

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

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**Date Received:** 14 May 2020

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## **Firearms and Weapons Amendment (Criminal Use) Bill 2020**

### **Preamble**

Licensed shooters are no threat to good government.

This incoherent response to an imaginary terror appears to have been created by midget trolls, imprisoned within their own fears, jumping at shadows and afraid of the dark, while free men create value for the economy, protect their families, help their neighbours and grudgingly pay taxes to support this overblown, inefficient bureaucracy with bipolar delusions of grandeur infused with terror of non-existent dangers.

It must be a terrible feeling, to live in constant fear of inert objects; printed manuals, hand tools and machine oil, that bureaucrats would use the power of the state to create such a legal and moral minefield. Free men pity the creatures whose fears led to this document. If you need a disarmed population to govern, then you are unqualified to govern and should resign. Licenced firearms owners are no threat to good government.

Criminals are already subject to sufficient laws that cover the subject matter of this Bill, so this Bill is superfluous and the energy used in creating and debating it should be devoted to enforcing existing laws against existing criminals. This Bill fails the eternal and immutable test: *Policy on the run, is policy underdone.*

The fundamental mistake is an attempt to control things - inert objects, instead of regulating the people who use them. This incorrect approach created the NFA, and dominates all firearm-related bureaucracy to this day, leading down twisted paths of tortured logic, sliding down slippery slopes into the arms of police brutality. The earliest human skeletons found had spear heads in their rib cages. Weapons can be fashioned from anything, so does this mean there will be a future Amendment Bill for the criminal use of sharpened flint and eucalyptus wood?

Wait, no need for an answer - for that is already capable of being included in the broad, gray and hopelessly open-to-interpretation text of this one. Australia's firearm licencing system is all we need. Once a citizen passes a background check and is deemed a 'fit and proper person' then there is no need for further regulation. A person who is safe with a .22 bolt action will be safe with a .22 semi auto, a Browning Automatic Rifle or a bolt action 20mm Solothurn - because they are no danger to the public. They know that if they break the safety laws, then they will lose their licence and thousands of dollars worth of firearms - so there is sufficient incentive not to break the law and two decades of BOCSAR research prove this to be true. The tool itself is not a danger, it is the person wielding it that must be dealt with. A bible in the hands of the wrong man is just as dangerous as a bottle to an alcoholic.

Honestly, who came up with the phrase "firearm precursor" and straight-faced included it in legislation? You've been watching too much Breaking Bad. Hand tools, user manuals and raw materials haven no intrinsic threat to society. This alone is ground for disciplinary action and dismissal from employment. I demand a refund of my taxes that were used to pay this person's salary.

A fundamental change in approach to Firearms and Weapon crime is needed, one which will save taxpayer funds, remove the inherent discrimination in a system which treats the most law-abiding as potential criminals, and provide more resources to fighting actual crime.

The principle required is: regulate the person, not the object. This bill literally creates a precursor Police State and gives far too much power to badly-trained frontline police officers. Send it back to the people who created it and give them a new task: focus on actual criminals, not creating more paper criminals via ineffective laws.

The amount of gun crime committed by licenced persons is statistically insignificant. It essentially doesn't exist. Contrast this to the overwhelming proportion of gun crime committed by unlicensed, professional criminals using imported firearms and the correct response is clear: Rescind the NFA and the firearms registry and all the category over-regulation which achieves nothing but to waste a billion taxpayer dollars annually. Put the billion taxpayer dollars saved into mental health, police training and create a better society overnight.

Licensed Firearm Owners Are Not The Problem.  
Stop treating them like one.  
Stop creating problems where there are none.

A word of caution to the creators of this Bill and the committee reviewing this submission. This warning is sent with love and care, from a person deeply concerned for your personal and family welfare. This love stems from an understanding of history - not only our national past, but the entire history of human nature. You're willingly blind to the risks you face in this job, the chasm that yawns at the feet of all bureaucracies that grow beyond effective limits.

Heed the warning of history. Now, you feel confident in your mission, your collective purpose, the power over society. You feel invincible, untouchable, protected by the system.

You are deceived.

History doesn't repeat, but it rhymes. From the Praetorian Guard to the NKVD, to Scott Morrison cutting the Environment, Energy and Arts departments - when times are tough, you are expendable and those at the top will be ruthless.

One day you'll be redundant, too old or you'll know too much and you'll be cast aside. Sure, you've been promised that the system will look after you, but they lied, just as they lied about WMD, Wheat For Oil, Children Overboard, Waco, Ruby Ridge, the Gleiwitz Incident, Port Arthur and the Hilton Hotel bombing. If you think you're immune, and will be protected, don't deceive yourself. The more valuable you are now, the more you know; the more scarce resources it will take to silence you once you're no longer useful. Easier to just silence you permanently.

Best to get out now while things are going well. Resign while you're on a good thing. Start a lawn mowing business, run an AirBnb, use DoorDash, do something to create value for your community and the economy, instead of hiding in an air conditioned office dreaming up more ways to place useless burdens around the neck of your countrymen. Imagine a world where the East India Company, the Nazi or Soviet bureaucrats awoke to the awful consequences of their individual actions and walked away? Stopped participating and went to do something else - create value for their neighbours? That world would be a better one than what we have today, and it is possible. Become the change you want to see in the world - less bureaucracy and regulation, more freedom for human enterprise and ingenuity to flourish. Stop trying to change human nature by passing laws because that's a losing proposition. Human nature does not change. Embrace it, embrace your community and use your organisational skills to create value at the local level where it can do the most good.

Ask yourself honestly - look at the amount of bureaucratic regulation created over the past twenty years, has it really made our lives that much more safe, more fulfilling? Increased wages and living standards? The answer is no. The majority of the regulation has simply wasted compliance time and effort that could better have been spent creating value in the economy, creating jobs, increasing wages and innovation. Bureaucracy has been a wet blanket smothering the economy and you can help release the economy from this burden by becoming the solution.

Walk away, into the sunlight, and create value instead of stifling it while living off the taxes of those who actually do. I promise you, you'll be much happier; and so will everyone else.

### **Now, The Bill**

Overall, the Bill is bad policy and should be deleted. If you insist on proceeding with it, then it requires substantial amendments:

S51J (2)(a)-(c) can cause lawful, ordinary people conducting lawful, day-to-day business to be in breach. The wording is open to mis-interpretation and could see lenders who provide finance to businesses or anyone who owns a rental property - you included - if the tenant is charged with any of these offences - then you can be also.

S51J(2)(d) presumes that possession of a firearm precursor means that a person is taking part in the manufacture of an illegal firearm. This presumption is open to misinterpretation by police and can cause innocent people to spend thousands of dollars on unnecessary legal fees to defend a malicious charge.

The definition of firearm precursor is far too broad and open to interpretation, potentially including hand tools that you have in your house and user manuals for firearms that a person does not own. If I want to read about a certain firearm and how it functions to educate myself before making a purchase, then possession of the user manual could be presumed to be a breach of the Act.

The bill does not contain sufficient safeguards to protect licenced firearm owners lawfully adjusting and customising their firearms.

S51K(1) is open to abuse by police who have a poor understanding and application of the 'reasonable grounds' test as demonstrated in the LECC inquiry into strip searches. This is also proven by the treatment of David Dunstan, who was prosecuted instead of rewarded for using an unloaded rifle to bring a criminal drug user to the police. What an excellent way to turn public opinion against police, than to prosecute people for exercising common sense and restraint?

With existing delays in obtaining internal reviews of police decisions, the Bill places extreme burdens on lawful firearms owners who have had their property seized, by denying them use of their business and sporting tools. This can contribute to business failure, bankruptcy and depression at being unable to compete and participate in sports shooting and hunting activities.

This section places too much power in the hands of inexperienced front-line officers. Any decision to seize lawfully held firearms should only be made by an officer ranked Inspector or above, and only after consultation with an independent expert and careful consideration.

S51K(2) and (3) breach the common law right to silence by introducing a compulsion to provide information to the police. This has no place in legislation and must be removed. Every person has the right to silence and should not be coerced by threats of penalty. Do not amend these sections, remove them completely.

9 May 2020

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