

**INQUIRY INTO PROVISIONS OF THE FIREARMS AND
WEAPONS LEGISLATION AMENDMENT (CRIMINAL
USE) BILL 2020**

Name: Variations to Proforma A
Number Received: 12

Below is a form letter recommended by the Sporting Shooters Association, of which I am a member, outlining my concerns. In addition to this letter, I wish to add my own personal experience. I own a Martini-Enfield Cavalry Carbine, manufactured in England in 1889, using a black powder .577/450 calibre cartridge. It was rebarrelled in 1896 to use the (then) new .303 British nitrocellulose cartridge. It is still in good working order and gets exercised regularly at the Silverdale rifle range. However, due to its age and rough handling in the past, the forestock has started to disintegrate. I have made a new forestock to fit it and kept the original in storage so as to maintain it in as good a condition as possible for possible future restoration work to be carried out on it. It also needs a removable bolt-on front sight as the original badly worn sight blade causes it to shoot 400 mm high at 100 metres, an unacceptable deviation from the aiming point in any situation, especially from a safety point of view. Under the proposed legislation, having the means and desire to perform these modifications, I would be considered as having made a part for a firearm and be subject to prosecution. This is a perfect example of the dangers inherent in the legislation as written, whereby normal everyday law-abiding citizens are made criminals by the stroke of a careless pen. This ends my personal anecdote, the remainder is the form letter as supplied by the SSAA.

Mr Robert Noonan

As a landlord who currently rents a commercial property to a construction company the possession of their everyday tools could now be perceived as firearm precursors used to make firearm parts, therefore I could be significantly negatively impacted by this Bill. There are no corresponding defence clauses within the drafted legislation providing any type of cover for landlords who have no knowledge of any illegal activities which may be occurring within the rented premises. As a landlord I am at the mercy of police as to their interpretation as to whether I should be subject to a charge. The purpose of Legislation is to be as unambiguous as possible whilst still achieving the intent of the law. The amount of discretion afforded to the Police in this Bill makes it easy for it to be open to abuse.

Name suppressed

I am a licences firearms owner, and my background of employment has given me many tools, and odds and ends. With these changes, I feel people, like me could be unfairly targeted, and prosecuted, for non firearms related issues, because I use vernier calipers to measure my ammunition to shoot better/more accurately in my firearms. As I service my own vehicles, I have tools and parts that could be construed (incorrectly) as items that depending on "discretion" manufacturing. I hope this doesn't come into effect.

Name suppressed

As on record previously, the then NSW Police Minister Troy Grant and Federal Justice Minister have publicly stated that the issue is criminals and illegal firearms NOT the law abiding firearm owners. More than 97% of gun crime is committed using illegal firearms. This bill will turn law abiding citizens into criminals for the most basic of items contained within this document. I urge you to reconsider this bill in its current form and liaise with current leaders within the firearm communities (SSAA NSW & Sydney) to ensure a fair outcome for law abiding firearm owners.

Mr Joseph Mete

Section 51J establishes the offence of "take part in the manufacture a firearm or firearm part".

Name suppressed

Due to the nature of firearms I have included contact details but have withheld my address I hope this doesn't impact the validity of this letter.

Name suppressed

As it stands the Bill creates a serious threat to many law-abiding persons, as the tools, materials and software made illegal by this Bill are commonplace in the sheds and workshops of many Australians. People who lawfully own and possess these everyday tools, software and materials could now be presumed as being in possession of firearm precursors used to make illegal firearm parts. The Bill does NOT differentiate between law abiding citizens (including licensed firearm owners) and criminals. Licensed firearm owners who may also be hobbyists or engineering enthusiasts are particularly at risk under the terms of this Bill. The Bill criminalises lawful activities and lawful possession of tools and materials that may be completely unrelated to the manufacture of illegal firearms. The Bill could be used to prosecute landlords for the private actions of their tenants. The Bill criminalises certain knowledge and information - no differentiation is made between information held simply for enthusiast or educational purposes and information used in illegal manufacturing operations. The Bill entitles police to act on suspicion of an offence or without probable cause - no concrete link to illegal firearm manufacture is required.

Mr Paul Young, Mr Jason Peters, Name suppressed

I am making a submission on the Firearms and Weapons Criminal use bill 2020 As a licensed shooter all changes to the firearms act are cause for concern and thought, however the criminal use bill seems to be broad sweeping and without direction. Of particular concern is schedule 1 (3) section 51j and 51k which seems to leave too much open to interpretation, for instance the items used to manufacture a firearm this would include specialised mills, presses and equipment but also drills vices clamps and screwdriver, thus it could be argued half of Bunnings could be used for firearms manufacturing. The inclusion of digital blueprints and plans is another cause for concern, as most firearms owners study their interest like any other hobby most history books on the subject will include plans and diagrams/explanations on the inner workings of firearms. furthermore a good understanding of the internals of a firearm is important for maintenance, repair and safe handling. At the moment schedule 1 (3) (c) and (d) could inhibit or prevent access to instruction manuals and history book. My second point of concern is 51k which seems to be designed to compel people to provide information to police. This breaches the Common Law principle of a person's right to silence. This Common Law principle has been enshrined in Section 89 of the Evidence Act 1995

Mr Jackson Maddox

I am writing to you as a self-employed fitter and machinist, with a home-based workshop. My main employment is machining parts and helping the heritage railway industry, and model engineers. I do not manufacture parts for firearms.

Name suppressed