



John Barilaro
Deputy Premier
Minister for Regional NSW
Minister for Skills
Minister for Small Business

MEDIA RELEASE

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REFERRAL TO LAW AND SAFETY COMMITTEE

The Deputy Premier and Minister for Regional NSW John Barilaro today wrote to the Legislative Assembly Committee on Law and Safety to request it inquire into the operation of the Firearms Act 2016 in relation to people to reasonably believe they are proportionately responding to a threat to them or their family.

The Committee has since published the terms of reference which also include:

- The adequacy of protections for victims of a home invasion in responding to a threat;
- Previous incidents involving a response to a threat which resulted in the suspension of a firearm license; and
- The current awareness of firearms license holders of their rights and responsibilities.

Mr Barilaro said the referral to the Law and Safety Committee stems largely from an incident involving a Bungowannah Farmer David Dunstan.

Mr Dunstan used an unloaded rifle to scare an intruder who came to his back door at 3AM on 14 September 2017 armed with a block of wood and a knife. His wife Andrea and their three children were at home asleep at the time.

Mr Barilaro said that after meeting David and his wife Andrea in Albury on Monday 25 September 2017, he felt compelled to take action.

“As a father of three daughters, David and Andrea’s story struck a nerve with me, as it did with so many people,” Mr Barilaro said.

“The case raised a number of serious questions about one’s ability to defend their home and family,” he said.

“I have referred this matter to the Committee and asked it to look at whether current legislation does enough to protect the victims of home invasion.

“There is a lot of confusion about what our rights are to defend our homes and families from intruders, and this case has highlighted the need for the laws to be examined,” he said.

Mr Barilaro said Mr Dunstan told him how upon seeing he intruder, he retrieved his unloaded rifle from the gun cupboard, and then encouraged the intruder into the passenger seat of his car. Mr Dunstan says when he drove up his driveway he was soon met by a police car which had been in the area investigating a similar incident.

As part of the police investigation the offender was charged and remanded in custody. The next day police officers also seized all of Mr Dunstan's guns and suspended his firearms license. On 3 October 2017 Andrea Dunstan also received a letter from the Licensing and Permits Authorities at the Firearms Registry, stating that her license would be subject to a special condition that prohibited her from storing or possessing firearms at their residential address or any address where her husband (Mr Dunstan) resides or frequents.

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