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Mr Greg Piper MP  
Chair  
Public Accounts Committee  
Legislative Assembly  
Parliament House, Macquarie Street  
SYDNEY NSW 2000

By email: [PAC@parliament.nsw.gov.au](mailto:PAC@parliament.nsw.gov.au)

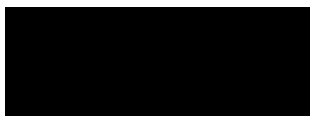
Dear Chair

I refer to the public hearing for the Legislative Assembly's Public Accounts Committee held on 27 July 2020 for the *Examination of the Auditor-General's performance audit reports August 2018 – January 2019*.

I note that two supplementary questions were asked following the hearing and relating to the Firearms Registry, and answers to those questions are enclosed.

Thank you for the opportunity to further discuss the Firearms Registry and outcomes since the Audit.

Yours sincerely



obo **M J Fuller APM**  
**Commissioner of Police**

07/08/2020

**Encl.**



## Supplementary Questions – Firearms Regulation

NSW Police Force response – 10 August 2020

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### Question 1

#### **Recommendation 6**

1. The Audit recommended that the Firearms Registry should introduce guidance for assessing whether 'good' reasons provided by licence holders for acquiring firearms were satisfactory.

In the response to the recommendation, NSW Police advised that the NSW Firearms Registry Decisions Guidelines had been developed and published on the NSW Police Force website.

- Please explain how these Guidelines demonstrate compliance with the recommendation, bearing in mind that page 5 of the document advises that these Guidelines do not deal with whether a person has a 'good reason' to acquire a firearm under section 21(2)(b) of the Firearms Act.

### Answer

Following the implementation of the Decision-Making Tool and prior to 27 July 2020, the published Decision-Making Guidelines were amended at page 5 to replace:

*“these Guidelines do not deal with whether a person has a 'good reason' to acquire a firearm under section 21(2)(b) of the Firearms Act”*

to read;

*“These guidelines do not deal with the decision to impose a firearms prohibition order. Nor do they deal with whether a person has a “genuine reason” to have a licence under section 12 of the Firearms Act. In relation to the “good reason” to acquire a firearm under section 31(3)(c) of the Firearms Act, an adjudicator should consider the “genuine reason” the licence holder relied upon in their application for a firearms licence. The adjudicator should ensure the “good reason” accords with the applicant’s “genuine reason” for which they required a firearm licence. The adjudicator should follow the Decision-Making Tool and, in complex matters, consult their supervisor”.*

It should also be noted that the Digital Transformation Project will further align the 'good reasons' test to acquire a firearm with the 'genuine reason' the firearms licence was obtained. It will also permit analytical work to be undertaken regarding the number of firearms held, where they are stored, and cross check that data with the reasons to acquire the firearms.

### Question 2

#### **Recommendation 9**

2. The Audit recommended that the Firearms Registry should, by May 2019, restore the Firearms Registry initiated risk-based firearms safe storage inspection program, which the Audit found was well designed to achieve its objectives. The response to this recommendation indicated that the program had ceased, and in its place, the Registry now provided information on higher risk location to police on request.

- Do you have plans to reinstate the risk-based inspection program? If so, please provide some examples of the most recent operation.

### Answer

Operation Guncheck is the Firearms Registry response to the risk-based inspection program and has been the catalyst for 150 inspections since the operation recommenced after the audit. Of those matters, 110 were undertaken by police involved in Operation Armour, which compliments Operation Guncheck. In 2019 there were 13,121 safe storage inspections overall. In 2020 (up until end of June) there have been 8100 safe storage inspections.

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More recently the NSW Police Force has also commenced Operation RenderSafe which is a risk-based assessment program focused on licence holders. Moreover, the State Intelligence Command is currently developing a risk-based analysis tool to assist the Firearms Registry to identify high-risk locations, to further direct Field Operations to targeted response locations.