

Submission
No 244

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

Name: Name suppressed

Date Received: 14 August 2020

Partially
Confidential

The proposed new Section 51K(2) and (3) compels a person to provide assistance or information to Police. This breaches the Common Law principle of a person's right to silence.

This Common Law principle has been enshrined in Section 89 of the Evidence Act 1995, which states that no adverse interest can be drawn against a person if that person fails or refuses to answer any questions put to them by a Police Officer investigating the commission, or possible commission of an offense.

Every citizen has this fundamental right to silence and should not be coerced by the threat of a penalty to make any comment or provide assistance or information to Police without first obtaining independent legal advice.