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# Liberal Democratic Party Submission
# to
# The Australian Law Reform Commission
# Review of the Family Law System: Discussion Paper

The Liberal Democratic Party offers this submission to the Australian Law Reform Commission in response to its Review of the Family Law System: Discussion Paper.

*QUESTIONS*

*11-1 What other information should be shared or sought about persons involved in family law proceedings? For example, should:*

- *State and territory police be required to enquire about whether a person is currently involved in family law proceedings before they issue or renew a gun licence?*

There is no basis for proposing that the issuing of a gun licence should be raised in the context of family law proceedings. This is a matter for the police, and violence is violence irrespective of the presence of a firearm.

Equally, there is no basis for arguing that the possession of either a gun or a gun licence should have any influence, or even be considered, in family law proceedings.

State authorities have strict criteria for issuing firearms licences and will not issue them where the applicant has a criminal record. Moreover, they are quick to cancel firearms licences where the licensee is convicted of an offence or becomes the subject of a court order relating to violence.

The implication in this question is that firearms licensees are inherently dangerous. This is deeply offensive to the two million Australians who hold licences, including those who represent Australia in the Olympic and Commonwealth Games and other international competitions.

We note that while a firearm may be used in a threatening or harmful matter, this is also true of other objects. For example, there is no suggestion that a person's drivers licence status, or an application for a licence, should be disclosed despite motor vehicles also being used in a threatening and harmful manner.

*QUESTIONS*

*11-1 What other information should be shared or sought about persons involved in family law proceedings? For example, should:*

- *State and territory legislation require police to inform family courts if a person makes an application for a gun licence and they have disclosed they are involved in family law proceedings?*

This question appears to suggest that a desire to pursue the legitimate activity of shooting or hunting by applying for or renewing a firearms licence has sinister implications if the individual is involved in family law proceedings. This is offensive.

It should be obvious that if a person wanted to obtain a firearm for malicious purposes, they could use other means that would not be as easily traced by police, if at all.

There are ample provisions in place to block or remove firearms licences and firearms when allegations, charges or convictions of family violence are made.

The Liberal Democrats also take issue with the last sentence in statement 11.18 on page 272:

> "In the last eight years a number of reports have made recommendations for legislative reform to remove barriers to information sharing between the family law, family violence and child protection systems. This is critical for ensuring that relevant information is legally able to be shared between appropriate bodies and agencies to better protect children and families and keep them safe from harm. This would also suggest that sharing information regarding applications for gun licences would be an additional protection to promoting the safety of families and children."

There is zero evidence to support the implication that an application for a gun licence means the applicant is considering doing harm to their partner, ex-partner or children. Nor will knowledge of an application or reapplication somehow result in a child having increased protections from gun violence.

This casts aspersions on the character of the nation's two million licensed firearm owners and unfairly paints them as public safety risks. In reality, gun owners have a strong incentive to remain responsible and upstanding citizens in order to retain their licence. The evidence clearly shows that is the case.