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OFFICE OF THE  
CHIEF EXECUTIVE

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Our Ref: 15/194410  
Your Ref:

Mr Tim Bannister  
Chief Executive Officer  
Sporting Shooters' Association of Australian Inc  
PO Box 2520  
UNLEY SA 5061

Dear Mr Bannister

On 3 September 2015 you wrote to the Australian Crime Commission (ACC) and the Australian Institute of Criminology (AIC) in relation to illicit firearms in Australia. As you would be aware the AIC and ACC are currently transitioning to a merged agency, and I am currently the CEO of the ACC and the Director of the AIC, therefore, I am responding to both your letters in my dual capacity.

As you are aware the ACC continues to work with our partners to maintain a national understanding of the nature and extent of firearms in the Australian community. It is expected that a report on the current environment will be released before the end of the year.

Globally, organised crime groups, criminals and firearm enthusiasts continue to source illicit firearms. While Australia has some of the strongest firearm controls in the world, illicit firearms remain a desirable commodity and enabler for criminal activity.

The large number of legal firearms in the community, combined with the number of unregistered, domestically diverted, stolen, illegally imported and illegally manufactured or assembled firearms will ensure there is a continual and growing supply of firearms to the illicit market.

The size and source of the illicit firearm market in Australia can never be definitively determined due to a lack of firearm records prior to the 1996 National Firearm Agreement. Understanding the potential number, nature and extent of illicit firearms in the Australian community requires comprehensive reporting, tracing and forensic testing of all seized firearms across the country.

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Firearms enter the illicit market through a range of methods. In most instances, these can be categorised as either a historical diversion method or a contemporary diversion method. Whilst it is possible to identify these methods of diversion, there is also a substantial pool of firearms that have been rendered untraceable and cannot be allocated to either methodology with confidence.

Historical methods of diversion are those that have been exploited in the past, but due to changes in practice or regulation should now be closed. While such firearms may remain in the illicit market for extended periods of time given the enduring nature of firearms, the methods by which they were able to be diverted should not continue to provide a source for the illicit market. These methods of diversion include:

- the grey market;
- technical loopholes in legislation and regulation; and
- the reactivation of deactivated firearms.

While the grey market consists of illegally held long-arms, it is assessed that a majority of these unregistered firearms are not held with the intention of committing violent offences. However, it is probable that those who possess these firearms are vulnerable to theft and are less likely to report stolen firearms.

Contemporary methods of diversion reflect current practices that continue to be used to facilitate the movement of firearms or firearm components to the domestic illicit firearm market. Contemporary methods of diversion include:

- the illegal importation of undeclared firearms and firearm parts;
- theft from licensed individuals and firearm dealers, including suspected staged theft;
- domestically manufactured / assembled firearms; and
- failure to record or reconcile the interstate movement of firearms.

The ACC's firearm trace program was established in 2004 to assist Australian law enforcement agencies ascertain the history of seized firearms, and where possible, to determine the method of diversion to the illicit market through the collection and use of serial number, importation data and firearm dealer records.

ACC firearm trace data provides a high quality sample of the illicit firearm market and is currently the only source of information available to develop a national picture of potential trends in diversion from the licit to illicit firearm market. The referral of seized firearms to the ACC for tracing is voluntary.

During the period 2004 to 30 June 2014, the ACC received over 5,000 requests for a firearm trace. The most significant methods of diversion identified from the licit market over this period were firearms from the grey market (45.2 per cent); untraceable firearms (unknown method of diversion - 31.8 per cent) and firearms diverted through theft (9.4 per cent). Of the trace requests received by the ACC, around two-thirds were long-arms and around one-third were handguns.

Information available to the ACC indicates that people in possession of grey market firearms are less likely to report the theft of these firearms due to concerns that they will be subject to law enforcement action for possessing unregistered firearms. The ACC has assessed that some criminal entities will actively seek to identify and target grey market firearms due to their inability to be traced, thus making the holders of unregistered firearms more vulnerable to criminal exploitation and targeting.

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The AIC's analysis in 2012 on firearm trafficking and serious and organised crime gangs (and reproduced for the AIC's submission to the Senate Inquiry) is based on the firearm trace requests made to the ACC in the period up to October 2011.

Both the AIC and the ACC have made as much of their information and research publicly available as possible through public reports and submissions to public inquiries.

Should your office require further information please have them contact that ACC's Illicit Firearms Team via email to [nifa@crimecommission.gov.au](mailto:nifa@crimecommission.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to be 'Chris Dawson', with a long horizontal line extending to the right.

Chris Dawson APM  
Chief Executive Officer

17 November 2015

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