

7 August 2026

Submissions at Strategy & Support
Department of Police, Fire & Emergency Management

By email: submissions.strategy.support@DPFEM.tas.gov.au

Dear Sir/Madam,

Firearms Amendment (Miscellaneous) Bill 2026

Thank you for the opportunity to provide a submission with respect to the above Bill.

The Society wishes to comment only in respect to clause 54 of the Bill which inserts s.16C into the *Sentencing Act* 1997.

That section applies to stealing a firearm as it appears in both the Criminal Code and the Firearms Act and to possession of a stolen firearm and unlawfully trafficking in firearms.

Sub-section (2) directs that a person convicted of one of those offences is to serve a term of imprisonment of not less than 3 months unless sub-section (3) applies.

The Society reiterates its opposition to mandatory sentencing provisions. The comments of the Tasmanian Sentencing Advisory Council's 2016 final report on mandatory sentencing for serious sex offences against children remain apposite:

- Mandatory minimum sentences provide an incomplete guidance system to the court;
- Mandatory minimum sentences may lead to unrealistic expectations in the community that changes to sentencing policy will deter potential offenders when there is no evidence to suggest that increased penalty levels act as a deterrent;
- Mandatory minimum sentences may reduce the incentive to enter a plea of guilty;
- Mandatory minimum sentences reduce transparency and consistency as discretion is transferred from Judges who are the appropriate persons to impose sentences, to prosecutors; and
- Mandatory minimum sentences will result in significant financial costs.

Clause 54 serves no useful purpose and should be deleted from the Bill.

Yours faithfully

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