

**Submission
No 217**

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

Name: Mr Robert G. Bonham

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Submission

**To: The Chairman and Hon. Members
of The NSW Legislative Council's Portfolio Committee 5**

Subject: Provisions of the Firearms and Weapons Legislation (Criminal Use) Bill 2020 –

Hon. Members,

I am writing to you to express my opposition to the *firearms precursor* section of this Bill.

Also to try and make the committee aware of the disturbing affect this Act will have on the workshops of Agriculture, Industry and Hobbyists in NSW. As it moves us into a future, where the possession of an ancient tool, like a chisel or file, and/or a modern machine like a 3D printer, will become a criminal offence.

Reading the Hansard of the Minister of Police's speech on this Bill, he tells of how these laws are aimed at criminal Biker gangs, but no restriction are set on the application in or of this Bill. It could be used against anyone.

One has to ask, how aggressively will Police pursue this policy, when they feel the need to specifically indemnify the civilian employees of the Police armoury for re-assembling a firearm from parts.

This Bill seems to have been drafted with little or no consultation with industry, or the community.

If this ever becomes law, many in our society will move from law abiding citizen, to criminal, without the slightest intent to do wrong.

I have no sympathy with criminal weapon manufacture, and believe offenders caught with tangible evidence should receive full punishment at Law.

No one possessing hand or machine tools will be safe from vexatious prosecution, having made no gun part.

With such a vague, poorly defined wording, all persons possessing items on the following list, will be guilty of breaking the law, whether the Police choose to prosecute them or not.

I draw your attention to Schedule 1, Section 3/51J/ 3

“Firearms precursor, means **any object, device, substance, material or document** used or capable of being used in the process of manufacturing a firearm part. **Regardless of whether a firearm or firearm part is actually manufactured”.**

This is an exceptionally wide net.

E.g. A pencil note, or sketch, on the back of an envelope, becomes a document?

Section 3/51J/ 3, Goes on and lists devices capable of making firearm parts, **“but not limited to”**, (*means, any industrial hand or machine tool can be added to list at any time.*)

- (a) moulds (*vague, more detail needed*) for making firearm parts.
 - (b) **milling, casting** (*common throughout industry*) and rifling equipment.
 - (c) digital blueprints within the meaning of section 51F (*ref. 3D printing*)
 - (d) computer software (*Program drivers for CNC machine tools*)
- or plans (*same as “c”*)

Just the possession of any of this workshop equipment will be a breach of the law, **without the manufacture of any firearm part.**

This law will effect, **Farm maintenance, Factory maintenance, Manufacturing and Mining industries**, and many others like, the local Men's Shed Association, Model Steam Train enthusiasts, Model Engineers, Classic Car and Motor Cycle Restorers, Amateur workshops of Clock, Jewellery and Musical Instrument Makers, and **anyone with a workshop, including Factories, Farms, Tech Colleges and Schools.** **All**, would then fall under suspicion, because they all use these types of hand and machine tools, that could be used in the making of firearms parts.

They are not that special. A scrap of steel, a drill, hacksaw and few files are all that's required to make a trigger.

For various reasons the Police often fail to double check all the information collected, and fully validate their sources, before intruding on, and disturbing the peace of law abiding citizens. Sometimes showing a most cavalier attitude, one that seems to be, "Charge 'em and let the courts sort it out". Causing the targeted person, much anxiety, time and legal expense to have the matter put right.

This law may encourage the Police, possibly urged on by erroneous information supplied by a hostile business competitor or neighbour, to harass workshop owners. Just because they are in the possession of common hand and machine tools, and hypothetically such tools could be used to manufacture firearms or firearms parts at some time in the future. Police won't have to catch a person making firearms parts or having made firearms parts, **just that they were thinking of making firearms parts, and the Tools and Machinery in their shed, is All The Proof Needed!**

You are not legislating against illicit drug labs or terrorists accumulating explosives and detonators, etc.

But people involved in legal commerce, manufacturing and peacefully enjoying fascinating and rewarding hobbies.

For your consideration.

Yours sincerely,

Robert G. Bonham

Retired Toolmaker