

**Submission
No 11**

**EXAMINATION OF AUDITOR-GENERAL'S PERFORMANCE AUDIT
REPORTS AUGUST 2018 - JANUARY 2019**

Organisation: NSW Police Force

Date Received: 8 April 2020



NSW Police Force

OFFICE OF THE COMMISSIONER

D/2020/195019

6 April 2020

Mr Greg Piper MP
Chair
Legislative Assembly Public Accounts Committee

By email: pac@parliament.nsw.gov.au

Dear Mr Piper,

I refer to your letter dated 20 February 2020, seeking the NSW Police Force (NSWPF) response to the Auditor-General's report *Firearms Regulation*, tabled on 28 February 2019.

As requested, the attached table has been updated to reflect the NSWPF position with nine of the ten recommendations supported. Seven of the recommendations have been finalised and work is ongoing in relation to items four and ten b.

Thank you for bringing these matters to the attention of the NSWPF.

Yours sincerely,

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



IMPLEMENTATION OF RECOMMENDATIONS

NSW Police Force

Firearms Regulation

ATTACHMENT 1.

RECOMMENDATION	ACCEPTED OR REJECTED	STATUS and COMMENT	RESPONSIBILITY (Section of agency responsible for implementation)
<p>1. To improve integrity of data in the register, the NSW Police Force (Firearms Registry) should urgently:</p> <p>address backlogs in identifying and updating incorrect data in the register.</p>	<p>Accepted.</p>	<p>Completed. The Firearms Registry will continue to update data integrity issues as they arise. This is an ongoing process with automated reporting systems in place that 'flag' any data errors.</p>	<p>Firearms Registry.</p>
<p>2. To improve integrity of data in the register, the NSW Police Force (Firearms Registry) should urgently:</p> <p>conduct computer access audits according to NSW Police Force policy.</p>	<p>Accepted.</p>	<p>Completed. The Firearms Registry will continue to comply with NSW Police Force corporate policies requiring regular, independent audits of staff access to information and transactions they conduct.</p>	<p>Firearms Registry.</p>
<p>3. By July 2019, to ensure consistency of administrative decisions, the NSW Police Force</p>	<p>Accepted.</p>	<p>Completed. New version of Instrument of Delegations was implemented on Monday 12 August 2019 reflecting the Firearms Registry's new structure and restricting delegations to specific</p>	<p>Firearms Registry.</p>

<p>(Firearms Registry) should:</p> <p>introduce updated delegations for all administrative functions that delegate functions to specific positions.</p>		<p>functions and appropriate grades based on the complexity of the transaction and identified risk.</p>	
<p>4. By July 2019, to ensure consistency of administrative decisions, the NSW Police Force (Firearms Registry) should:</p> <p>introduce guidance for assessing discretionary reasons when considering a licence suspension or revocation.</p>	<p>Accepted.</p>	<p>In Progress.</p> <ul style="list-style-type: none"> • Decision Making Guidelines and Checklists have been implemented and are being used by personnel across the Registry. • The Quality Assurance Strategy has been implemented with regular meetings scheduled to review any contemporary issues relating to administrative decisions, as well as the identification of improvement strategies and training needs. • Due April 2020: Conduct a 12-month review, analysis, and evaluation of risk-based work flow with adjustment to placement, functions, processes, and gradings if necessary. 	<p>Firearms Registry.</p>
<p>5. By July 2019, to ensure consistency of administrative decisions, the NSW Police Force (Firearms Registry) should:</p>	<p>Accepted.</p>	<p>Completed.</p> <p>Quality Assurance Strategy developed and implemented.</p>	<p>Firearms Registry.</p>

<p>introduce procedures to quality review decisions about licence suspensions and revocations.</p>			
<p>6. By July 2019, to ensure consistency of administrative decisions, the NSW Police Force (Firearms Registry) should:</p> <p>introduce guidance for assessing whether 'good' reasons provided by licence holders for acquiring firearms are satisfactory.</p>	<p>Accepted.</p>	<p>Completed. NSW Firearms Registry Decision Making Guidelines developed and published on the NSW Police Force Internet site.</p>	<p>Firearms Registry.</p>
<p>7. By July 2019, to ensure consistency of administrative decisions, the NSW Police Force (Firearms Registry) should:</p> <p>introduce a policy and procedures for taking enforcement action.</p>	<p>Accepted.</p>	<p>Completed.</p> <ul style="list-style-type: none"> • Messaging relating to the 'Update when you re- locate' campaign has been disseminated to all Police Area Commands and Police Districts via a State-wide NEMESIS message, as well as promoted on the 'Hot Topics' section and generally on the NSW Police Force Intranet Site. • Article has been published in the November 2019 edition of the Police Monthly promoting the importance of legislative requirements for 	<p>Firearms Registry.</p>

		<p>licence holders to ensure that their residential, mailing and safe storage details are up-to-date.</p> <ul style="list-style-type: none"> • Moving forward the Firearms Registry is developing a 'Concept of Operations' relevant to all components of regulating firearms and the industry, which will provide guidance, Standard Operating Procedures and instruction to operational police in relation to a range of compliance and enforcement activities. 	
<p>8. By July 2019, to ensure consistency of administrative decisions, the NSW Police Force (Firearms Registry) should:</p> <p>ensure pistol clubs actively confirm safe storage arrangements.</p>	<p>Rejected.</p>	<p>Recommendation Opposed by the NSW Police Force.</p> <p>This recommendation was opposed by the NSW Police Force as it extends beyond the existing legislative arrangements. The legislation clearly places the obligation on the clubs to confirm safe storage arrangements. The report criticises the Firearms Registry for providing 'inappropriate guidance' for pistol clubs however the Firearms Registry provides pistol clubs with a raft of options they may employ to be satisfied to certify the safe storage arrangements, including seeking a safe storage event number, which confirms that police have inspected the safe storage arrangements.</p> <p>Notwithstanding the rejection of the recommendation, the Firearms Registry has amended the Permit to Acquire</p>	<p>Firearms Registry.</p>

		<p>form for Category H firearms to include a field to record the event number.</p> <ul style="list-style-type: none"> • This recommendation was opposed by the NSW Police Force noting that it is the onus of the clubs to confirm the safe storage arrangements. • The Firearms Registry has amended the Permit to Acquire form for Category H firearms to include a field to record the event number. 	
<p>9. By May 2019, to ensure safety of the public and police, the NSW Police Force (Firearms Registry) should:</p> <p>restore the Firearms Registry initiated risk-based firearms safe storage inspection program</p>	Accepted.	<p>Completed. This is an ongoing process.</p>	Firearms Registry.
<p>10a. By May 2019, to ensure safety of the public and police, the NSW Police Force (Firearms Registry) should implement strategies for:</p> <p>timely reporting of address changes.</p>	Accepted.	<p>Completed. Strategies for timely reporting of address changes have been implemented.</p>	Firearms Registry.

<p>10b. By May 2019, to ensure safety of the public and police, the NSW Police Force (Firearms Registry) should implement strategies for:</p> <p>prompt retrieval of firearms from deceased estates after expiry of the six-month statutory period.</p>	<p>Accepted.</p>	<p>In Progress.</p> <ul style="list-style-type: none"> • The Firearms Registry has developed and is implementing a range of legislative, operational and engagement solutions. • Further meetings with stakeholders are being held regarding current and proposed changes. • Noting that legal advice received from the Crown Solicitor's office has confirmed that legislative amendments are required to address current constraints which allow an executor or administrator to possess a firearm during the statutory probate period, one of the proposed changes includes a request to amend existing legislation. 	<p>Firearms Registry.</p>
---	-------------------------	---	----------------------------------