



## ITEM 4: National Firearms Reform

3 FEBRUARY 2023

**AUTHOR: COMMONWEALTH & QUEENSLAND  
FOR DECISION**

### RECOMMENDATIONS

That First Ministers:

1. **Agree** to continued utilisation of established information-sharing arrangements between jurisdictions facilitated by the Australian Firearms Information Network (AFIN).
2. **Agree** the Commonwealth Attorney-General, along with Police Ministers, work together to action any available enhancement to current information-sharing arrangements facilitated by the AFIN. Any actions taken will be reported back to National Cabinet by the end of 2023.
3. **Agree** that the Commonwealth Attorney-General and Police Ministers will report back to National Cabinet in mid-2023 with costed options, with associated timeframes, to implement a National Firearms Register (NFR) in line with the following principles:
  - a. Operate in near real-time
  - b. Provide details of licence holders
  - c. Provide a single firearm record (technical details, identity and history)
  - d. Be interoperable between jurisdictions
  - e. Link firearms and individuals
  - f. Leverage existing systems where possible
  - g. Provide notification of cross-jurisdictional movement of firearms.
4. **Note** that jurisdictions will continue to work towards consistent national firearms legislation.
5. **Agree** this paper will not be released publicly, but the referral to the Commonwealth Attorney-General and Police Ministers will be communicated in the National Cabinet media statement.

### KEY POINTS

1. Jurisdictions have long agreed to a need for a coordinated approach to accessing information on firearms and licensed firearms owners. Responsibility for firearms management, however, remains split between the jurisdictions, and each jurisdiction has developed their firearms laws and systems independently. As a result, there are inconsistencies in the way firearms are categorised and how the relevant data is managed across Australia.
2. The AFIN draws directly from jurisdictions' databases to provide a life-cycle view of



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registered firearms in Australia, but does not provide extensive information on firearms licensees and cannot monitor firearms in real-time. However, full utilisation of the information-sharing arrangements through the AFIN would still have immediate operational benefits.

3. A well-constructed NFR could resolve gaps and inconsistencies in firearms regulation across Australian jurisdictions, minimising shortfalls in criminal intelligence assessments and reducing unlawful access to firearms.
4. A NFR would benefit the safety of the Australian community and police by:
  - a. ensuring police and law enforcement have firearms information in near real-time
  - b. providing better information on firearm movements (including source, import, export, interstate transfer and ownership)
  - c. strengthening current regulatory arrangements for firearm ownership; and
  - d. providing assurance to the public that legitimate firearms owners are acting within the law.
5. The Firearms and Weapons Policy Working Group, which will report to Police Ministers, is working towards the implementation of nationally consistent firearms laws. The development of a NFR would complement this work.

### RISKS AND SENSITIVITIES

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6. Designing a NFR that will meet the needs of law enforcement and operate compatibly with all jurisdictional systems would require a complex IT build, requiring significant development and investment.
7. Inconsistencies in legislation, jurisdictional licencing regimes, and classification of firearms will limit the effectiveness of any national system unless addressed. Regulatory changes to ensure consistent and accurate collection of information will need to be developed, endorsed, and implemented by each jurisdiction.
8. Licenced firearms owners have previously raised privacy concerns about the potential for their information to be shared more frequently between law enforcement agencies. These concerns could be addressed through existing privacy protections and communications strategies articulating that information-sharing is necessary to prevent firearms access by criminal elements, which will help keep Australians safe.

### NEXT STEPS

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9. Jurisdictions will seek to fully utilise the AFIN and its established information-sharing arrangements to access immediate operational benefits.
10. Police Ministers will report back to National Cabinet in mid-2023 with costed options to implement a NFR in line with the agreed principles.
11. The Firearms and Weapons Policy Working Group will continue to work towards nationally consistent firearm legislation across jurisdictions.
12. National Cabinet's agreement to task Police Ministers will be included in the media statement.

### BACKGROUND

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13. Additional background is provided at **Attachment A**.



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**AUTHOR: COMMONWEALTH ATTORNEY-GENERAL'S DEPARTMENT**

### KEY POINTS

1. Jurisdictions have long agreed on a need for a coordinated approach to accessing information on firearms and licensed firearms owners. Responsibility for firearms management, however, remains split between the states, territories and the Commonwealth.
2. Each jurisdiction has developed its firearms laws and systems independently, resulting in inconsistencies in the way firearms are categorised and relevant data is managed (key areas of inconsistency are provided at **Appendix A**). Significant investments in developing their regulatory frameworks have further embedded these inconsistencies. The inconsistencies limit Australia's capability to trace firearms across interstate and international borders, provide timely information to police, support national research on firearms safety issues and detect the movement of firearms to the illicit market.
3. The Australian Firearms Information Network (AFIN) was developed to address these issues, drawing directly from state, territory and Commonwealth databases to provide a life-cycle view of registered firearms in Australia, from legal import and manufacture through to legal export or destruction. The AFIN, however, does not provide extensive information on firearms owners and does not monitor firearms in real-time. The AFIN draws information from existing registries and remains constrained by their limitations, including legacy data quality issues and inconsistent approaches across jurisdictions.
4. A well-constructed National Firearms Register (NFR) could drive the resolution of gaps and inconsistencies in firearm regulation across Australian jurisdictions, minimising shortfalls in criminal intelligence pictures and reducing criminal access to firearms.
5. An NFR would benefit the safety of the Australian community and police by:
  - ensuring police and other law enforcement agencies have the information required, in near real time, to accurately assess the firearms risk posed by an individual and protect the community from harm, including information on the location and ownership of firearms, along with licence suspensions or revocations
  - providing better information on firearm movements (import, export, interstate transfer, ownership), increasing the opportunity to identify the movement of firearms to the illicit market
  - strengthening and consolidating current arrangements which regulate firearm ownership across state and territories, and
  - providing assurance to the public that legitimate firearms owners are acting within the law.



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6. In order to meet these needs the NFR would likely need to:
  - operate in near real time and be interoperable between jurisdictions
  - provide details of licence holders (including any restrictions), and link firearms and individuals
  - provide a single firearm record holding technical details and history
  - provide notification of cross-jurisdictional movement of firearms, and
  - leverage existing systems where possible (e.g. AFIN and existing jurisdictional databases).
7. An NFR will require considerable inter-jurisdictional cooperation. Police Ministers are well placed to drive forward a proposal for National Cabinet consideration.

### RISKS AND SENSITIVITIES

8. Designing an NFR that will meet the needs of law enforcement and is compatible with all jurisdictional systems will require a complex IT build, requiring significant further development and investment.
  - A previous cost estimate for a proposed National Firearms Management System in 2007 was \$53 million over seven years, while a proposed custom-built National Firearms Interface in 2013 was estimated to be \$29.9 million over four years.
  - Any NFR model will require the integration of legacy records. Noting that legacy records remain inconsistent and of poor quality, appropriate resourcing will need to be provided for deconfliction of duplicate records, reconciliation, and data cleansing if an NFR is to be operationally effective.
  - The capability and functionality of existing registry systems in each jurisdiction vary. An NFR model which relies on the integration of existing firearms registries to provide a collective national picture will also necessitate investment in jurisdictional registries to ensure they are fit for purpose.
9. The National Firearms Agreement requires that jurisdictions share information on firearms and registrations through a national information-sharing hub. The AFIN is designed to meet this requirement. An NFR would go beyond the minimum requirements of the National Firearms Agreement in providing a national register of firearms owners, while addressing issues with current information-sharing systems.
10. Inconsistencies in legislation, jurisdictional licencing regimes, and classification of firearms will limit the effectiveness of any national system unless addressed. For example, not all jurisdictions universally require firearms to be serialised on manufacture, and additional serialisation requirements may need to be implemented to facilitate the identification and tracing of firearms.
11. The establishment of an operationally effective NFR with appropriate governance and support would be a strong incentive to harmonise firearm regulation and improve data quality. The NFR itself would require consistent data standards to be effective, with standards encouraging national consistency in language and classifications over time.



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Regulatory changes to ensure consistent and accurate collection of information will need to be developed, endorsed and implemented by each jurisdiction.

12. While an NFR would not necessarily increase the personal information available to police and other law enforcement agencies, licenced firearms owners have previously raised privacy concerns about the potential for their information to be shared more frequently between law enforcement agencies. These concerns could be addressed through existing privacy protections and communications strategies articulating that information-sharing is necessary to prevent firearms access by criminal elements.

#### NEXT STEPS

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13. Police Ministers consider options and requirements for an NFR, including funding considerations, and report back to National Cabinet in mid-2023.



## APPENDIX A: Key areas of jurisdictional inconsistency

The Firearms and Weapons Policy Working Group (FWPWG), made up of policy representatives from the Commonwealth, states and territories, are currently working to resolve jurisdictional inconsistencies in firearms laws and systems. The FWPWG has identified the following areas of legislative and systems inconsistency in implementing the National Firearms Agreement, among others.

### Legislative Inconsistencies:

Legal Inconsistency	Description
s 37(1)(a)	[Redacted content]



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### Systems Inconsistencies:

Inconsistency	Description
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s 37(1)(a)

