



# **The Hon Barry O'Farrell MP**

## **Premier of NSW**

### **Minister for Western Sydney**

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## **MEDIA RELEASE**

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Monday 13 February 2012

### **NEW LAWS TO TACKLE DRIVE-BY SHOOTINGS**

The NSW Government will introduce tough new offences to combat organised crime in further support of police in their war on drive-by shootings, NSW Premier Barry O'Farrell announced today.

“The NSW Government’s package of reforms will make it harder for criminal gangs to engage in planned criminal activity by modernising consorting laws and significantly tightening the laws relating to the sale of ammunition,” Mr O'Farrell said.

“The new laws follow discussions with police on what further resources they need to target the criminals engaging in drive-by shootings – the package builds on the excellent work being undertaken by Operation Spartan and the NSW Crime Commission.

“These new laws will be additional tools in the police armoury to help them protect innocent lives and bring those involved in criminal gangs behind drive-by shootings before the courts.”

Under legislation to be introduced to NSW Parliament this week, the new offences will include:

- Knowingly benefiting from the activities of a criminal group (maximum jail term: 5 years);
- Directing the activity of a criminal group (maximum jail term: 10 years);
- Directing the activating of a criminal enterprise which is planned and organised (maximum jail term: 15 years); and
- Firing at a dwelling-house as part of an organised criminal activity (maximum jail term: 16 years).

The NSW Government will significantly tighten laws around the sale of ammunition to make it harder for ammunition to fall into the hands of criminals. Firearms laws will be amended to ensure licensed gun owners can only purchase ammunition for the firearms they own.

“In addition to having to show a firearms licence or appropriate permit when purchasing ammunition, purchasers will also now have to demonstrate that they are the registered owner of a firearm that takes the ammunition they are purchasing,” Minister for Police Mike Gallacher said.

“This amendment is designed to make it harder for criminals to obtain ammunition for their criminal activities.

“Firearms dealers will also be required to keep a record of all sales of ammunition.”

In a separate reform, the offence of consorting will be modernised to make it clear that consorting can occur in person or by any other means, including by email and other electronic forms.

“Changes to the consorting laws will also extend to the penalties which will see the maximum term of imprisonment rise from 6 months to 3 years, a fine of \$16,500, or both,” Attorney General Greg Smith said.

“The intention of the consorting offence is not to criminalise relationships between individuals, but to prevent people strengthening their ties with underworld gangs.

“The offence will contain exemptions to protect relationships in specified circumstances such as training and professional relationships with legal and medical practitioners,” Mr Smith said.

The Ombudsman will be required to review the consorting offence after two years to ensure it is being used appropriately.

Mr O’Farrell said this package of reforms will complement the great work already being undertaken by NSW Police with Operation Spartan and the NSW Crime Commission.

“The NSW Government - working with police - will use every lever at its disposal to put pressure on those criminals engaging in drive-by shootings and planned criminal activity,” Mr O’Farrell said.

Since its launch in early January, Operation Spartan has been responsible for 68 arrests, resulting in 137 charges and the seizure of 16 firearms. Eight persons have been charged specifically in relation to the drive-by shootings including 5 for ‘discharge of firearm’ offences.