deaths of John, Jack and Jennifer Edwards"
https://coroners.nsw.gov.au/documents/findings/2021/Inquest_into_the_deaths_of_John_Jack_and_Jennifer_Edwards_-_findings_of_State_Coroner_dated_7_April_2021.pdf



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For those women and children who have already lost their lives due to gun violence perpetrated by a relative or intimate partner, this proposed reform will come too late. For their sake, we urge the Australian Government to give reasonable consideration to the spectre of domestic and family violence when drafting the regulatory framework of a National Firearms Register.

Yours Faithfully,

Katherine Berney

Director

National Women's Safety Alliance