

**Submission  
No 196**

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

**Organisation:** Sporting Shooters Association of Australia (SSAA) Goulburn &  
Districts Branch

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The Firearms & Weapons Legislation Amendment (Criminal Use) 2020 is a deeply flawed document that can only grant powers to the NSW Police that expose law abiding individuals to spurious conviction through unjust means.

The NSW Criminal Court Statistics April 2011 to March 2020 (NSW Bureau of Crime Statistics and Research, ref. ap20-19118) details a total conviction rate in the past 2 years of less than 10 convictions across the all 4 categories of firearms manufacture crimes:

- Manufacture firearm w/o licence/permit-T2 - Lawpart 48361,
- Manufacture pistol w/o licence/permit-SI - Lawpart 48362,
- Manufacture prohibited firearm w/o licence/permit-SI - Lawpart 48363,
- Possess digital blueprint for manufacture of firearms-T2 - Lawpart 86821

Such a significantly low amount of convictions for the past 2 years raises serious questions about the motives of a government trying to introduce drastic penalties for what are potentially imagined crimes. Even if one includes the 34 convictions in 2017-2018, this can only be regarded as an aberration as the decade began and ended with a similar low figure of convictions and only saw a miniscule increase between 2014 and 2016, certainly not grounds for wide reaching amendments. As such, there is no need to introduce tougher laws on the grounds of public safety. The current legislation has met the needs of the police well.

In 2018 only there were only 7 firearm homicides in NSW, displaying a diminishing trend ('Underlying Cause of Death, All Causes, New South Wales, 2009-2018.' Australian Bureau Of Statistics, 25 September, 2019). Since illegal firearms manufacture is made to supply criminals it is critical that we observe the diminishing amount of firearms homicides.

And yet the Firearms & Weapons Amendment tabled gives NSW Police arrest and seize powers regarding illegal firearms manufacture well out of line with the current trends. The 3 aspects of concern in this are crime of possession, "firearm precursors" and absence of illegal firearms.

The definition of "firearm precursors" is so broad almost anyone in NSW could be charged with possession. Household tools and cleaning fluids, metals, books and computer files can all be used to incriminate any citizen, and those who are tradesmen or who have hobbies that involve tools and machines are particularly at risk.

Legal firearms owners have no provision for owning things related to their registered firearms. The very items used for upkeep, cleaning and adjustment of their registered firearms, purchased legally from authorized dealers, could be the evidence used to jail them for up to 20 years.

The last, and perhaps most serious concern, is that there need be no illegal firearm manufactured for citizens to face a lengthy jail term and it's only the discretion of the attendant police officer that decides if anyone is put in a jail cell.

It beggars belief that the Police Minister and Police Commissioner are pursuing such an obviously flawed and invasive piece of legislation. The amendment offers no benefit over the current laws on illegal firearms manufacture, and instead offers scope for deplorable abuses of power. It needs to be thrown out immediately.