

Submission
No 150

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

Name: Name suppressed
Date Received: 5 August 2020

Partially
Confidential

Dear Ministers,

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

My concerns are:

- a. The Bill does NOT differentiate between licensed firearm owners and criminals.
- b. The Bill entitles police to act on suspicion of an offence or without probable cause.

I sincerely believe that the provisions of this Bill are too ambiguous and can lead to misinterpretations and subsequent abuse of power. As it stands the Bill creates a serious threat to all licensed firearm owners and other people. Everyday tools could now be perceived as firearm precursors that can be used to make firearm parts. Owners of these tools could be negatively impacted by this Bill.

I therefore proposed the following changes to the Bill:

1. Remove the presumption that persons who rent premises, supply finance, materials or equipment are actually involved in the manufacture of firearms or firearm parts. (Section (51 J (2) (a)-(c))
2. Remove the presumption that materials and equipment are firearm precursors, where police have no evidence of firearms or parts being manufactured. (Section 51 J (2) (d))
3. Decisions to confiscate firearms and equipment suspected of being firearms precursors, should only be made by police of the rank of Inspector and above, and only after careful consideration and such decision must be documented in writing.
4. Remove Section (51 K (2)) which breaches common law.
5. Add a requirement that internal reviews of decisions involving firearms matters have to be completed within a reasonable, defined period of time.
6. Amend the bill to make it perfectly clear that (a) the mere possession of everyday items or tools, published materials and other instructional materials in any form, by license firearm owners is not an offence under this bill; (b) licensed firearm owners who have a legitimate need to make a part or minor modification to a registered firearm, or a firearm that is not required to be registered under the Act, are not captured by this Bill.
7. Remove section (51 K (2) & (3)) which compels a person to provide assistance or information to police, as this breaches the right to silence under common law.