



SSAA Tasmania INC

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15th March 2023

Feedback submission on the draft *Firearms Amendment (Community Safety) Bill 2023*

Via email - strategy.support@dpfem.tas.gov.au

The Sporting Shooters Association of Australia, Tasmania Inc. have looked through the proposed changes to the Firearms Act in detail and provide the following feedback and further suggestions as follows

- Section 3 Update the definition of “pistol” to be all handguns including revolvers
- Section 3 We suggest altering the definition of “deal” to include the provision of armourer services to film, television or theatrical productions – given the increasing number of film and TV productions being filmed in Tasmania, and their increasing use of firearms, there needs to be better ways to allow this to happen – in part to streamline the process for both Firearms Services; film, television or theatre producers; and armourers.
- Given that there is often a need to acquire firearms from interstate, and for the use of replicas and firearms that are only deemed suitable to possess under a collectors licence under the current legislation, we believe that a dealers license is the most appropriate license type for film, TV and theatrical armourers without adding an additional type of license that would have a lot of the same authorities as a firearms dealer.
- Section 17 Any firearm or historical / collectible significance that falls into this category needs to be transferrable amongst collectors or fair and just compensation made
- Section 29 (1) (d) The Act states “*has satisfactorily completed an approved firearms safety course*” We believe that providers other than TasTafe would be capable of delivering an approved safety course which would have the advantage of reducing wait times, lowering cost and placing less burden on a government department. Note that this should apply at least to reason 1 and reason 2 as they are not vocational uses of a firearm. We consider that this would be consistent with the government’s stated aim to reduce red tape and have a competitive field in these sorts of activities.
- Section 47(3) Clarify ‘additional disciplines’ so that licence holders can try a discipline once without having to do it 3 more times. Possibly add a section stating that those who shoot very regularly do not have to divide their shooting in particular ways.
- Section 47(3)(b) The holder of a category H licence for sport and target shooting should be able to maintain their genuine reason for Category H by providing current proof of membership of an approved club – this should include maintaining the “authority to exchange information form” – to maintain their category H licence. At current, this provision could be taken that a

holder of a category H license for Sport and Target Shooting must participate in a minimum of 6 matches a year, even though they don't own a firearm to be able to fulfil this obligation – not all clubs have firearms available for use.

Section 104(4) We'd like to have this stay as it is – “the minister” – or amended to “the minister or a magistrate”. The reasoning behind this is that the police unfortunately see far too many firearms when used in the commission of a crime where the minister will have a broader perspective of the value and circumstances where these firearms have been forfeited and as an independent reviewer should remain as “the minister”. We note that this change has been proposed in the past and was rejected on a similar basis.

Section 118(2)(a) Increase the capacity to 10 rounds as a lot of modern firearms are manufactured to use AR platform magazine and come with 10 round magazines.

Section 118(1) Although the proposed legislative amendments purport to be bringing parts of the act into line with changes in technology and thinking, the act, or at a minimum the administration of it, is still in the dark ages in relation to the use and availability of sound suppressors. Numerous reports and a multitude of overseas examples illustrate the value of these items in OH&S and animal hunting and control, yet Tasmanians still believe that suppressors are a sinister item; that increased availability will somehow result in an alarming threat to public safety. The most recent example is where experts are calling for increased availability of suppressors for deer control in the recently released draft 'National Feral Deer Action Plan'.

- Attached for your reference, in Appendix 1, is our previously stated position on this matter supplied as part of our submission to the Legislative Council Select Committee on Firearms Law Reforms in 2018. We trust that someone may take this matter logically on this occasion.

Section 119A Change the wording to “... if the person possesses with the intent to manufacture a digital blueprint ...” the current wording would be like saying that a person with a bottle of whiskey and a drivers licence intends to drink drive.

Section 129 We believe that there should be an open amnesty where a firearm or firearm part can be surrendered to a dealer for registration or disposal with no personal details having to be supplied to the dealer. This would enable firearms that may be currently unregistered to be entered into the registration system and be traceable. Generally, this would be firearms purchased prior to 1996.

Section 148 Remove “pistol” – we see the benefit of a representative of *any* approved shooting club being able to notify the commissioner of any concern held by the club. The current wording prevents rifle shooting clubs from notifying the commissioner of concerns.

Section 151(1) Remove subsection c, replace subsection b with “shooting club” to cover rifle, pistol and/or shotgun.

Section 152 This should include a requirement for the applicant to be deemed a fit and proper person

Schedule 1(6) This should be removed – other jurisdictions are now classifying firearms based on function as opposed to form (appearance)

Schedule 1 (7) This is not in line with our requested change to section 118

- We would suggest that the Act include a section to cover permits for armourer services – these are currently handled through a commissioner's exemption after ensuring that the unlicensed individuals that will be possessing the firearms for the purposes of the film, television or theatrical production meet the definition of a “fit and proper person” under The Act. As the firearms are only in the possession of an unlicensed person whilst they are under the direct supervision of an armourer, we consider that in most circumstances

this is an overly stringent check as there is no higher community safety risk under this supervision than a member of the public attending a paintball range or shooting gallery which requires no checks.

- This could be in the form of an exemption under Section 6 of the act to cover Film, Television or Theatrical productions – for example: *“Any actor or person performing in a work for stage, television or film will be exempt when carrying or using a firearm which is incapable of firing cartridge ammunition or which has been rendered permanently inoperable, or when carrying or using an operable firearm under the supervision of a licensed firearms dealer or his or her employee.”*

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Judd', with a long horizontal flourish extending to the right.

Andrew Judd
President,
Sporting Shooters Association of Australia (Tasmania)

Appendix 1 attached as a separate document.



Sporting Shooters Association of Australia (Tasmania) Inc

INCORPORATED IN TASMANIA

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The Secretary
Legislative Council Select Committee – Firearms Law Reforms
Legislative Council
Parliament House
Hobart
7000
flr@parliament.tas.gov.au

Re: Firearms Law Reforms – Legislative Council Select Committee

As per the invitation in the Hobart Mercury of 2 June 2018, the Sporting Shooters Association of Australia (Tasmania) Inc. wishes to make a submission to the Legislative Council Select Committee reviewing proposed Firearms Law Reforms.

Our submission comprises:

- this cover letter,
- our main submission (17 pages)
- two appendices to the submission, "A" & "B".

Our Association is a strong advocate for these changes and we hope the Committee reviews our submission favourably. We would welcome the opportunity to present our case to any hearings that the Committee may care to conduct.

Yours Sincerely

Mr Andrew Judd
President
SSAA (Tas) Inc



16/07/2018

Mr Donald Riddell
Senior Vice President
SSAA(Tas) Inc

16/7/18

membership and members felt they were there as a rubber stamp. No one in the Executive of this Association would expect that the advice of TFOC would be uncritically viewed by the Minister, or that he would not seek other opinions.

We may have some issue with the details of TFOC; however this model is far preferable to previous attempts. We believe the Minister should receive advice from various sources without the editing or biases of another group (i.e. the Department) being overlaid on it prior to it reaching his desk. After all, the Department gets far more day to day access to the Minister than firearms owners.

TOR 4 - The MOU between the Government and the TFGA

SSAA (Tas) welcomes any attempt by political parties to clearly outline policies and to communicate them to stakeholders and the public. We believe that Governments need to do more in recognising the issues of rural communities and making it clear to city based constituents of the ongoing need for certain courses of action, however unpalatable it may seem to them in their different circumstances.

Too often these problems are fobbed off behind closed doors, or watered down by Departments in lengthy weasel word plans that are a recipe for "pleasing" everyone but achieving nothing.

Thus the last election was a breath of fresh air with clear public statements by political parties on their policy positions, although it would seem that the Labor party is not committed to the bipartisan support of these proposals as we had hoped.

We support the "Tools of Trade" concept that is raised in the MOU proposal and the dot points that are attached to this concept. We have a positive view on these dot points but will make a submission as per TOR 6, rather than as part of this TOR.

TOR 5 - Sound Suppressors

The first comment that needs to be made is in regard of the Scope of this TOR. The TOR seems to specifically relate to Category C firearms. However we believe it was the intent of the Government policy proposal to be broader, stating "permits Category C holders or crop protection holders to own and use". That is it will also permit suppressors for use on Category A & B firearms.

Our submission under this TOR will encompass all three categories. It cannot be stressed too much that the most benefits from a shooters personal protection perspective is the potential reduction in the sound levels of category B or centrefire firearms. In terms of animal welfare outcomes and all around effectiveness, Category B firearms are preferable and it would be advantageous to increase their envelope of use from a neighbour perspective.

The hysteria that has accompanied this proposal would be funny if it wasn't so serious. A sound suppressor is a common sense item. Its benefits far outweigh the perceived risk. To highlight

the overall perception myths we would like to begin with the following four quotes from the Western Australian Law Reform Commission Report - Review of the *Firearms Act 1973* (WA) Project 105, Final Report (Oct 2016)

- “The firearm “silencer” is credited to inventor Hiram Percy Maxim who originally developed it for automotive use as the muffler. Since the 1960’s, industry has almost universally used the terms *sound moderator (civilian)* or *sound suppressor (military)* in preference to silencer as that term is considered misleading and archaic.”
- “are generally poorly understood by the public and demonized by law enforcement thanks in large part to their fictionalized depiction in Hollywood. There is widespread confusion about their actual capabilities and the level of noise suppression that is achievable with one in use. In the context of firearms legislation and regulations, this has led to a zero-tolerance control regime in many jurisdictions including Western Australia.”
- “Interestingly, those jurisdictions where availability was far less restricted – the UK and New Zealand for instance – the use of silencers has become ubiquitous and they are now recognized as a valuable tool for both the user and a benefit to the community.”
- “The overly restrictive control regime in Western Australia has had no demonstrable impact to public safety and numerous international studies in the US and UK have found that the rate of firearms related offences where a silencer was used are extremely low.”

It is tempting to fill this submission with such quotes; however we believe at the high level the above statements clearly establish the legitimacy of sound suppressors. We shall now attempt to provide some more specific information on the use, capabilities and legitimacy of suppressors.

a) Where are suppressors in general use overseas? (varying from available with restrictions or lightly restricted)

- Much of Western Europe (Norway, Denmark, Finland, France, Sweden, Germany)
- United Kingdom
- United States (Forty One States)
- New Zealand

Attached, marked as Appendix A, is a copy of the September 2016 cover of the “Rifle Shooter”, a monthly magazine published in the United Kingdom. The cover clearly shows a hunter with a suppressed hunting firearm. We have seen a number of copies of this magazine and they all have a suppressed firearm in some form on the cover. These presumably sit on newsstands in the UK without promoting hysteria? The magazine contains articles on hunting and advantages of moderators. We have included one example from the April 2018 edition on some of the technical points of suppressors (Appendix B).

Discussions were had in relation to this Inquiry with a New Zealander, Mr Paul Clark, (chairman of the Coalition of Licensed Firearms Owners (COLFO) <http://colfo.org.nz/>) who has broad experience with the regulatory and use environment of his country and supply of suppressors as an industry player. This discussion reported that;

- Regulation is minimal, there is a lower age limit of 16 at which one can be purchased
- They can be used on all categories of firearms in the field or on the range. There are advantages in all circumstances.
- The main sales are for centrefire rifles. Data below shows that with these rifles will still have a sound signature, but the reduction is significant enough to help protect hearing for users, bystanders and working animals, reduce nuisance noise and improve the chances of taking multiple targets when required.
- To his knowledge (and he is a member of a national police advisory body) criminal use is not material.
- Use by Department of Conservation employees and contractors is mandatory.
- A suppressor reduces felt recoil, which assists in training and better shot placement.

Mr. Clark also indicated he would be willing to provide verbal evidence, via phone or other electronic media to the Inquiry if requested.

b) Australia States (more available than Tasmania where availability is restricted to Government employees and some pest controllers);

- ACT
- NSW
- SA

It is pleasing to see that in the Australian jurisdiction commonsense is starting to take hold and we suggest that it needs to be adopted to a far greater extent.

c) Benefits of Sound Suppressors

Safely and Health Protection

Hearing protection is a requirement for most shooting sports but effective hearing protection is bulky and can hinder culling effectiveness and even represent a safety risk in certain circumstances. Hearing protection is easily knocked off when undertaking culling or hunting and it is common for shooters to be accidentally exposed to dangerous sound levels with the associated risk of permanent injury when undertaking field operations. A simple act of removing a hat to wipe a brow can sometimes cause hearing protection to be dislodged at the wrong time and the effect of this can be cumulative and devastating. Clothing such as beanies can reduce the sealing effect of earmuffs.

Most concerning is that even with effective hearing protection, repeated exposure to large calibre gun fire (Cat B) can lead to permanent hearing loss. This is particularly exacerbated in

the field where the proximity of other shooters, the use of vehicles with enclosed cabs can dramatically increase the exposure levels.

Table compares common sounds in decibels (dB). A typical gunshot is more than 140dB, which is enough to cause permanent damage to hearing tissue. The report, 'An investigation into the use of sound moderators on firearms for game and feral animal management in New South Wales' by MacCarthy, O'Neil, Cripps and Cowan refers to a 1994 study of the effects of suppressors:

'Paakkonen&Kyttala (1994) found that the use of sound moderators reduce the peak sound volume level at the shooter's position to less than 140dB. A moderator reduces the level of sound from a hunting rifle by 14-28dB. With the use of a moderator, a hunting rifle can be shot over 1000 times before the daily dangerous exposure level of a shooter is exceeded.'

Common Environmental Noises	
Normal conversation at 1m	60-65dB
City traffic (inside car)	85dB
Jackhammer at 15m	95dB
Level at which sustained exposure may result in hearing loss	90 - 95dB
Power mower at 1m	107dB
Motorcycle	100dB
Loud rock concert	115dB
Pain threshold	125 dB
Loudest recommended exposure level with hearing protection	140dB
Jet engine at 30m	140dB
12-gauge shotgun blast	165dB
High-powered rifles	170dB
Death of hearing tissue	180dB

Table 1 – common sound pressure levels

An effective safety system relies on multiple layers operating in parallel and this is the position that SSAA takes in regard to the use of suppressors. Suppressors do not obviate the need for hearing protection when used with centrefire firearms. They do however help to minimise the risk of significant traumatic hearing loss caused by a PPE failure and they also reduce the effect of cumulative hearing loss even when correct PPE is worn.

For subsonic ammunition suppressors can reduce the total noise to the point where hearing protection can be dispensed with for most operations. This typically occurs only with small calibre firearms such as the .22 long rifle rimfire. This reduced power ammunition is suitable for very short-range control of small pest species such as birds and rats in confined spaces, including indoors.

Another key component of safety in the field is situational awareness and communication. When conducting culling as part of a team, the ability to hear other team members in close

proximity and to hear warnings is a critical component to an active safety culture. The wearing of very high NRR earmuffs dramatically reduces the team member's ability to communicate and this directly impacts their operational safety.

The article in Appendix B highlights the exponential measure that is the decibel scale, and we quote "150 db is 32 times as loud as 120 db". In a society that prides itself on its commitment to safety where is the commitment to firearm users? No suppressed firearms, especially centrefire ones will not be "silent", but will be noise reduced and the result will be increased protection for the operator, bystanders and working animals.

To practically illustrate how suppressors actually work, SSAA (Tas) considers that a demonstration in the open air would be of benefit. Unfortunately this is hard thing for us to organise, given how difficult it is for us to have access to such items. Perhaps the committee has some ability to request such a demonstration to occur? We would be pleased to assist in any way we could.

The next best option is the internet. The following link <https://www.youtube.com/watch?v=36sZgNPIVM4> from YouTube shows the sound signature of a suppressed and unsuppressed .223 calibre rifle (a very common cartridge used for culling in Tasmania) at escalating distances from the recording equipment. As the distance increases (out to 600 yards) the sound of the shot, as opposed to the crack of the bullet passing the recording equipment dissipates quite quickly.

Improved results with animal control

The use of suppressors increases the efficiency of culling activities by reducing the overall volume of gunshot noise and by altering the characteristic sound to one that is less alarming to target species. It also assists with improving accuracy through reduced recoil. These efficiencies apply to the culling of a range of pest species including birds, small and large vertebrate pests.

Accuracy is also a side benefit of the use of silencers. According to MacCarthy *et al* (2011):

"A properly manufactured moderator influences the inherent accuracy of a firearm in two ways: by restricting the ability of the barrel to whip on firing and by influencing the release of gas in the wake of an exiting projectile. Allsop (ND) attributes this enhanced accuracy to, "sound moderators will considerably reduce the reverse flow of the gases over the rear of the bullet as it exits the muzzle."

The report, *Trials into the Use of Firearm Sound Suppressors for Browning Animal Control in Tasmania* by the Tasmanian Government, prepared as part of the 1080 alternative program reported on a trial that demonstrated:

"that a .22 calibre rifle fitted with a sound suppressor and using 40-grain subsonic ammunition can increase the effectiveness of population control activities for certain species of browsing animals, provided the operator is competent in their use."

It was pity the Tasmania trial was not extended to the use with category B firearms, but Mr.

Paul Clark (pers. com) noted that “grouped animals tend to react more slowly to a suppressed shot increasing the chances of multiple takes”

Community Safety and Unnecessary Noise Complaints

The SSAA does not consider silencers to be a community risk – rather they offer considerable community benefits. It is apparent that the projectile from a firearm is very narrow in its danger band, whilst the 360 degree sound of a firearm suggests to a broader audience that something “dangerous” is afoot. The YouTube link above shows how this can be significantly reduced.

Spreading urbanisation and the limited tools available for browsing animal control means that this 360 degree sound radiation can;

- Disturb the sleep of neighbours and create some lingering animosity to those with different occupational objectives.
- Alarm to the point of complaint to Tasmania Police those who hear gunshots, often at great distance, whilst in reality they are in absolutely no danger what so ever.

It is suggested that the Committee seek to enquire of Tasmania Police if they record the level of such disturbance reported to them, and if so, how often does it actually result in prosecution etc. This may go some way to defining the scope of the issue in this State.

In relation to crime, which for some reason some media outlets immediately took the “Hollywood position” after the pre-election policy announcement, MacCarthy *et al* (2011) observed:

“How will de-criminalising moderators affect Australian crime in the 21st Century? Given this has been the reason why moderators have been banned in a number of countries, Australia included, it begs the question; what crime is being prevented by the continued banning of legal ownership of moderators in these countries? (...) Notwithstanding the severe sentencing regime in the US for moderator misuse their use in crime is almost negligible. Out of 1700 reported homicides over a five-year period in California only four were reported to involve the use of moderators (ibid). When 25,000 criminal cases in the same State were examined the word ‘silencer’ (the US legal term for moderator) emerged 18 times. Of those 18, 4 had prior criminal records and 5 defendants actually used the silencer to commit a crime.”

We would argue that the evidence shows increased availability of moderators will have absolutely minimal impact on firearm related crime and community safety. Undoubtedly if the principle of broader availability is agreed, we are happy to provide our views on storage and licensing provisions to complement such a roll-out.

Rifle Shooter

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Appendix A.

TESTED:



**RUGER PRECISION:
CAN IT LIVE UP TO
THE HYPE?**



10 THINGS EVERY RIFLE SHOOTER MUST TRY!

PLUS

FOX SHOOTING

Essential pest control from
Scotland to Australia

SWEDISH MOOSE

We join a top hunting dog and
handler on a memorable outing

ALSO IN THIS ISSUE:

CORVIDS WITH A RIFLE

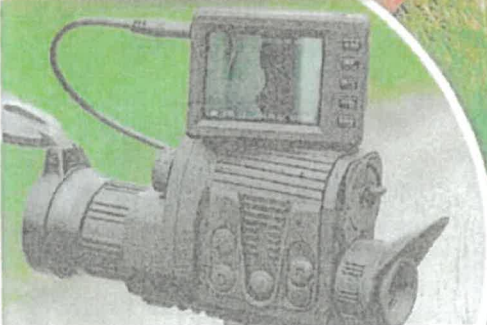
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Appendix B

ASK THE EXPERTS
HAVE A QUESTION FOR OUR EXPERTS? DROP US A LINE

"Do I need ear protection while using a moderator?"

Q I shoot with a moderated .270 Winchester rifle and, when stalking, I have pulled a few shots while not wearing hearing protection. Is the moderator making the rifle safe to shoot without plugs or muffs? The recoil isn't bad, so I'm wondering if it is the noise making me flinch?

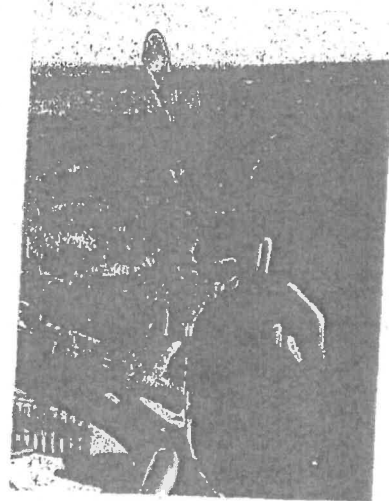
A ANDREW VENABLES replies: It's a big subject and I write listening to tinnitus. Very loud noises also make me flinch, especially when target shooting. The best moderators can reduce the report of a rifle by 25-30db (decibels). Sounds over 120db can cause instant damage. Sounds over 170db burst eardrums instantly.

The .270 Winchester and similar rifles produce 160-170db. A good moderator may reduce this down to 130-140db. 150db is 32 times as loud as 120db. 123db is twice as loud as 120db. Plugs block 22-32db. The best

muffs block 35db, average muffs block maybe 25-30db. So really, we should wear plugs or muffs, as we do at WMS when firing all rifles whether fitted with moderators or not. For regular shooting, I wear electronic muffs on the range. For hunting, I either wear these or digital fitted ear plugs. I now hear better with assistance, so these help me hunt.

If we are shooting centrefire rifles fitted with a muzzle brake, I personally use ear plugs and Peltor 3M passive artillery muffs rated to 35db, otherwise my tinnitus is instantly made worse by the first shot! Old shooters are mostly hard of hearing - I don't intend to make mine any worse.

In this modern age of moderators, which I consider excellent but optional, and high-quality electronic digital ear plugs and muffs, it is inexcusable to fail to wear proper hearing protection, especially when wearing it makes us all hear and shoot better.



"Rifle Shooter" Page 29 April 2018

Edition.