

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

Name: Name suppressed
Date Received: 4 August 2020

Partially
Confidential

Dear Members,

Thank you for the opportunity to provide feedback.

As a law-abiding firearms license holder I support legislation that helps to prevent the criminal use of firearms. Unfortunately, the current legislation draft has several deficiencies that are likely to cause unintended consequences. Section 51J establishes the offence of “take part in the manufacture a firearm or firearm part”. Subsequent paragraphs explain the meanings of “Take Part” and what constitutes a “precursor” but they do not determine what constitutes “manufacture”.

- If I alter or adapt a component that allows me to fit, for example, a modern telescopic sight to an older firearm is that illegal “manufacture of a part” under this proposed legislation?

These are common options on legal firearms as used for sport and target competition and are not currently illegal, but could be under this proposed legislation. As written this could easily lead to misinterpretation. Section 51J, (2), (d) establishes the intent that “the person possesses a firearm precursor for the purposes of manufacturing a firearm or firearm part” but does not differentiate between legal (by licensed firearms users, as mentioned above) and illegal possession.

As mentioned above, there are many alterations/additions/parts/substances that are commonly used legally on firearms by licensed users and pose no increased public risk.

The intention may be clear; to prevent criminals from manufacturing firearms that cannot be traced and are not licensed or from modifying firearms to function in ways that make them illegal under current legislation, however it is not accurately reflected in this poorly written and poorly defined proposed legislation.

There is enough legislation covering these issues. The amendments will not change criminal behaviour, but is open to misinterpretation by police officers and “fishing expeditions” to make life difficult for honest people and open to further abuse of law abiding, licensed firearm owners. Please stop persecuting law abiding firearms owners and prosecute criminals. If you are unable to get the job done under current legislation, the problem is not with the legislation, but with the people that have to enforce it.