

[REDACTED]

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**From:** Gareth Gunn [REDACTED]  
**Sent:** Tuesday, 14 March 2023 4:54 PM  
**To:** Strategy Support  
**Subject:** HPE CM: Submission on the draft Firearms Amendment (Community Safety) Bill 2023  
**Attachments:** [REDACTED]

**Categories:** Firearms Bill 2023

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Dear Sir/Madam,

I have attached to this email a copy of my submission on the draft *Firearms Amendment (Community Safety) Bill 2023*. I am happy for my name to be disclosed as well as the submission itself during and after the review process. As I am a licensed firearms owner I ask that my full address not be disclosed. In support of this submission I have included a number of technical drawings. As the dimensions and manufacturer's name on the drawings can identify one of my licensed firearms, I ask that the redacted versions be used for public distribution.

Yours Sincerely,

Gareth Gunn  
Firearms licence No. [REDACTED]



8<sup>th</sup> March, 2023.

**Re: Submission concerning the proposed Firearms Amendment (Community Safety) Bill 2023**

The Minister for Police, Fire and Emergency Management.

The Honourable, Felix Ellis

Parliament House, Hobart.

Dear Minister,

Please consider the following submission concerning the proposed **Firearms Amendment (Community Safety) Bill 2023**. I have provided a number of observations concerning the proposed amendments. I hope that thought can be given to reviewing a number of areas of the amendments in order to facilitate the stated aim of improving community safety. Also the amendments should not encumber Licenced Firearms Owners (LFO's) with any unintended consequences of these changes.

I am a licenced firearms owner and frequent participation in competition shooting sports, hunting, and militaria collecting. I served a number of years in the Australian Defence force in overseas operations. During this time I handled firearms daily in a contested environment and received commendations for my professionalism and discipline. I am a member of the following shooting & collecting organisations: SSAA; TRA (SRC); ACGT; MILCOLT; & ACCA. In distributing this submission can consideration be made of the fact I own a number of licenced firearms, for their security I prefer that my full address not be made available. To exemplify the consequences of amendment to 119A, I have provided a number of technical drawings. As the manufacturers name and the dimensions on these drawings can specifically identify one of the firearms I own, can the redacted version be provided for public review. The removal of critical dimensions etc. should also protect those receiving these electronically of the possibility of committing an offence in the future.

My first observation is on the amendment to 119A, whereby into Division 3 is inserted:

**119A. Possession of digital blueprints for manufacture of firearms.**

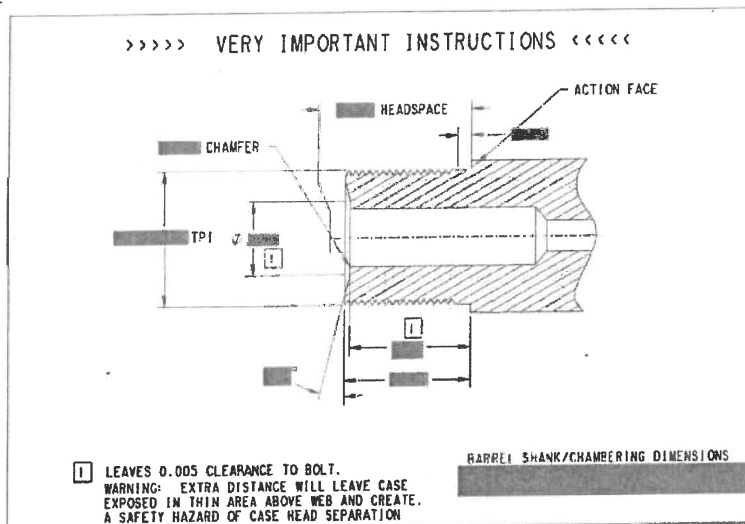
(1) A person is guilty of an indictable offence punishable under the Criminal Code if the person possesses a digital blueprint for the manufacture, on a 3D printer or on an electronic milling machine, of a firearm, a firearm part or a firearm sound suppressor.

I believe that the term “digital blueprints” is inadequately defined and may be open to a number of interpretations. While I have limited technical experience, I do know that there is a vast difference in complexity between a CAD mesh file, coding for CNC machining, and the traditional blueprint or technical drawing. This amendment makes the possession rather than the criminal act of manufacture, an indictable offence. It may be argued that prosecution would only proceed against those engaged in the illegal manufacture of firearms. However, part (3), (4), (5 (a), (b), (c) (6), (7 (a), (b)) provide a number of defences from prosecution for persons. These defences appear to be aimed at academics in the fields of science, medicine, education, law enforcement, and journalism. They also protect those who unwittingly possess these “digital blueprints”. If unlawful intent or action, rather than possession of a “digital blueprint” alone could result in prosecution, then these defences would be unnecessary. It is clear that there is no defence provided for LFO’s who possess or control technical drawings for their legal, registered, firearms and parts.

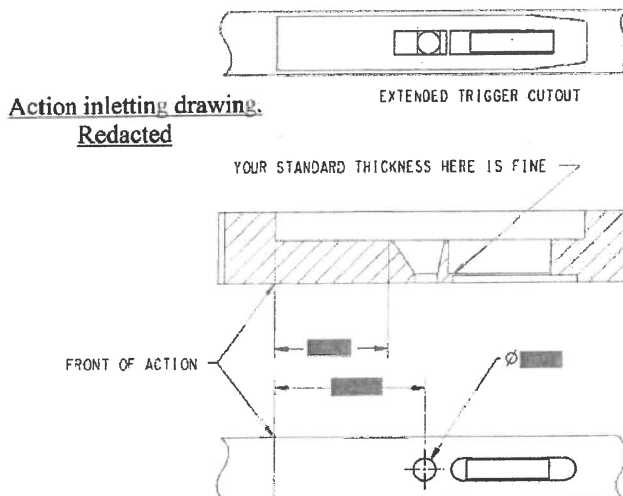
In drafting this amendment I think that there has been too much focus on the perceived threat from OMG’s and organised crime accessing unconventional firearms through emerging manufacturing methods, and not on the legitimate ownership, maintenance, and repair of firearms. While 119A subsection (2) (a) permits a person licenced to manufacture firearms and their parts to possess “digital blueprints” & technical drawings, a LFO would potentially be prohibited from having or controlling them.

I own & frequently compete with a precision target rifle. Purchased second hand from a shooter who participated internationally with it, the rifle came with a number of technical drawings. Included with these drawings is a PDF file of the Tenon drawing. This drawing is expressly intended to allow a gunsmith to machine and fit a replacement barrel to the rifle’s action. Unlike common sporting firearms, these barrels need to be replaced relatively frequently to maintain the precision of the rifle. The life expectancy of a barrel being in the order of around 700 rounds (1), and sometimes as little as 300 rounds (2).

There would be very few gunsmiths in Australia who had access to a Tenon drawing for one of my limited production ‘B’ series rifles. Certainly my local gunsmith does not have one or expect other Tasmanian smiths to have access to them (3). The original manufacturer of my rifle action is now on their third owner and these actions are no longer made. The only certainty for me in repairing & safely maintaining this expensive rifle is to retain possession of the Tenon & other drawings as well as the PDF file. Without them the rifle would become almost worthless. As these are clearly for the final manufacture of a firearms part (barrel), would I be committing an indictable offence should 119A be amended? Full copies of these drawings complete as well as redacted, are provided as an annex.



**Barrel shank drawing – Redacted version**



**Action inletting drawing – Redacted version**

I would argue that there is no reason to outlaw the possession of “digital blueprints” as existing legislation is sufficient. In the case of me using my drawings to have a new rifle barrel made, I must first purchase a barrel blank. Barrel blanks in themselves are classified as a firearms part and are regulated. To comply with the law they must be purchased from a licenced firearms dealer and transactions made through a dealer. While just an unfinished blank, this item is still required to be stored in the same manner as a firearm. Once I have the blank & Tenon drawing, I still require the services of an experienced machinist or gunsmith. The machine tools and experience required are way beyond what I have access to. The manufacture of reliable, well-functioning & safe firearms is actually very hard (4) (5) (6). Anyone studying the history of Nation States and large corporations in their endeavour to produce firearms will understand the difficulties before them. While 3D printing or additive manufacturing is an emerging science, to the best of my knowledge I believe that it alone cannot produce a reliable, functioning firearm. While a frame, grip, various sub parts can be made,

there is still the need for a barrel able to contain very high pressure as well as a bolt/breach and trigger mechanism. These three items are firearms parts, access to them is controlled and their unlawful possession would lead to prosecution. Likewise, CNC milling of a receiver or breach block still requires parts such as barrel & trigger, along with heat treating and fitting.

My second observation is that the extension of Schedule 1A to firearms, parts, & ammunition storage, carriage and minor administrative offences may result in the unintended consequence of LFO's facing the inconvenience & cost of defending themselves from unjustified infringement notices. The purpose of these infringement notices should be to encourage compliance with the law; the same reasoning is given with traffic offences and the aim of public safety. I appreciate that these amendments recognise that currently a Magistrate can impose significant penalties on firearms owners for minor omissions. For example, **85(1) Fail to comply with prescribed storage requirements (Category A and B)** A magistrate may impose a fine up to 60 penalty points or a 12 month period of imprisonment, or both. The **Consultation information sheet** provided for these amendments states these changes will "increase capacity for Tasmania Police to issue infringement notices to enforce the safe storage of firearms".

I take it that police officers are currently reluctant to take action in these circumstances due to the severity of the penalty and the time and cost involved in pursuing a prosecution. While not stated, the aim seems to be that an infringement notice will be issued on the spot similar to a traffic offence with the recipient able to accept guilt and pay a reasonable level of fine. At face value this seems a good idea, however it relies on an objective and correct interpretation of the requirements. From numerous anecdotes provided as well as my own experience, police officers conducting inspections take a subjective view and appear ill informed as to the requirements. During inspections I have been 'picked up' for having external hinges on approved storage safes, ammunition storage not correctly bolted down (It was secured with two 12mm bolts to wall studs, beyond the requirements), and for ammunition being stored with firearms (Prior to my arranged inspection I realised I had a number of un-primed fired cases on my bench, thinking 'this did not look good' I placed them in my locked cabinet with spare barrels and parts. The officer had to be persuaded that this was not an offence. My argument is that in cases like these no action is usually taken as a satisfactory outcome can be negotiated. If an officer on the day wishes to proceed, then an appeal can be made to their sergeant. If this does not work, action can be taken further up before reaching a Magistrate.

The risk with this change is that police will be less constrained in taking action. This is stated in the **Consultation information sheet**. If a person has been negligent or willingly failed to comply with requirements, then I would expect them to receive legal sanction. To their advantage they can 'take a guilty' plea and pay a minor fine. If however a person had been diligent and done the right thing, what will be their recourse if they receive an infringement notice? Can it be dealt with via a short conversation with their sergeant, or will it be 'locked in' with the only option being a guilty plea & fine, or proceeding to a Magistrate with the cost and inconvenience involved?

Should this amendment and expanded Schedule 1A, Infringement Notice Offences proceed, then I would hope that action will be taken to improve the training and supervision of police officers conducting storage inspections. There are simple guidelines provided to LFO's on storage requirements. People should be able to follow these requirements without the fear that they will

receive an infringement notice due to a police officer making up their own interpretation of what is required.

Last year I moved house, mindful of the requirements I took all the measures required under the act. I notified Firearms Services (FAS) within the required 14 days of this changed. I used a letter as well as the online form provided by FAS. As many months later correspondence from FAS was still going to my old address I called to query this. FAS replied that that this information 'must have slipped through'. By also using email I had a copy of this transaction. As it stands I could have received an infringement of up to 50 penalty points without proof I had done the right thing. I appreciate that FAS are at times overloaded and are doing the best they can to manage the legislation they work with. Will the extension of Schedule 1A to change of particulars result in me receiving a penalty notice in the mail in similar circumstances? If I take the easy course and pay the fine will there then be dire consequences at the time of my next licence renewal?

Thank you for taking the time to consider the above observations I have made on the proposed **Firearms Amendment (Community Safety) Act 2023**

Yours faithfully,

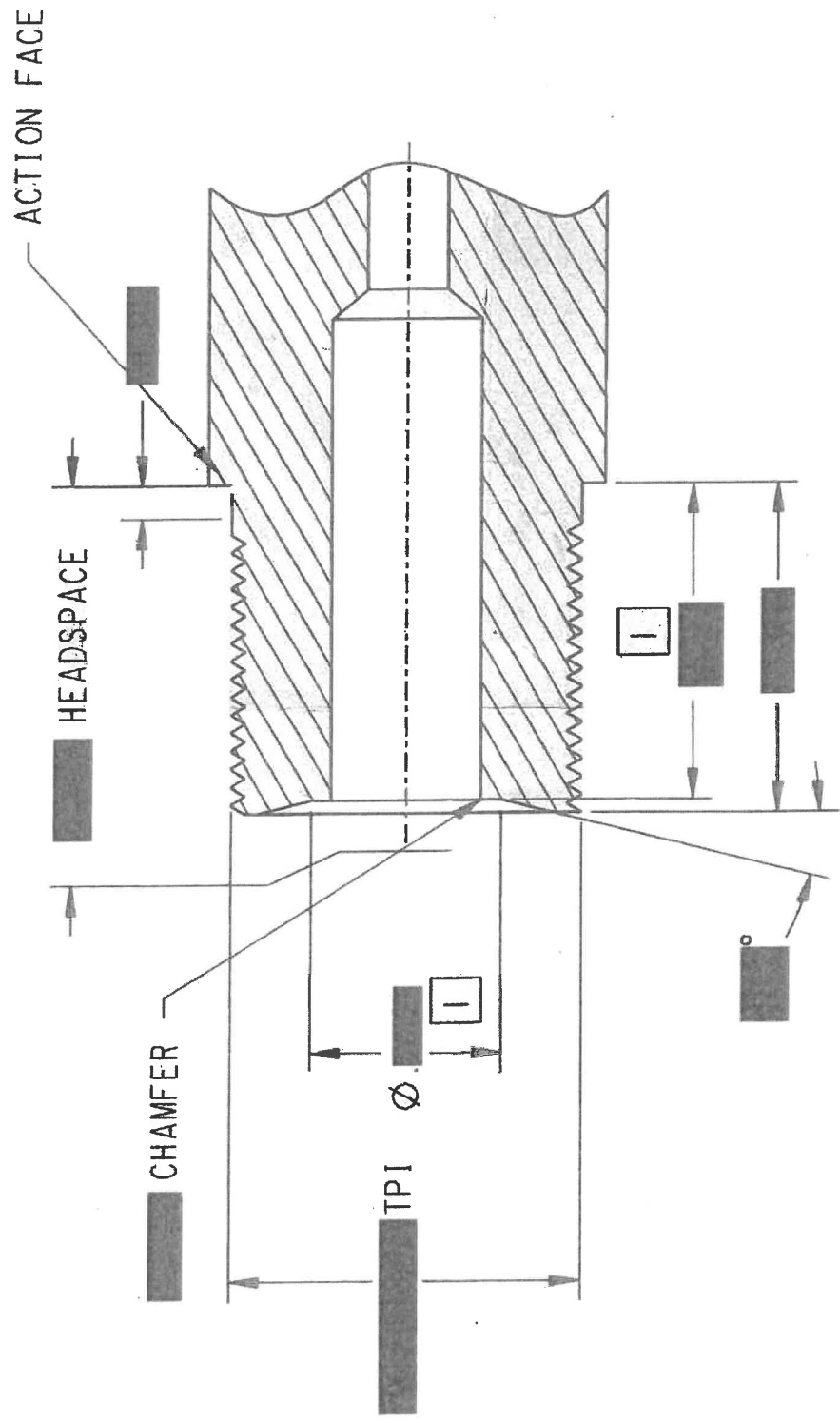
Gareth Gunn

Firearms licence No. [REDACTED]

End notes and references.

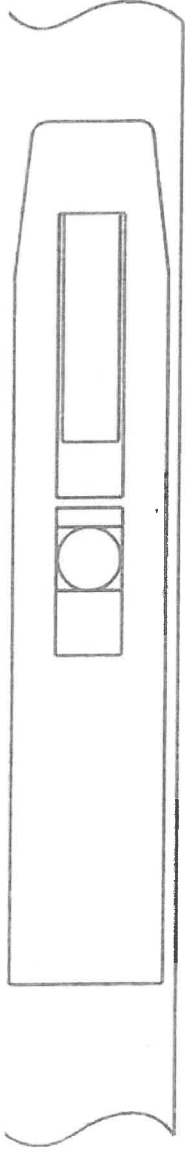
- (1) Tony Boyer – The book of rifle accuracy 2010 pg. 182
- (2) Mike Ratigan – Extreme Rifle Accuracy 2007 pg. 26
- (3) Andrew Cowling, Gunsmith & Tasmanian Firearms Dealer- Wildcat Precision.
- (4) C. J. Chivers – The GUN, the AK-47 and the evolution of war. 2010
- (4) Priya Satia – EMPIRE OF GUNS, The violent Making of the Industrial Revolution. 2018
- (6) David Williams – THE BIRMINGHAM GUN TRADE 2004

>>>>> VERY IMPORTANT INSTRUCTIONS <<<<<<



BARREL SHANK/CHAMBERING DIMENSIONS

**1** LEAVES 0.005 CLEARANCE TO BOLT.  
**WARNING:** EXTRA DISTANCE WILL LEAVE CASE EXPOSED IN THIN AREA ABOVE WEB AND CREATE A SAFETY HAZARD OF CASE HEAD SEPARATION

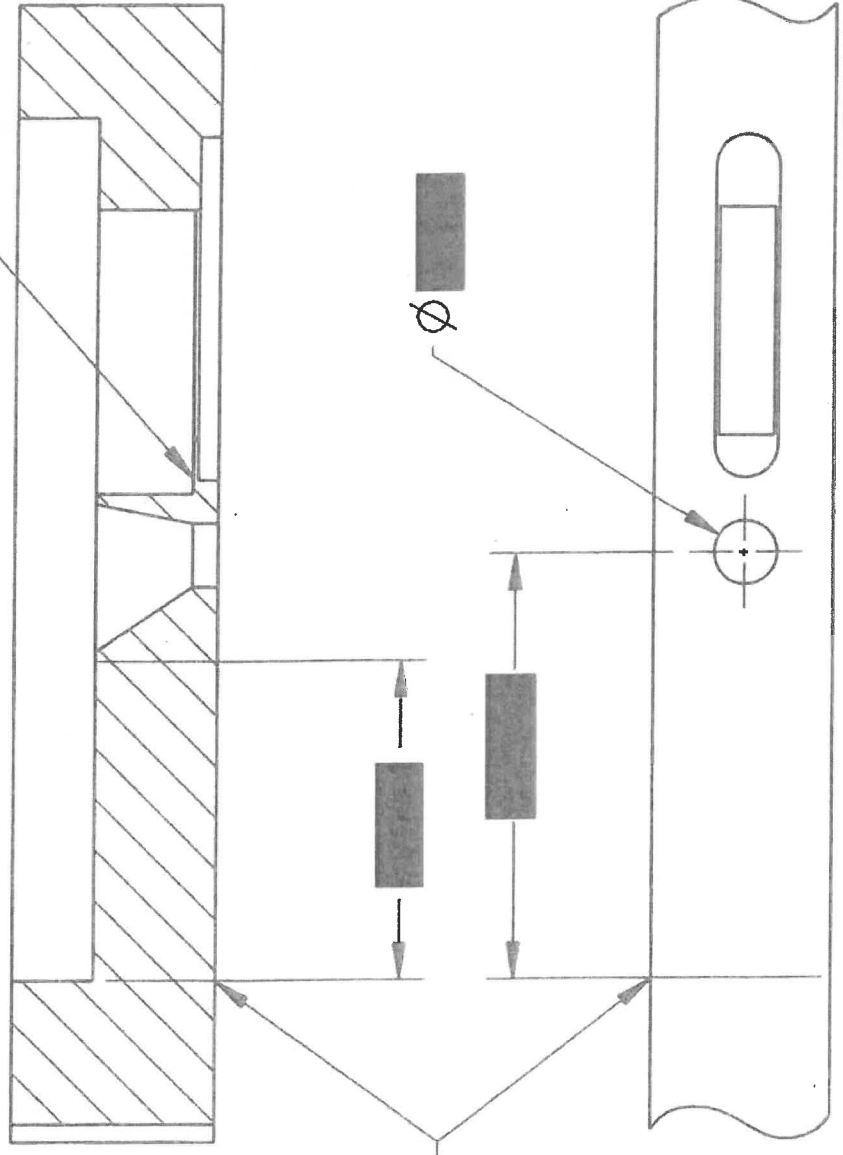


Action in letting drawing.

Redacted

EXTENDED TRIGGER CUTOUT

YOUR STANDARD THICKNESS HERE IS FINE



FRONT OF ACTION

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