

TO THE AUSTRALIAN SENATE

Dear Senators,

We the undersigned, understand that a group of like-minded citizens can draft a Bill and respectfully submit it to elected representatives of Parliament in the hope it receives their favourable consideration.

However, according to Andrew Jackson, a former retired public servant, in 99% of cases, the MP will file the Draft and ignore it.

Our proposed Bill is called the Preservation of Life – Community Protection Bill 2022.

The Bill is dated 2022 for 3 reasons.

Firstly, we believe that 2 to 3 years of research involving public feedback will be required;

Secondly, our research group commenced on the 1st of January 2020. Concurrent to our activities is a petition that now has many signatures and support continues to grow daily; and

Thirdly, we expect the number of supporters for the Bill will increase significantly by the time we are ready to submit the document. Perhaps our submission will be within the 1% that isn't filed and ignored.

WHAT IS THE BILL ABOUT?

On the 10th of December 1948, forty-eight countries including Australia came together at the United Nations in Paris. Australia signed the Universal Declaration of Human Rights.

Article 3 of the declaration on the “Right to Life” states:

Everyone has the right to life, liberty, and security of person

We feel that the “security of person” may only be achieved in some instances through “self-preservation” as the police cannot be everywhere to protect everyone.

Our Bill seeks the creation of a Commonwealth statutory authority called:

Preservation of Life – Community Protection Australia (POL-CPA)

A function of POL-CPA is to administrate an Act that will permit citizens of good character to possess a regulated weapon under the following conditions:

Secure and responsible management for the genuine reason of having a capacity of self-defence in specific circumstances.

We understand the phrase “regulated weapon” may be taken to mean “firearm”. However, whilst firearms are a consideration much of the proposed legislation is in relation to other regulated weapons that represent a capacity for self-defence.

For example, as research hashtags: stalker / rapist / pepper-spray / Jane Q Public.

The following is from a letter¹ issued by the NSW Police Force for the incident summarised below.

“[...] it is important that you understand that the legislation prohibits you from possession or using firearms for the purpose of personal protection.”

It is an offence, not only NSW but everywhere across Australia, to possess or use a firearm for the purpose of “personal protection”, which is to say “self-defence”.

SUMMARY OF FACTS

- (1) At 3 am in September 2017, a man armed with a knife tried to break in through the front door of an Australian farmer’s home before trying the back one.
- (2) Alarmed, the farmer went to the back door and saw the offender holding a 7-foot piece of wood. The man tucked one of his knives up behind his arm to hide it from the farmer’s sight, but it didn’t work.
- (3) The farmer saw the knife and got his gun while his wife called the police. The farmer said that when he returned to the back door, the offender saw the gun. The knifeman immediately changed his demeanour and responded that, “he didn’t want any trouble”.
- (4) The farmer stated later he was positive that producing the gun changed the outcome of what happened that morning.
- (5) The police arrived and took not only the firearm the farmer used to deter the knifeman but all firearms in the house because the farmer only has a permit of possession for pest control.

Given the above, are you of the opinion that the farmer had a genuine reason to use a firearm to deter a knifeman attempting to enter the family’s home?

ANTECEDENTS

CONSEQUENCES OF VICTIM DISARMAMENT - NON-FACTUAL SYNOPSIS

- (6) The knifeman that ran away concealed himself in bushes away from the house and observed the police disarm the farmer.
- (7) After the police have left the knifeman returns and murders the farmer and proceeds to rape and murder his wife.
- (8) The two children escape through a window and the matter of damages is being considered by the family solicitor. A claim on the basis that the NSW Crimes Act is inconsistent with Article 3:

In disarming the farmer, the Police Officers also removed the observable deterrent that kept the knifeman from entering the house in the first instance.

Some may say that there are other weapons in a farmer’s house. For example, a kitchen knife that could be picked up and used for self-defence. However, it is reasonable to say that violent criminals will occasionally engage in hand to hand combat and do so with various weapons including the knife. It is also reasonable to say that if the advantage favours the innocent, violent criminals will often be deterred as evidenced by point 4 given above. A “genuine reason” to use the firearm did exist.

¹ NSW Police reference no. 1110 53032/IR:SG

MAIN ELEMENTS OF PROPOSED BILL

The main elements of the proposed Article 3 Commonwealth legislation are:

(A) Security of person may only be achieved in some instances through self-preservation² as the police cannot be everywhere to protect everyone;

(B) There exist Australian citizens³ of good character that in specific circumstances should be permitted to possess a regulated weapon under secure and responsible management;

(C) A permit-issue should be considered on the balance of probability that life or lives will be preserved in the event of a grievous attack upon the innocent; and

(D) The primary functions of POL-CPA are to create codes of practice and develop policies and procedures with regard to the following:

1. permitted applicant criteria;
2. approved security training;
3. wellness care and attention; and
4. the administration and revision of legislation.

CONCLUSION

We respectfully submit to the Australian Senate that in signing the Universal Declaration of Human Rights there exists a compelling need for a Commonwealth Act that serves the people within the context of the case given and specific circumstances akin to it.

Notwithstanding weapons legislation for “pest control, sport and for-profit security” that are matters for the States to administrate, the following is submitted under Section 109 of the Australian Constitution as appropriate:

The proposed Act should be administrated by a Commonwealth statutory authority, perhaps called:

Preservation of Life – Community Protection Australia (POL-CPA)

In further, because as Human Rights are Universal across Australia, the following is also appropriate:

When a weapon’s law of the State is inconsistent with Article 3 laws of the Commonwealth the latter shall prevail to the extent of the inconsistency.

Thank you for reading our letter and we hope that our final submission will meet or exceed your expectations.

Sincerely,

We, who have signed this petition

<http://chng.it/syF2FkzvGP>

² “Self-preservation is the first law of nature”, English proverb.

³ Citizens have political rights; non-citizens do not.

An Australian political representative signed the Universal Declaration of Human Rights.