



**CORONERS COURT
OF NEW SOUTH WALES**

Inquest:	Inquest into the deaths of John, Jack and Jennifer Edwards
Hearing dates:	7-11, 14-17 and 21-24 September 2020, 16 October 2020 and 12 November 2020
Date of findings:	7 April 2021
Place of findings:	Coroners Court of New South Wales, Lidcombe
Findings of:	State Coroner, Magistrate Teresa O'Sullivan
Catchwords:	CORONIAL LAW – manner of death – creation and verification of COPS Events re domestic violence incidents – NSW Police Force Domestic Violence Standard Operating Procedures - firearms licensing P650 scheme – “Commissioner’s Permits” – gun club membership – family law proceedings - information sharing between federal family law courts and NSW Police Force
Non-publication and non-access orders:	Annexure B contains the details of non-publication and non-access orders and is available upon request from the Court Registry
File numbers:	2018/209420, 2018/208842, 2018/208843

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436. I am satisfied that Registry staff did have access to adequate information, because it is not disputed that they could have reviewed the COPS holdings in relation to John, which revealed an “obvious” pattern of domestic violence incidents. However, those COPS holdings were not reviewed. I am satisfied that the “unduly narrow” process followed by Registry staff in adjudicating the Commissioner’s Permits led to a failure to review and take into account that information. This was a significant failure, and was inconsistent with the terms of the Act.

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440. I agree with the submission of counsel assisting that this characterisation overlooks the fact that, whilst the Registry may be satisfied that an applicant is not subject to mandatory refusal factors pursuant to s. 29(3), they must also be satisfied that the applicant meets the threshold statutory tests set out in s. 29(1) (ie. that the person is “fit and proper” and can be “trusted”). The evidence before me is that this, separate, threshold test for the issuance of a permit was not considered when John Edwards made his applications for Commissioner’s Permits.

441. I am satisfied that the systemic approach to the issuance of permits at the Registry at the time that John Edwards’ applications were assessed was inadequate, demonstrated a misunderstanding among Registry staff as to the nature of the statutory tests in s. 29(1), and was inconsistent with the terms of the Act.

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447. However, I find that the absence of any written policies to guide Registry staff in the exercise of the discretion to grant Commissioner’s Permits was wholly inadequate. There was no formal training provided to Adjudication, CNI and Support Officers at the time. Rather, training was provided “informally” on the job via a “buddy” system, where Registry staff were encouraged to learn from their supervisor.

448. These deficiencies contributed to a foreseeable systemic failure in relation to decision-making that had a direct bearing on public safety. This situation has been rectified, at least in part, by the introduction of the DMT and related Business Rules described earlier in these findings.

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530. Had the adjudicators of John Edwards’ Category A/B and Category H applications properly understood s. 11(3) of the Act and adequately interrogated and analysed the material that was readily available to them in COPS, the Registry would have had no choice but to refuse the applications.