

**Submission
No 18**

GOVERNMENT SERVICE DELIVERY STANDARDS IN REGIONAL NSW

Name: Stephen Larsson

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Chair,
Industry, Investment and Regional Development Committee
Parliament of NSW
6 Macquarie Street
Sydney NSW 2000

Dear Chair and Committee Members

Re: Inquiry - Government service delivery standards in regional NSW

I submit for your consideration two issues falling within the scope of the Terms of Reference for this Inquiry.

The issues relate to internal administrative processes within the NSW Firearms Registry:

**Issue 1: Time to complete Internal Review of administrative decisions, and
Issue 2: Open-ended time frame for review of firearm licence suspensions.**

Details of these issues are provided which I hope are self-explanatory.
I would be pleased to provide any further information on these matters if required.

Disclosure: I am employed in the office of the Chair of this Inquiry. This is a private submission. The Chair had no input into the preparation of this submission.

Yours sincerely



Stephen Larsson



28 January 2026

Issue 1: Time to complete Internal Review of administrative decisions

Agency: NSW Firearms Registry

Background

Section 53(6) of the *Administrative Decisions Review Act* 1997 sets out the obligations of NSW government agencies when undertaking an internal review of administrative decisions. Within 21 days after the application for the internal review is lodged agencies must notify the applicant in writing of:

- (a) the outcome of the internal review, and
- (b) the reasons for the decision in the internal review, and
- (c) the right of the person to have the decision reviewed by the Tribunal.

There are long-held concerns about internal review process conducted by the NSW Firearms Registry. For example, the NSW Audit office found that firearm licence holders sought an internal review for 13.7 per cent of the 2,739 revocation decisions made over the three years from January 2016. The internal review of these cases overturned 27 per cent of revocation decisions, with most not due to additional information provided in the review. The NSW Audit Office said this would indicate inconsistent or unsound decision making.¹

Furthermore, anecdotal reports from firearm licensees whose licence had been revoked, and new applicants whose licence application had been refused, indicate internal review decisions are often outside the 21-day time frame.

To assess whether internal reviews were completed by the NSW Firearms Registry within 21 days, NSW Caselaw was searched for firearm cases that had undergone administrative review by the NSW Civil and Administrative Tribunal (NCAT) between 1 January 2014 and 31 December 2025. The search method and search parameters are presented in Annexure 1.

Evidence

Annexure 1 shows that of the 142 cases where the internal review period could be determined only 12 cases (8%) were conducted within the statutory 21-day time frame. There were 130 (92%) cases where the internal review period was outside the 21-day time frame (Annexure: Table 1 and Figure 1).

Discussion

This analysis only captures internal review cases that proceeded to administrative review by the NSW Civil and Administrative Tribunal (NCAT). It is not known how many internal

¹ [Firearms Regulation](#). NSW Audit Office performance audit, 28 February 2019.

review applications were successful in having the original decision set aside, nor how many cases where the original decision was affirmed on internal review but the applicant chose not to proceed to administrative review by NCAT.

Nevertheless, the sample size of 142 cases is believed to be indicative that only a small minority of internal reviews conducted by the NSW Firearms Registry are completed within the 21-day timeframe as required by s53(6) of the ADR Act.

While the NCAT appeal process has recently been removed with the passing of the [Terrorism and Other Legislation Amendment Bill 2025](#) the 'internal review' procedure remains in place. In her second reading speech the Minister affirmed the internal review process will be fair and just:

“The NSW Police Force recognises that procedural fairness is an important component of administrative decision-making and will ensure there is and continues to be a robust internal review process. The Government gives its assurance to stakeholders that we will carefully design this internal review process to ensure it is fair and just.”²

Conclusions

1. Based on this sample of 142 cases, the NSW Firearms Registry has a poor record of complying with its statutory obligation to complete internal reviews within 21 days.
2. Failure to complete internal reviews within the statutory timeframe denies procedural fairness to applicants and undermines public trust in the firearms licensing system.

Recommendations

1. That the NSW Firearms Registry adopt the time taken for internal review decisions as a Key Performance Indicator (KPI) and that performance against this KPI be publicly reported each quarter on the Firearms Registry website.
2. That NSW Firearms Registry adopt standard 'stop-clock' provisions so that when applicants are asked to provide additional information the time to submit additional material is not counted in the 21-day statutory timeframe.

² *Terrorism and Other Legislation Amendment Bill 2025*. [Second reading speech](#). 22 December 2025

Annexure 1: Search Method, Search Parameters, Search Output

Search Method

To assess whether internal reviews were completed by the NSW Firearms Registry within 21 days NSW Caselaw was searched for firearm cases that had undergone administrative review by the NSW Civil and Administrative Tribunal (NCAT) between 1 January 2014 and 31 December 2025.

Search Parameters

Searches of NSW Caselaw were undertaken to identify cases using the 'advanced search' function with the following search parameters.

Free text field:	<i>'internal review' AND</i>
Party names field:	<i>'Commissioner of Police, NSW Police Force' AND</i>
Courts and tribunals field:	<i>'Civil and Administrative Tribunal (Administrative and Equal Opportunity Division)'</i>

The initial search of NSW Caselaw was undertaken on 19 January 2024 and produced 368 cases. The 368 cases included cases involving Information Access applications and interlocutory decisions. These cases were excluded from further analysis. The result was 203 cases where "internal review" was mentioned and the case involved a firearm decision i.e. a firearms licence refusal, firearms licence revocation, or special conditions imposed on a firearms licence.

Subsequent searches using the original search parameters were undertaken on 11 October 2024 and 5 January 2026 to update the dataset. The final data set for the period 1 January 2014 to 31 December 2025 comprised 327 cases. Each case was then examined to identify the date of internal review application and date of internal review decision. Each case was colour coded according to whether the internal review was completed within 21 days; outside 21 days or was unable to be determined due to insufficient information reported.

Search Output

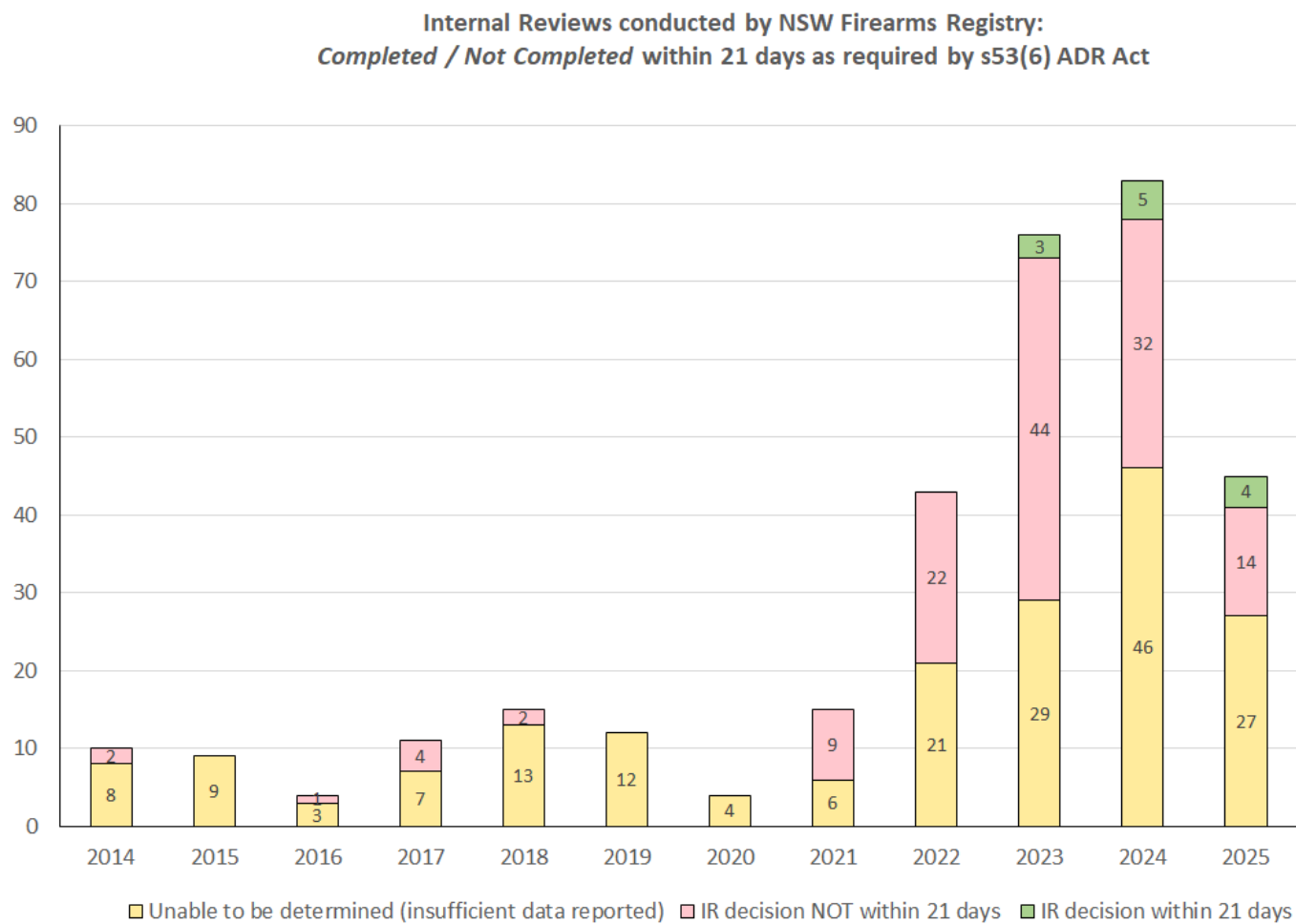
The search output is presented in Table 1 and Figure 1.

The workbook containing the Caselaw search output is available to committee members on request.

Table 1: Internal Reviews conducted by NSW Firearms Registry 2014-2025

Compliance with Section 53(6) ADR Act	1 January 2014 - 22 December 2025	% of Total Cases	% of cases able to be determined
IR decision within 21 days	12	4%	8%
IR decision NOT within 21 days	130	40%	92%
Unable to be determined (insufficient data reported)	185	57%	-
	327		142

Figure 1: Internal Reviews conducted by NSW Firearms Registry 2014-2025



Issue 2: Open-ended timeframe for review of firearm licence suspensions

Agency: NSW Firearms Registry

Background

Section 22 of the Firearms Act 1996 provides that the Commissioner may, if the Commissioner is satisfied there may be grounds for revoking a licence, suspend the licence by serving personally or by post on the licensee a notice –

- (a) stating that the licence is suspended and the reasons for suspending it, and
- (b) requesting that the person provide the Commissioner with reasons why the licence should not be revoked.

In practice, firearm licence suspensions are for protracted periods which can be for 12 months or more, before the suspension is reviewed by the NSW Firearms Registry.

While it is acknowledged the Firearm Registry may need to obtain additional evidence to enable a decision on the firearm licence suspension to be made, this should not be an open-ended process. Procedural fairness dictates that the review of licence suspensions should be undertaken as soon as possible.

Recommendation

That a fixed time frame be established in which firearm licence suspensions are reviewed and the applicant advised of the outcome. It is suggested 6 months is a reasonable time for review of licence suspensions.