

## **Submission on the Firearms Amendment (Miscellaneous) Bill 2026**

**Tasmania Legal Aid**  
August 2026

## Executive Summary

Tasmania Legal Aid (TLA) welcomes the opportunity to provide a submission on the *Firearms Amendment (Miscellaneous) Bill 2026*.

The feedback in this submission is primarily based on input from TLA's Safe at Home Program, who assist victim-survivors of family violence. Through this work, TLA has observed the significant impact that actual or perceived access to firearms can have on victim-survivors' safety and ongoing fear.

TLA supports the proposed amendments that strengthen controls on the lending and borrowing of firearms. However, TLA considers that further reform and clarification is required to adequately address risks arising in family violence contexts.

In particular, TLA recommends:

- clarifying when a person is taken to have possession of, or access to, a firearm;
- strengthening education for firearm licence holders about their legal obligations;
- strengthening requirements for secure firearm storage and preventing unauthorised access;
- broadening the family violence history that may be considered when deciding whether to grant or renew a firearm licence; and
- expressly including family violence conduct and family violence offences in the fit and proper person assessment.

## About Tasmania Legal Aid

Tasmania Legal Aid is a body corporate established under the *Legal Aid Commission Act 1990* (Tas). Tasmania Legal Aid (TLA) is a main provider of legal assistance in Tasmania and is the largest government-funded legal assistance service in the State, with offices in Hobart, Launceston, Devonport and Burnie.

We are the primary provider of legal services in Tasmania to victim-survivors of family violence through our civil, family and crime programs and provision of funding to external practitioners. We are also a primary provider of criminal legal services to those charged with family violence-related offences.

The TLA Strategic Plan 2023-27 identifies family violence and advocating for system reform as a focus of the organisation with a commitment to representation of victim-survivors of family violence. We are committed to advocating for system and law reform that acknowledges the impacts of family violence.

## Possession and supervised access

**Recommendation: Clarify that permitting another person to hold, handle, use or access a firearm constitutes lending or giving possession, even where the licensed owner remains present.**

Proposed section 121A establishes requirements for the lending and borrowing of firearms. However, it is unclear whether those provisions apply where the licensed owner remains present but permits another person to hold, handle or use the firearm. In family violence contexts, this uncertainty may create an impression that supervised access is permissible where the owner retains physical control. TLA recommends that the legislation expressly clarify that permitting another person to hold, handle, use or otherwise exercise custody or control over a firearm may constitute lending or giving possession, even where the licensed owner remains present.

## Education and reminders for licence holders

**Recommendation: Require firearm licence holders to receive clear information at the time of licence issue and renewal regarding restrictions and their obligations.**

TLA notes that legislative restrictions will be most effective if firearm licence holders clearly understand their obligations. TLA is concerned that the existing requirement to provide firearm safety information is broad and may not result in licence holders receiving regular information about lending, access and storage restrictions.

TLA recommends that licence holders receive clear information when a licence is issued or renewed, together with periodic reminders, explaining:

- the prohibition on lending a firearm to an unlicensed or prohibited person;
- the restrictions on allowing another person to hold, handle or use a firearm, including where the licence holder remains present;
- the obligation to verify a borrower's licence or permit;
- the prohibition on allowing unauthorised people to access firearms, ammunition, keys or security codes; and
- the steps required when another household member loses their licence or becomes subject to a family violence order or firearms prohibition order.

## Secure storage and access information

**Recommendation: Strengthen Section 84 by expressly addressing access to keys, passwords, security codes and storage locations.**

Section 84 of the *Firearms Act 1996* requires a person possessing a firearm, firearm part or ammunition to take all reasonable precautions to keep it safe and prevent it from coming into the possession of an unauthorised person. TLA supports this obligation but considers that its practical application should be clearer in circumstances involving family violence.

Victim-survivors may remain fearful because a perpetrator knows where firearms are stored, where keys are kept, or the passwords or codes used to access a firearm safe. This may be particularly concerning following separation, the making of a family violence order, the cancellation or suspension of a licence, or the issue of a firearms prohibition order.

TLA recommends that section 84, or associated regulations or guidance, expressly require licence holders to take reasonable steps to prevent access by a person who is no longer authorised to possess firearms. Depending on the circumstances, this may include:

- changing access codes and passwords;
- changing locks or relocating keys;
- changing the nominated storage location;
- ensuring keys and access credentials are not kept in a place known or accessible to the unauthorised person; and
- reviewing storage arrangements when a person who previously had access loses their licence or becomes subject to a relevant order.

The legislation should make clear that these obligations form part of the reasonable precautions required under section 84.

## Applications for new or renewed licences

**Recommendation: Permit consideration of an applicant's complete relevant family violence history, rather than limiting consideration to orders within the previous five years.**

A significant concern reported by victim-survivors is the ongoing fear caused when a perpetrator applies for, or is granted, a new firearm licence. This concern is not fully addressed by the Bill. Under section 29, the Commissioner may consider whether an applicant is currently subject to, or has within the preceding five years been subject to, certain family violence or restraint orders. The Bill would extend relevant provisions to recognised domestic violence orders made in other jurisdictions, which TLA supports.

However, the five-year limitation may exclude relevant family violence history even where the risk remains. This is particularly concerning because the duration of a Family Violence Order does not necessarily reflect the seriousness or persistence of the underlying risk. Orders are frequently made for default 12 months periods, and their duration may not be determined through a comprehensive risk assessment, and their expiry does not necessarily mean that the underlying risk has reduced or ceased.

## Fit and proper person assessment

**Recommendation: Expressly include family violence conduct and family violence offences in the fit and proper person assessment under section 29.**

TLA further recommends that section 29 expressly identify family violence conduct and family violence offences as relevant to whether an applicant is a fit and proper person to hold a firearms licence.

A reference only to violent offences may fail to capture the full range of family violence conduct relevant to firearm risk. Family violence may involve threats, intimidation, stalking, coercive control, property damage and other behaviour that does not necessarily result in a conviction for an offence categorised as violent.