

**Submission
No 253**

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

Name: Mr Neil Radford

Date Received: 24 August 2020

Dear Ministers,

I am writing to you as a properly licensed shooter and Law-abiding firearm owner.

I have significant concerns over the "Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020", currently before the NSW Parliament.

I passionately believe that the provisions of this Bill are too ambiguous and open to police misinterpretation and abuse of power. As it is currently written the Bill creates a serious threat to all licensed firearm owners and other potentially innocent persons.

1. People who own and possess everyday tools which could now be perceived as firearm precursors used to make firearm parts, could be significantly negatively impacted by this Bill.
2. The Bill does NOT differentiate between law abiding licensed firearm owners and criminals.
3. In its current form the Bill entitles police to act on suspicion of an offence or without probable cause.
4. As a licensed firearm owner and a retired engineer with many tools, files and hammers, a vice or two, a small lathe and a small milling machine, does that constitute that I am able to be charged with the potential to make a firearm or parts. Does that mean that I cannot under any circumstances pull my gun or rifle apart and repair it or make a new part to replace one which is "say" worn out, or on the other hand repair a licensed friends gun as is commonly done.
5. As the Bill reads to me, that if I own a firearm, is that not a precursor that could be copied assuming one has the machinery

Changes required to the Bill are:

- A. 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))
- B. 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))
- C. Any decision to confiscate firearms and equipment suspected of being firearms precursors, should not be made by any other than by police of the rank of Inspector and above, and only after very careful consideration and such decision must be documented in writing.
- D. Remove Section (51 K (2)) which breaches common law.
- E. Add a requirement that internal reviews of decisions involving firearms matters have to be completed within a reasonable, defined period of time, not as it appears to be now with decisions taking months if not years.
- F. 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; and (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 or disadvantaged by this Bill.

F. 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.

Yours Sincerely