

**Submission
No 214**

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

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Submission to Firearms and Weapons Legislation (Criminal use) Bill 2020

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BACKGROUND

As a retired engineer, I have profound and serious concerns regarding the content of this legislation, since many of the items in my workshop could be clearly identified as “precursors” to the manufacture of firearms.

As a firearms enthusiast, I am similarly concerned that the tools I use to maintain, adjust, or repair my registered firearms, could be classed as “precursors” to firearms manufacture.

As a licensed firearms collector, I am extremely concerned that the books, assembly instructions, plans and exploded diagrams of many firearms, in my library or on my computers, could easily be “precursors” to firearms manufacture.

As an amateur knife maker, previously (during the 1980s) having been a member of Japan Knife Makers Guild, it is alarming to think that many of the items in the “Weapons Prohibition” list are classed simply as “edged tools” by knife makers.

Would a junior police officer decide that the knife I am in the process of making, was one of those on the list, such as a butterfly knife or (shock horror!) even a ZOMBIE KNIFE? Whatever a Zombie Knife is!

As a taxpayer, it concerns me that the resources of the NSW Police will be wasted, being consumed in harassing law abiding firearms owners, over perceived breaches of these laws. The extremely broad coverage of this legislation will see many engineers, licensed firearms owners, gun collectors, gunsmiths and amateur knife makers, dragged through our courts, having been charged with offences under this legislation, forced to seek the services of a specialist solicitor, to defend themselves and proving that they were not “knowingly” making firearms, or prohibited weapons.

The legal arguments around whether a person was “knowingly” setting out to make a firearm, or was “unknowingly” making a firearm, doesn’t bear thinking about.

During a reading of this bill in the lower house of NSW Parliament, the Police Minister claimed that “This Bill is not aimed at licensed firearms owners” but there is no reference in this bill, to exempting licensed firearms owners.

PROBLEM AREAS

It is ALREADY illegal for an unlicensed person to have an unregistered firearm! So, regardless of whether a “criminal” (ie unlicensed) individual has an “illegal” (ie unregistered) firearm, he/she has already broken several laws, regardless of whether it was made in a home workshop, stolen, imported or produced using “additive manufacturing” (3D printing).

Are the existing laws not being policed?

Are the penalties under existing laws not severe enough?

These amendments appear to have no other purpose, than to intimidate the existing law-abiding, licensed firearm owners, dealers and gunsmiths.

We will be even further harassed by police, over what's in our workshop or what's on our bookshelf or computer.

THE FUTURE

A recent edition of Engineers Australia "Create" magazine had its cover topic "3D Printing" and featured detailed descriptions of 3D printing of human bones for surgical purposes. Already 3D, or "additive" printing is being used to manufacture many products from shoes to accurate components in nuclear reactors. Direct Metal Laser Sintering (DMLS) is being used to achieve high strength, high accuracy metal products.

3D printing and DMLS is going to be the disruptor, in the firearms industry, as UBER was for taxis and Amazon was for bricks and mortar shopping.

Who would have imagined just 15 years ago that we wouldn't need a dedicated film or video recorder to make high quality movies? Who would have thought that your camera, GPS for navigation, radio (capable of tuning into world-wide stations), encyclopaedia and language translator, would all be contained in that small smart phone in your pocket?

In the future we may no longer own our personal motor vehicle, but call up Google, for one of their driverless electrical vehicles, to collect us and deliver us to our destination.

Already I know of several people locally, who have printed out handgun magazines, a perfectly legal product, thus avoiding the expense and shipping delays, which are occurring during COVID-19. The Chinese are able to 3D print gunpowder.

Imagine if in the near future, many firearms manufacturers will have available their standard models for downloading and printing at home? Chose your handgun options, customise your competition pistol handgrip, using a scan of your hand and simply pay a downloading or an annual licensing or usage fee. That is technological evolution and laws should not try and STOP such technical developments, but be arranged to incorporate them.

Already several "fringe" independently designed handguns are available, so it could be that this technology will send the established gunmakers broke.

Are we all prepared for it?

Will our firearms and weapons laws leave licensed, law abiding firearms owners, locked into using equipment designed in the late 19th and early 20th Centuries?

I sincerely hope not.

THE SOLUTIONS

Please do not pass this legislation as it is.

Simplify all legislation and regulations relating to firearms.

Increase the licensing tests for individuals, such that a person who has been shown to be a fit and proper person, can own whatever firearm they want.

Re-do all legislation and regulations, in consultation with user groups and stake holders.

Have laws which target criminal use of firearms, instead of making criminals out of law abiding citizens who happen to own firearms, collect firearms, deal in firearms, or who make and collect edged or bladed and edged tools.

Submitted 8th August 2020