

**Submission
No 138**

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

Name: Mr Cory Herbert

Date Received: 4 August 2020

Dear Ministers,

I am writing to you as a licensed shooter and Law-abiding firearm owner. I have significant concerns over the "Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020", currently before the NSW Parliament.

The listing of "computer software and plans" as precursors could be troublesome. Most firearms owners are students of their development and history. A lot of computer files and books have been

published many of which show drawings or plans to explain the workings of firearms with the primary purpose of educating users on their safe operation and maintenance.

Having full information of the method of operation and maintenance of a firearm is critical to using

it correctly and safely. As written this proposed bill could easily lead to misinterpretation.

The proposed bill needs to specify that licenced firearm users who have a legitimate need to make

a part or make minor modifications to a registered firearm, are not captured by this Bill; and the mere possession of everyday items or hardware by licenced firearm users is not an offence under this proposed bill. This proposed legislation could have the unintended effect of making any published material on firearms and their maintenance a "precursor" to illegal activity.

Furthermore, the requirement in section 51K (2) compelling a person to provide assistance or information to police could very well breach the common law right to silence. Every person has the

right to silence and should not be coerced by threat of penalty to make any comment, or to provide

assistance or information to police without first obtaining independent legal advice. I hope the above comments will help in improving the feedback on this proposed legislation.

If I can help further, please let me know.

Yours sincerely,

Cory Herbert