



Communities and Justice

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Review of firearms, knives and weapons offences

The NSW Government today announced an independent, wide-ranging review of sentencing for firearms, knives and other weapons offences in NSW.

Attorney General Mark Speakman said the review will be undertaken by the NSW Sentencing Council, the state's independent advisory body on sentencing matters and sentencing trends.

"The NSW Government is committed to keeping our community safe. That's why I've asked the Council, through its Chairperson the Hon Peter McClelland AM KC, to review and advise on sentencing for firearms, knives and other weapons offences in NSW," Mr Speakman said.

"This is the first time that such a comprehensive weapons review will have been undertaken in NSW by the Sentencing Council. A limited review of firearms offences was last undertaken by the Council in 2004, and some knife offences have never been reviewed.

"In requesting this review, I want to make sure that sentencing laws relating to possession and use of firearms, knives and other weapons remain in line with community expectations and that law enforcement agencies have access to the tools they need to keep our streets safe.

"The terms of reference will ensure a wide-ranging, extensive review of existing sentencing offences, including an in-depth analysis of sentencing convictions over the past five years."

Terms of reference

Under the terms of reference, the Sentencing Council has been asked to conduct a review of sentencing for firearms, knives and other weapons offences, including but not limited to offences in the *Crimes Act 1900* and *Summary Offences Act 1988*, and make any recommendations for reform that it considers appropriate.

In undertaking this review, the Sentencing Council should:

- provide sentencing statistics for convictions and penalty notices (where relevant) over a five-year period;
- provide information on the characteristics of offenders, sentence type and length;
- provide background information, including:
 - the key sentencing principles and reasoning employed by sentencing judges;
 - the mitigating subjective features of offenders; and
 - any other significant factors considered in sentencing decisions that explain how courts come to their final decision on sentence (which may be done using case-studies or collation of predominate themes across cases);
- consider whether the standard non parole periods where identified remain appropriate;
- consider whether offences for which penalty notices are available remain appropriate;
- consider whether the maximum penalties for the offences are appropriate with reference to other jurisdictions;
- consider whether any existing summary offences should be made indictable offences;
- consider any other matter the Council considers relevant.

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