



Submission cover sheet

Inquiry into Legislation on proposed firearms reform

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Submission to the Standing Committee on Legal Affairs - ACT (Australian Capital Territory Legislative Assembly)

Inquiry into Firearms (Public Safety) Amendment Bill 2026 & the Inquiry into the Firearms (Firearms Prohibition Orders) Amendment Bill 2026

Submitted by the Sporting Shooters' Association of Australia Inc (SSAA)

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SSAA Inc

Introduction and organisational background

Sporting Shooters' Association of Australia Inc (SSAA) represents law-abiding licensed firearm owners, sporting shooters, hunters and recreational firearm users nationally. SSAA members are committed to responsible firearm ownership, public safety, lawful conduct and cooperation with authorities. SSAA engages constructively in legislative consultation to ensure that laws are effective, proportionate, evidence-based and do not unnecessarily burden law-abiding citizens.

This submission is focused in two parts. Firstly, on the Firearms (Public Safety) Amendment Bill 2026 and the explanatory statement and Human Rights

Compatibility Statement (Human Rights Act 2004, s 37), which proposes several significant reforms to the Australian Capital Territory Firearms Act 1996; and secondly the Firearms (Firearms Prohibition Orders) Amendment Bill 2026, the accompanying explanatory statement and Human Rights Compatibility Statement (Human Rights Act 2004, s 37).

1. Caps on the number of firearms are seen as arbitrary and disproportionate

The proposed Bill imposes quantitative limits on the number of firearms a licence holder can possess (generally capped at five, with exemptions up to 10 for sporting and occupational purposes). Law-abiding shooters and organised shooting bodies like SSAA view these caps as arbitrary constraints not grounded in evidence that they will not materially improve public safety. Put simply, there is no evidence that caps improve public safety.

In submissions and related advocacy, SSAA has argued that firearms in Australia are already stringently regulated, and a lawful firearms owner must justify to, and receive permission from, police for each firearm they intend to purchase. Caps may force competitive shooters, hunters, pest controllers and professionals to choose between sports, work and recreation rather than accommodating legitimate multifaceted uses.

Such blanket numerical limits fail to distinguish between lawful, compliant use and illegal misuse, and hence are seen by SSAA as disproportionate to the objective of reducing illicit firearms harm - a point frequently raised in regulatory submissions by shooting bodies. Owners argue that compliance history and secure storage requirements already help mitigate diversion risks more effectively than a simple number cap.

2. Recategorisation and access restrictions undermine sporting and occupational uses

The Bill recategorises certain firearms and imposes tighter controls on magazine capacity and rapid-fire firearms. While the intent is to limit access to more dangerous firearms, this recategorisation also impacts types legitimately used in competitive sports, hunting, pest control, animal welfare and primary production.

SSAA recommends an emphasis on the diversity of lawful use-cases: many competitive shooters and land managers rely on specific firearms that, under recategorised schemes, may become more restricted or require additional approvals. This adds regulatory burden and may effectively restrain participation or employment, even though these owners are law-abiding.

3. New offences on digital blueprints and human rights concerns

The Bill creates a new offence for possession of a digital blueprint for 3D-printed firearms parts, significantly expanding criminal liability to include possession of information or design data. While framed as targeting illegal manufacture of untraceable guns, which SSAA is in favour of regulating - we recommend caution with this on human rights and practical grounds.

According to the Bill's Human Rights Compatibility Statement, limitations on rights such as privacy and freedom of expression are justified only if proportionate to the legitimate aim of public safety and the least restrictive means available. However, critics argue that criminalising possession of digital files risks overreach - potentially capturing lawful researchers, enthusiasts, or inadvertent digital possession of material without intent to misuse - which may not be the least restrictive means to address the risk of illicit manufacture. The Bill should distinguish between print files that facilitate production of firearms and information regarding firearms held purely for interest or to facilitate technical knowledge of firearms.

4. Insufficient evidence and consultation

SSAA's own advocacy makes clear that a sound evidence base and stakeholder consultation are key hallmarks of fair and practical policy. SSAA calls for:

1. Deferring any major reforms until detailed, evidence-based investigations are complete.
2. Safeguarding the lawful firearm user, by ensuring that any new policy is justified by data and expert analysis from professionals in the industry and not manipulated statistics to fit a narrative; and
3. Undertaking genuine, fair, and reasonable consultation with affected stakeholders, including sporting bodies, primary producers and pest controllers.

From SSAA's perspective, a rushed process without comprehensive regulatory impact analysis risks unintended consequences - such as undermining legitimate uses without demonstrable safety benefits - and fails to align with principles of good legislation. This critique aligns with wider civil society concerns that firearms legislation should distinguish clearly between lawful owners and criminal misuse, rather than responding to isolated high-profile felonious incidents with broad restrictions.

5. Perceived human rights implications

While the Bill's Human Rights Compatibility Statement asserts that limitations on rights like privacy and freedom of expression are proportionate and justified, SSAA would caution the ACT Legislative Assembly that:

- The Bill limits rights beyond what is necessary, especially where alternative regulatory measures might sufficiently mitigate risks; and
- Limits are disproportionate or unfairly broad, particularly if based on political pressure from a high-profile incident rather than granular risk analysis. After all - criminals don't abide by the law - so who are these laws targeting?

SSAA has historically emphasised that firearms ownership is a *regulated privilege* - not an unfettered right - but even the regulation of privileges should be exercised in a way that respects human rights principles and proportionality.

Summary of key SSAA objections regarding the Firearms (Public Safety) Amendment Bill 2026

Area of concern	Why SSAA opposes
Cap on firearm numbers	Seen as arbitrary, not evidence-based, harms legitimate users.
Recategorisation of firearms	Adds regulatory burden on lawful, sporting, occupational users. No evidence of public safety benefit.
Digital blueprint offence	SSAA agrees that the manufacture of 3D-printed firearms should be illegal; however, the measures should be limited to print files and not include information. There should also be exemptions for firearms owners seeking to make parts for firearms they legally own and manufacturers of firearms and firearm parts.
Lack of evidence & consultation	SSAA is concerned at the lack of evidence of public safety benefits of the proposed measures. Reform is being rushed. SSAA acknowledges that more time has been given to stakeholders than the Federal equivalent but hearing from experts is a must to avoid 'policy on the run'.
Human rights implications	Potential disproportionate limitations on privacy and expression.

Executive summary regarding the Firearms (Firearm Prohibition Orders) Amendment Bill 2026

SSAA represents more than 200,000 members across Australia, including licensed firearms owners in the Australian Capital Territory (ACT). SSAA supports effective

and proportionate measures to prevent firearms misuse and improve community safety.

SSAA has significant concerns regarding the Firearms (Firearm Prohibition Orders) Amendment Bill 2026 currently before the Australian Capital Territory Legislative Assembly.

While the Bill seeks to expand the powers associated with Firearm Prohibition Orders (FPOs), the proposed amendments raise serious concerns in relation to:

- Procedural fairness and natural justice
- Expanded warrantless search powers
- Potential impacts on law-abiding firearms licence holders
- Insufficient independent oversight
- Compatibility with the Human Rights Act 2004.

Experience in other Australian jurisdictions demonstrates that FPO regimes are typically directed at individuals with demonstrable criminal involvement. However, the breadth of the proposed ACT amendments risks extending intrusive police powers beyond what is necessary or proportionate.

SSAA submits that the Bill requires significant amendment to ensure it appropriately balances public safety objectives with civil liberties and the rights of law-abiding citizens.

1. Introduction

SSAA is Australia's largest organisation representing licensed firearms owners, with membership across all states and territories.

SSAA promotes:

- Responsible firearms ownership
- Safe storage and lawful use of firearms
- Effective but proportionate firearms regulation.

Australia already maintains one of the most comprehensive firearms regulatory frameworks in the world. Licensed firearms owners are subject to extensive background checks, storage requirements and ongoing monitoring.

Accordingly, legislative changes should be evidence-based and proportionate, ensuring that measures intended to address criminal misuse of firearms do not unnecessarily burden lawful firearms owners.

2. Overview of the Bill

The Firearms (Firearm Prohibition Orders) Amendment Bill 2026 proposes to significantly expand the operation of Firearm Prohibition Orders in the ACT.

Key elements include:

- Broader eligibility criteria for issuing FPOs
- Expanded police powers to search persons and premises without a warrant
- Increased enforcement mechanisms and penalties
- Expanded authority to monitor compliance with FPOs.

While the stated objective of the Bill is to disrupt criminal access to firearms, the breadth of the proposed powers raises concerns regarding proportionality and oversight.

3. Human rights considerations

The ACT has a unique legislative environment due to the operation of the Human Rights Act 2004, which requires that all legislation be interpreted and applied consistently with protected rights wherever possible.

Several rights may be infringed upon by the proposed amendments.

3.1 Right to privacy and reputation

Section 12 of the Human Rights Act protects individuals from unlawful or arbitrary interference with privacy, family and home.

The proposed expansion of warrantless search powers may permit police to enter homes, search vehicles and examine personal property without judicial authorisation.

Such powers risk constituting arbitrary interference with privacy, particularly where:

- The subject of an FPO has not been convicted of a criminal offence
- Searches extend to premises shared with third parties
- Lawful firearms owners are indirectly affected.

Any interference with privacy must be reasonable, necessary and proportionate, which requires strong justification.

3.2 Right to recognition and equality before the law

Section 8 of the Human Rights Act guarantees equality before the law.

If FPOs are issued based primarily on association or intelligence assessments rather than evidence of criminal conduct, individuals may be subject to significant restrictions without equivalent procedural protections.

This raises concerns about arbitrary decision-making and inconsistent application.

3.3 Right to a fair hearing

Section 21 of the Human Rights Act protects the right to a fair and public hearing.

Administrative issuance of prohibition orders with limited review mechanisms may place substantial burdens on affected individuals seeking to challenge the order.

Without accessible review pathways, the regime may undermine basic procedural fairness principles.

4. Expansion of police discretion

The Bill broadens the circumstances under which a Firearm Prohibition Order may be issued.

Orders may be based on:

- Intelligence assessments
- Association with certain individuals
- Subjective risk determinations.

While preventative policing has an important role, such powers must be carefully constrained to avoid punitive outcomes without judicial oversight.

FPOs can impose severe restrictions including:

- Prohibition on possessing firearms or related items
- Ongoing search and monitoring powers
- Significant criminal penalties for a breach.

These consequences resemble criminal sanctions despite being imposed through administrative processes.

5. Warrantless search powers

The Bill significantly expands warrantless search powers for individuals subject to FPOs.

Police may be authorised to search:

- Residences
- Vehicles
- Personal effects
- Associated premises.

SSAA is concerned that such powers may affect individuals who are not themselves subject to a prohibition order, including family members and lawful firearms owners.

The absence of judicial oversight increases the risk of disproportionate intrusion into private property.

6. Impact on law-abiding firearms owners

Although the Bill is intended to target individuals involved in criminal activity, its operation may affect law-abiding firearms licence holders.

Examples include:

- Licensed owners living with a person subject to an FPO
- Storage inspections triggered solely by association
- Seizure or interference with lawfully owned property.

SSAA submits that the legislation should explicitly protect lawful licence holders from unnecessary enforcement action resulting from the conduct of others.

7. Comparison with other jurisdictions

Firearm Prohibition Order regimes exist in several Australian jurisdictions, including New South Wales and Victoria.

New South Wales

Under the Firearms Act 1996, police may issue Firearm Prohibition Orders targeting individuals suspected of involvement in organised crime or serious violence.

While the NSW regime grants extensive search powers, it has also attracted criticism from civil liberties organisations due to:

- Broad discretionary powers
- Limited oversight mechanisms.

These concerns highlight the importance of carefully balancing enforcement powers with civil liberties.

Victoria

Victoria also operates an FPO regime under the Firearms Act 1996.

Key features include:

- Targeted application to high-risk individuals
- Defined enforcement powers
- Integration with broader organised crime enforcement frameworks.

Victoria's model emphasises targeted policing rather than broad administrative restrictions, providing a useful comparison when assessing the proportionality of the ACT proposal.

8. Evidence of effectiveness

SSAA notes that limited empirical evidence has been presented demonstrating that expanded FPO powers significantly reduce firearm-related crime.

Research consistently indicates that:

- The majority of firearm offences involve illegally obtained firearms
- Licensed firearms owners rarely feature in serious firearm crime statistics
- Organised crime groups rely primarily on illicit firearm trafficking.

Accordingly, expanding administrative prohibition regimes may have limited impact on the underlying drivers of firearm crime.

9. SSAA recommendations

If the Australian Capital Territory Legislative Assembly proceeds with the Bill, SSAA recommends the following amendments:

1. Judicial authorisation for FPOs

Orders should require court approval rather than purely administrative issuance.

2. Clear evidentiary thresholds

Orders should be based on demonstrable evidence of risk rather than broad intelligence assessments.

3. Limits on warrantless searches

Search powers should require judicial warrants except in genuine emergency circumstances.

4. Protection for law-abiding firearms owners

The legislation should clearly protect licensed firearms owners who are not subject to an FPO.

5. Independent review mechanisms

Orders should be subject to periodic review and accessible appeal processes.

6. Sunset or duration limits

Orders should expire after a defined period unless renewed through judicial oversight.

10. Relevant judicial principles: Proportionality and the separation of powers

In assessing the compatibility of the Firearms (Firearm Prohibition Orders) Amendment Bill 2026 with the Human Rights Act 2004, it is necessary to consider established principles of proportionality and procedural fairness recognised by Australian courts.

10.1 Proportionality and reasonable limits on rights

The ACT human rights framework requires that limitations on protected rights be demonstrably justified in a free and democratic society. This requires an assessment of proportionality: whether the legislative measure is rationally connected to its objective and whether less restrictive alternatives exist.

Courts have consistently recognised proportionality as a key constitutional and administrative principle. For example, in *Leask v Commonwealth* the High Court of Australia discussed proportionality in determining whether legislation is appropriately adapted to achieving its objective. The Court noted that the connection between legislative measures and their intended purpose must be rational and not arbitrary.

Within the ACT's statutory human rights framework, proportionality analysis plays an even more direct role. Courts examining potential infringements of rights protected under the Human Rights Act consider whether the limitation:

1. Pursues a legitimate objective.
2. Is rationally connected to achieving that objective.
3. Impairs rights as little as reasonably possible, and
4. Strikes an appropriate balance between the benefit of the measure and its impact on individual rights.

Legislation granting broad warrantless search powers or permitting severe restrictions without judicial oversight must therefore be carefully justified against these criteria.

10.2 Administrative decision-making and the separation of powers

The proposed expansion of administrative Firearm Prohibition Orders also raises concerns regarding the exercise of quasi-judicial powers by executive authorities.

The High Court of Australia has emphasised the constitutional importance of maintaining the distinction between judicial power and administrative decision-making.

In *Brandy v Human Rights and Equal Opportunity Commission*, the Court held that legislation purporting to allow an administrative body to exercise powers effectively equivalent to judicial orders was constitutionally invalid. The Court reaffirmed that the exercise of judicial power must remain within courts established under Chapter III of the Constitution.

Although Firearm Prohibition Orders are administrative rather than criminal sanctions, they can impose substantial restrictions on an individual's rights and may expose individuals to criminal penalties for a breach. As such, it is important that the regime includes meaningful judicial oversight and review mechanisms.

Failure to include such safeguards risks creating a system where individuals are subject to severe restrictions through executive decision-making without adequate judicial scrutiny.

11. Statistical evidence regarding firearms and crime in Australia

SSAA submits that effective firearms policy should be grounded in empirical evidence regarding the sources of firearms used in criminal activity.

Research conducted by the Australian Institute of Criminology provides important insights.

11.1 Limited involvement of licensed owners in firearm crime

Data from AIC research indicates that the majority of firearms used in serious offences are not legally owned firearms possessed by licensed individuals at the time of the offence.

For example:

- Only 15 per cent of offenders involved in firearm homicides were licensed firearm owners.
- Only 11 per cent of firearms used in those incidents were registered firearms.

This indicates that the overwhelming majority of firearms used in homicide offences are unlawfully possessed at the time of the crime.

These findings suggest that the principal drivers of firearm violence are illicit firearm markets and individuals with criminal histories, rather than law-abiding licensed firearm owners.

11.2 Characteristics of offenders using firearms

AIC research also demonstrates that offenders who use firearms in serious crime frequently have prior criminal histories.

For example, research examining handgun homicides found that approximately 69 per cent of offenders who used a handgun had prior criminal records.

This further reinforces the importance of targeting enforcement measures toward individuals already involved in criminal activity.

11.3 Sources of illicit firearms

The illicit firearms market in Australia is complex, but available research indicates that:

- Less than 1 per cent of registered firearms are reported stolen each year
- Firearm theft remains a relatively small proportion of the overall licensed firearms pool.

Where firearms are stolen from licensed owners, they may enter the illicit market, highlighting the importance of safe storage compliance and theft prevention strategies rather than broad restrictions on lawful firearms ownership.

12. Implications for the proposed Bill

The evidence outlined above suggests that firearm crime in Australia is predominantly associated with:

- Offenders with prior criminal histories
- Unlawfully possessed firearms
- Organised criminal networks.

Expanding administrative Firearm Prohibition Orders with broad search powers risks imposing significant restrictions on individuals who are not demonstrably involved in criminal activity, while providing limited additional benefit in addressing the underlying drivers of firearm crime.

Accordingly, SSAA submits that any expansion of Firearm Prohibition Orders should be carefully targeted toward high-risk individuals, supported by judicial oversight and consistent with the proportionality requirements of the Human Rights Act 2004.

Additional references

- Australian Institute of Criminology - Firearms research and National Firearms Monitoring Program
- *Leask v Commonwealth* (1996) 187 CLR 579

- Brandy v Human Rights and Equal Opportunity Commission (1995) 183 CLR 245
- Human Rights Act 2004.

Conclusion

From SSAA's standpoint, the Firearms (Public Safety) Amendment Bill 2026 must take into consideration the following, that it:

- Imposes broad restrictions that are not clearly justified by evidence linking them to improved public safety outcomes.
- Potentially penalises lawful firearm owners for legislative solutions aimed at criminal misuse; and
- Involves disproportionate limitations on individuals and community rights - particularly where less restrictive measures could serve policy objectives and in the long run produce better outcomes.

This argument reflects SSAA's expressed positions and broader critiques from lawful firearms stakeholders, grounded in the Bill's content and explanatory materials.

SSAA supports effective measures to prevent firearms from being used in criminal activity.

However, the Firearms (Firearm Prohibition Orders) Amendment Bill 2026 risks expanding administrative enforcement powers without sufficient safeguards.

Given the ACT's unique human rights framework under the Human Rights Act 2004, it is essential that legislation interfering with individual rights be demonstrably justified, proportionate and subject to meaningful oversight.

SSAA therefore urges the Australian Capital Territory Legislative Assembly to amend the Bill to ensure that it appropriately balances public safety, civil liberties and the rights of responsible firearms owners.