

Friday the 13th, June 2025

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Legislation Committee

Parliament House

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Dear Committee,

I hope this submission finds you in good spirits.

Introduction to Submission Regarding the Complexities of the Proposed 2024 Firearms Act

The proposed 2024 Firearms Act introduces a bewildering array of regulations that create considerable challenges for the average firearm owner. Much like the dramatic increase in taxation legislation during Prime Minister Howard's administration—where the pages grew from 3,000 to 9,000—the intricate complexities of this Act threaten to foster a climate of confusion and uncertainty for responsible firearm enthusiasts. Navigating these regulations may not merely require the expertise of an accountant; rather, it could necessitate the assistance of a criminal defence lawyer, highlighting just how daunting this legislation may become for everyday users.

This growing body of legislation is riddled with technicalities and harsh penalties, which not only discourage participation in target sports but also threaten those engaged in commercial and agricultural firearm uses.

The inherent simplicity of responsible firearm ownership is at risk of being overshadowed by excessive regulation, making it increasingly difficult for individuals to navigate their rights and responsibilities. The proposed Act, rather than promoting safety and understanding, may inadvertently deter many who enjoy and thrive within the shooting sports community and utilize firearms as essential tools in their professions.

It is crucial to address these complexities to ensure that the law serves its intended purpose without disconnecting those who are committed to responsible firearm ownership.

Another significant aspect of the legislation is the omission of the fundamental human right to "security of person" about "national security." Furthermore, there is a lack of legal justification for citizens to possess concealable firearms for self-defence and community safety. This absence raises important questions about the balance between individual rights and public safety within the framework of this legislation.

So, what is the legal argument for citizen possession of concealable firearms for self-defence and community safety and how is this linked to our "national security"?

Given the increasing threats to personal security and national safety—especially in a wartime context—it is crucial to examine the legal rationale for permitting citizens to possess concealable firearms. This discussion advocates for a structured pilot program that could shift the prevailing mindset from "victim disarmament" to empowering qualified individuals, such as retired police officers and military personnel, to carry concealed weapons for self-defence and community protection. Establishing such a precedent could enhance public safety while respecting individual rights.

1. Right to Security of Person: The notion of “security of person” is a fundamental human right recognized globally. It implies that individuals have the right to feel safe and protected from harm. When faced with increasing threats—from terrorism to organized crime—an argument for personal armament becomes a valid assertion. In emergency contexts, such as armed conflict or heightened violent crime rates, the right to security must extend to individuals’ ability to defend themselves and their communities.

2. National Security Context: Australia is experiencing global instability, as highlighted in recent statements concerning national defence. Increasing awareness of potential threats necessitates a proactive stance. By permitting certain civilians to carry firearms, the country can enhance its collective security, especially when law enforcement resources may be inadequate during national emergencies.

3. Qualifications for Firearm Ownership: Establishing a framework for eligibility is crucial. This pilot program should only permit individuals with demonstrated competence and integrity, such as retired police and military officers, to carry concealed firearms. This targeted selection addresses concerns about responsible ownership while empowering those most capable of protecting themselves and others in crises.

4. Civil Defence Strategy: The establishment of an Australian Civil Defence Force funded federally and managed at the state level could serve as an organized effort to address national security. Allowing qualified citizens to carry firearms aligns with the goals of civil defence—provider safety, a deterrent against crime, and active participation in community safeguarding efforts. This initiative ensures that trained individuals can respond effectively during crises.

5. Legal Framework: The current legal paradox—where individuals cannot possess firearms for self-defence but can use them under certain conditions in life-threatening scenarios—necessitates reform. Clear regulations defining the legal basis for carrying firearms, combined with responsible training programs, can enable lawful self-defence measures and promote accountability among firearm owners.

6. Community Safety and Deterrence: The threat landscape indicates that empowered citizens can act as a deterrent to crime. Ordinary community members trained in firearm safety and self-defence can respond effectively to threats, reducing the burden on police forces. This results in a proactive, rather than reactive, approach to public safety.

Proposed Action Steps:

Outline Eligibility: Define criteria for participants, including credentials from retired law enforcement and military personnel, who can demonstrate capability and reliability.

Establish Training Programs: Develop comprehensive training programs on firearm safety, emergency response, and responsible usage, ensuring familiarity with relevant laws.

Create Legal Framework: Collaborate with legal experts to revise existing laws regarding self-defence and firearm possession, facilitating clarity and protecting rights in an evolving landscape.

Launch Pilot Program: Initiate the proposed framework in selected communities, gathering data and feedback to assess effectiveness and necessary adjustments.

Monitor and Report: Implement robust accountability measures, requiring participants to report incidents and progress, fostering a culture of transparency and responsible usage.

Rational: The pressing need for personal and community safety in the face of growing threats supports the argument for civilians possessing concealable firearms. By implementing a structured pilot program for qualified individuals, Australia can enhance national security and empower communities to actively participate in their safety, which is critical during challenging times. The proposed framework not only respects individual rights but aims to forge a safer future for all Australians.

One of the most significant deficiency of the people's right to "security of person" is the lack of recognition in the legislation regarding the necessity of abolishing the firearm registry in the event of an invasion, particularly in the context of a major conflict in the Pacific over Taiwan. Who among us can confidently assert that Australia will never face an invasion? Such an oversight undermines the foundational principles of personal security and preparedness in uncertain times.

While the Prime Minister can exercise emergency powers during an invasion, deleting firearm registries would require approval from all state governments, complicating and prolonging the process. Furthermore, some state leaders may prefer appeasement, which may not align with the commitment to resistance.

The public deserves clarity on whether their state leaders are committed to resistance or appeasement, especially as the likelihood of a major conflict continues to grow. Understanding this stance is crucial for fostering a sense of security and preparedness among citizens.

In 2022, Major General Jim Molan in his book, ***"Danger on our Doorstep"*** raised urgent concerns regarding modern military readiness, highlighting that the nature of contemporary conflicts has changed significantly from traditional large-scale wars. This transformation presents challenges for national defence, especially since conscription may not be a feasible solution given the shortened training timelines for recruits in an age of swift military action.

It's not merely about "avoiding confrontation," as the Minister for Foreign Affairs recently suggested; it's about standing resolute against the aggression of a superpower that our military cannot face alone.

How could a conflict over Taiwan affect the United States' strategic position in our region, potentially resulting in a withdrawal following significant losses? Is the assumption that the United States will not retreat a foundational element of our current national defence strategy? A superpower aiming to prevent nuclear escalation might opt for a proxy war—could Australia find itself becoming the Ukraine of the Pacific?

The prospective deletion of firearm registries is essential to ensure they cannot be weaponized against us. This measure would facilitate the creation of a unified Australian resistance force that can operate effectively in occupied territories under the direction of the Australian Defence Force (ADF), thereby making it a federal concern rather than a state issue.

Furthermore, such laws empowering the Prime Minister would not influence firearm legislation during peacetime. Those who oppose our right to security must recognise that without a strong resistance force, the chances of the Australian Defence Force successfully repelling an invader diminish considerably.

My submission calls for the enactment of a law dedicated to “Safeguarding the Human Right to Security of Person” that reflects our commitment to resisting any occupier.

Historical examples of the French and Polish resistance movements during World War II vividly illustrate the dire consequences of compromised information. Such breaches often resulted in brutal reprisals against resistance fighters, their families, and even their village. Occupying forces frequently targeted police stations as a strategic means to uncover potential members of the resistance, especially those known to possess firearms. This tactic is documented through several key points that highlight the risks faced by individuals involved in resistance efforts. The key lessons from history are:

Local Collaboration : Occupying armies relied on local police to help identify resistance fighters, using them to gather intelligence on suspected individuals.

Suppression Efforts : In countries like France and Poland, occupying forces conducted raids and surveillance with the assistance of police, specifically seeking records related to firearms and resistance activities.

Repression Tactics : Historical accounts from the French Resistance show that the Gestapo and other occupiers infiltrated local police forces to extract information on resistance members.

Civilian Reprisals : Identifying resistance members often led to reprisals against fighters and their families, as occupying forces aimed to create fear and deter opposition.

Documented Evidence : Numerous resistance memoirs and military reports detail the systematic targeting of police to suppress resistance movements. Overall, the targeting of police stations for intelligence gathering was a strategic method employed by occupying forces throughout the war.

References:

Beevor, A. (2009). “D-Day: The Battle for Normandy.” Viking.

Jackson, J. (2003). “French Resistance: A History.” Oxford University Press.

Mendelsohn, M. (2004). “The Polish Resistance Movement 1939-1945.” Harvard University Press.

McNab, C. (2007). “The Spanish Civil War.” Osprey Publishing.

In the context of Australia, the risks magnify in the event of an invasion, as modern technology enables adversaries to recover deleted data, which could jeopardize the identities of firearm owners and resistance organisers.

This technology is further enhanced when adversaries operate from within the occupied country, allowing them to leverage local resources and infrastructure to more effectively breach security protocols and information systems.

The tale of the Essex disaster in 1820 (the story that inspired Moby Dick) serves as a poignant example of the perils associated with fear-driven decision-making. Faced with irrational fears of cannibalism, the crew opted for an arduous journey by lifeboat, ultimately succumbing to thirst and resorting to cannibalism for survival. Their fear overshadowed rational assessment of their circumstances and capabilities.

Today, many politicians demonstrate a parallel fear toward licensed firearm owners, equating them with potential mass murderers rather than acknowledging their status as possible protectors. This societal fear mirrors the crew's irrational fears in the Essex disaster, leading to an illogical narrative that advocates for disarmament over empowerment.

The official guidance given during potential terrorist attacks—encouraging individuals to run and hide—is reflective of the flight response. A more nuanced approach would advise that those who possess the training and confidence to defend others should be empowered to do so rather than disarmed, particularly in wartime.

The dichotomy between flight and fight reveals a fundamental difference in how societies assess threats and potentially limit the capacity of responsible citizens in crises.

Rethinking Firearm Registries: A Misallocation of Resources in Public Safety

During my time in law enforcement, I never encountered a case where the firearm registry solved a crime. I believe many of my colleagues would share this perspective, seeing the registry as a misallocation of taxpayer funds that could be more effectively spent on initiatives focused on crime prevention, community wellness, and strategies to enhance public safety. The registry holds greater value for an invader attempting to identify individuals who might form a resistance than it does for addressing or preventing crimes.

Here are key studies and reports that examine the effectiveness of firearm registries and their impact on crime-solving:

Canadian Long-Gun Registry Evaluation (2012) : This report by the Office of the Auditor General of Canada found that the long-gun registry did not significantly enhance public safety or aid law enforcement in reducing gun crime. Most firearms involved in crimes were unregistered.

National Academy of Sciences Report (2004) : In “Firearms and Violence: A Critical Review,” published by the National Research Council, researchers concluded that there is limited evidence supporting the effectiveness of firearm registration laws in reducing gun violence or improving law enforcement’s ability to solve crimes.

Impact of the Federal Assault Weapons Ban (2004) : A study conducted by the Department of Justice on the federal assault weapons ban (1994-2004) indicated that the ban’s effectiveness in reducing crime was inconclusive. The complexity of crime patterns and enforcement strategies made it difficult to directly attribute crime rate changes to the registry or the ban itself.

Australian Research (2016) : An analysis in the Journal of Criminology assessed the effects of gun control laws in Australia post-Port Arthur event (1996). The researchers attributed crime reduction more to comprehensive policy reforms than to the firearm registry.

Surveys of Law Enforcement Officials : Numerous studies and surveys, including those from the National Police Chiefs’ Council in the UK and various state law enforcement agencies in the U.S., reveal that many officers believe firearm registries are ineffective in solving crimes.

Cost-Benefit Analyses : Several economic studies, including those by the Cato Institute, have scrutinized the costs associated with maintaining firearm registries, arguing that their limited impact on crime reduction does not justify the financial burden.

These studies collectively suggest that firearm registries may not yield significant public safety benefits and that the resources spent on them could be better invested in more effective crime-fighting strategies.

Conclusion

Murder and Rape by Deception
A true story by Lawrence Lyons:

What is "victim disarmament"?

“Two men can keep a secret if one is dead” Hells Angels.

Notorious Australian murderer Vince Odempsey embraced the dark truth of this proverb. As I share this post, I want to briefly explain the beginning of my journey as an advocate against victim disarmament. It all started in 1979 when I invited a trainee nurse to the end of cadetship Oxley Police Academy dance. Her father made it unmistakably clear that I was to ensure his daughter returned home safely before midnight. It was just after 11 pm and she said, “We should get going soon it’s a long way home.”

Let's rewind five hours before I met her father. I hopped into my old car, turned the key, and—nothing. Frantic about being late, I asked my friend if I could borrow his even older Ford station wagon. He agreed but warned me, "Sure, but it has a slow leak; you'll need to change the tyre." So I did. In my rush, I tossed everything into the back without packing, and fortunately, I did.

A few miles from the police academy, I noticed a car tailing us. Minutes later, as we passed through a stretch of isolated bushland, they pulled up alongside us. The passenger in the front seat displayed a black card and, through our open windows, commanded in a stern voice, "Pull over, driver." It was a diamond-white sedan that resembled a police car but lacked the blue lights and siren. At first, I entertained the thought that they might be police, but as I scrutinized the vehicle and its occupants, I noticed a dent in the back door and four men inside.

That didn't seem typical. "I don't like this; I'm not stopping," I told her. She responded, "We're not far from my house—just keep going." I recalled my father's advice from his years in the police force: "When you're in a heavier car, slow down and maneuver; don't let them get past you." Twice they managed to get ahead of us, and twice I veered off the road, crashing through small trees to get back in front.

We pulled into her father's bush driveway, navigating the right-hand turn that led to the house. Unfortunately, the slow leak wasn't the only issue with the car; it also had a horn that sounded like a sick duck—quiet and completely ineffective. We stopped to see them stopping at the turn-off about 30 yards away. As I opened the back door to grab the wheel brace or the long-shaft jack, it struck me that in the dim light, it resembled a rifle.

I placed it against my shoulder and looked down the path to see the four men walking in a line towards us. I racked the mechanism, the sound resonating with a solid, mechanical double click in the dim light. One of the men yelled, "Fuck he's got a gun." They halted in their tracks before retreating to their car. As they drove onto the road, we could hear their shouts of abuse echoing up at us from below, amplified by our elevated position. I swung the jack overhead, making it look as if I was aiming, and one of them shouted, "Fuck, he's going to shoot!" In an instant, they jumped back into their car and sped away.

Unbeknownst to me at the time, several cars belonging to women who had been leaving work late at night had mysteriously been abandoned by the side of the road, with their drivers never seen again. It was the Vince Odempsey gang.

If you were to ask me whether such a bluff would work today, I would say, "Probably not; there's been too much victim disarmament for any criminal to believe that I would be armed." Thank you for reading this verifiable truth.

Dear committee members, especially the esteemed women among you, if there ever were a compelling case for allowing the possession of self-defence tools such as pepper spray, mace, or a taser, it would be for women who have experienced domestic violence and are fleeing from an abusive partner. This consideration goes beyond personal anecdotes; many legitimate reasons support the need for these defensive measures to ensure safety and empowerment for those in vulnerable situations.

Where are these things mentioned in the proposed 2024 Firearms Act?

Sincerely,

A handwritten signature in black ink, appearing to read 'L Lyons', with a stylized flourish at the end.

Lawrence Lyons

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