



**SSAA National
Submission Paper**

**Senate Standing Committees on Legal and
Constitutional Affairs Inquiry**

**The ability of Australian law enforcement
authorities to eliminate gun-related
violence in the community**

August 2014

Senate Standing Committees on Legal and Constitutional Affairs Inquiry:

The ability of Australian law enforcement authorities to eliminate gun-related violence in the community

- a. The estimated number, distribution and lethality of illegal guns, including both outlawed and stolen guns, in Australia;**
- b. The operation and consequences of the illicit firearms trade, including both outlawed and stolen guns within Australia;**
- c. The adequacy of current laws and resourcing to enable law enforcement authorities to respond to technological advances in gun technology, including firearms made from parts which have been imported separately or covertly to avoid detection, and firearms made with the use of 3D printers;**
- d. The extent to which the number and types of guns stolen each year in Australia increase the risk posed to the safety of police and the community, including the proportion of gun-related crime involving legal firearms which are illegally held;**
- e. The effect banning semi-automatic handguns would have on the number of illegally held firearms in Australia;**
- f. Stricter storage requirements and the use of electronic alarm systems for guns stored in homes;**
- g. The extent to which there exist anomalies in federal, state and territory laws regarding the ownership, sale, storage and transit across state boundaries of legal firearms, and how these laws relate to one another; and**
- h. Any related matters.**

SSAA Summary Statement

As the country's premier sports shooting and recreational hunting organisation, the Sporting Shooters' Association of Australia (SSAA National) welcomes this opportunity to provide comment as the Senate investigates issues surrounding crime and the existence of illegal firearms in Australia.

The SSAA was established in 1948 with the aim of promoting the shooting sports and protecting firearm owners' interest. Today, we represent more than 160,000 members across the country who regularly partake in their chosen sport, recreation and employment, which involves the legitimate use of legal firearms. In addition to this, the SSAA has official Non-Government Organisation (NGO) status with the United Nations and regularly participates in national and international discussions.

Target shooting and hunting are equitable and safe pastimes that can involve people from all ages and skill levels. There are social, environmental and economical benefits that are passed on by shooters who compete locally, nationally and internationally, who control pest animals and reduce environmental impacts and who are active in their local community.

The Australian Institute of Criminology (AIC) has time and time again found that it is the unlicensed person with an unregistered firearm that is responsible for crimes involving firearms¹. In almost all cases, the crimes are drug, gang and organised crime related.

Australia has always had strict handgun ownership regulations. Indeed, civilians may only be in the possession of handguns (self-loading or not) for club use, if not part of their professional tools of trade such as security guards and veterinarians. Sporting club handgun shooters must have passed vigorous police checks, safety courses and probationary periods, and it can take up to 12 months before they can even own a small-calibre pistol.

The SSAA has always and will continue to support evidence-based decision making when it comes to regulations and the fight against criminals and the use of illegal firearms. The key with any efforts moving forward from this Senate Inquiry will be to ensure the cause of Australia's illegal firearms market is the focus. In this case, the SSAA encourages a focus on Australia's porous borders and ports through increased Customs funding and police efforts to target this country's \$15 billion per annum serious organised crime industry². Licensed firearm owners who are law abiding are not the cause of the issues being investigated in this inquiry; these members of the public are partaking in legitimate sporting and recreational pastimes.

a. The estimated number, distribution and lethality of illegal guns, including both outlawed and stolen guns, in Australia;

SSAA comments

In the interests of performing an impartial inquiry into the issue of illegal firearms within Australia, it must be noted that The Greens party has a longstanding opposition to civilian firearm ownership.

The SSAA does not see the purpose of estimating a number that cannot be measured with certainty. The SSAA supports evidence-based legislation and information that can be gathered with credible proof. An 'estimation' is not useful for the Government when its efforts should be focused on the assumption that illegal firearms exist and are held by criminals, therefore these criminals need to be held accountable for their behavior.

Australian Institute of Criminology (AIC) senior research analyst Dr Samantha Bricknell has outlined that the AIC does not release estimations on figures such as the number of illegal firearms in the community, as they are "impossible to estimate"³.

Despite this credible and sensible view, anti-gun groups such as International Action Network on Small Arms (IANSA) and Gunpolicy.org try to appear as the 'experts' and come up with an estimated figure while trying to promote the source of these firearms being legal firearms stolen from licensed owners. Their estimates based on their logic, which range from 260,000 to 6 million illicit firearms, are a mathematical impossibility considering only approximately 1500 legal firearms are stolen per year across the entire country and national firearm registration has only existed since 1996⁴.

As previously identified by the AIC, three types of illegal firearms exist in Australia: Black market, grey market and legal firearms. Dr Bricknell, in the same conversation mentioned above with the SSAA, highlighted that "from theft data, only about 3 to 5 per cent of firearms stolen in a year are used in a crime or associated with an offence." These figures highlight the need to spend resources wisely and focus efforts on increasing the protection of Australian borders through improved port security and the monitoring of incoming goods, rather than researching the immeasurable.

The AIC's now-defunct *Firearms Theft in Australia* reports have also at various times inadvertently reported false figures on handgun ownership when the numbers were inverted by accident to read 41,300 handguns rather than 14,300 being licensed in South Australia⁵. Additionally, stolen firearms figures have previously been misreported when Victoria Police incorrectly filled in forms listing firearms parts as actual firearms, and in its final report of this series, the AIC complained that stolen firearm figures from Western Australia were not reported.

The SSAA, with its extensive history and knowledge of firearms in Australia, would put that firearm theft and in particular handgun theft is a very rare event. The SSAA in fact owns an insurance brokerage and its manager, who has more than 25 years experience in the industry and four years within the firearms industry specifically, reports that he has never dealt with a theft or loss claim for a firearm.

b. The operation and consequences of the illicit firearms trade, including both outlawed and stolen guns within Australia;

SSAA comments

The SSAA supports the efforts of law enforcement to curtail the trade in illicit firearms in this country. Recent news reports highlight that Customs efforts only captured 13 per cent of prohibited imports in 2012-13⁶. The Australian National Audit Office's report into Customs further suggested that about half a million prohibited items including firearms, drugs and quarantine risk items could be making their way into Australia annually.

The then Minister for Home Affairs Jason Clare said in 2012 that organised crime reaps \$15 billion annually in Australia, which includes the trade of drugs and illegal firearms. The fact remains that if illicit drugs and their base components can be imported in large quantities, then so can firearms and the base parts for these items.

Further to this, criminals are known to use firearms to protect themselves from other criminals with the firearms they hold. Outlaw gangs and organised criminals are not likely to source their firearms from a legal source for crimes. This fact is supported by theft data indicating that only 3 to 5 per cent of stolen legal firearms per annum are being used in crimes.

- c. **The adequacy of current laws and resourcing to enable law enforcement authorities to respond to technological advances in gun technology, including firearms made from parts which have been imported separately or covertly to avoid detection, and firearms made with the use of 3D printers;**

SSAA comments

In all Australian states and territories, it is illegal to manufacture a firearm without appropriate licences.

It goes without saying that it is not impossible to manufacture a firearm with the appropriate tools and materials. While firearms normally take the form of a metal-based item, the growing availability of three-dimensional (3D) printers and the abilities of these printers have created some interest in the media. The fact remains that it is already the responsibility of state and territory police services to investigate and prosecute criminals involved in the illegal manufacturing of firearms with traditional materials. The SSAA argues that the act of creating a plastic firearm would be no different.

In addition to this consideration, caution must be taken in this instance not to make licensed owners the victim if laws are tightened to further address the already illegal act of manufacturing a firearm.

- d. The extent to which the number and types of guns stolen each year in Australia increase the risk posed to the safety of police and the community, including the proportion of gun-related crime involving legal firearms which are illegally held;**

SSAA comments

Australian Institute of Criminology (AIC) researchers concluded in a 2007 publication that “more than 93 percent of firearms used in homicides in 2006-07 were unlicensed and unregistered”⁷. Further to this, AIC researcher Dr Samantha Bricknell has previously pointed out that only 3 to 5 per cent of firearms stolen per year from licensed owners are used in crimes. This accounts for a miniscule number of legal firearms being involved in crime, considering the Australian National Audit Office has found that close to half a million prohibited items evaded Customs in 2012-13⁸ and presumably on average every year before and after that.

Law-abiding and licensed firearm owners are subject to strict storage requirements by law and must be able to pass any inspections by authorities as required. These storage requirements are more than adequate, considering there are an estimated 780,000 licensed firearm owners in Australia and we estimate that there are a minimum of 2.4 million legal firearms being used for legitimate purposes, including target shooting, recreational hunting and pest animal control.

- e. **The effect banning semi-automatic handguns would have on the number of illegally held firearms in Australia;**

SSAA comments

Australian Institute of Criminology (AIC) research consistently reports that handguns are the least likely firearm to be stolen from licensed firearm owners⁹. Rifles are the most common firearm type to be stolen, on average accounting for 57 per cent of all firearms stolen. Of the handguns that are stolen annually, only half of these firearms are self-loading handguns¹⁰.

Handguns, and particularly self-loading handguns, are the most highly regulated of all firearms in Australia and have been so since World War I. Category H licences are an additional licence to a general firearms licence and typically take further safety testing and waiting periods to obtain. This can add up to more than 18 months before a licensed owner can legally own a self-loading handgun due to extra safety testing and waiting periods. The condition of these licences for owners of self-loading handguns is strictly for target shooting purposes only.

Target shooting with self-loading handguns is an area of international competition that Australia excels in. The Commonwealth and Olympic Games feature several events that require the use of self-loading handguns, and there is countless local, state, national and international events held outside of these competitions that require the use of these firearms.

The focus on self-loading handguns and licensed civilian owners of any type of firearm is one that the Greens have long held. The agenda of this political party should not outweigh the freedoms of law-abiding firearm owners to be able to legally and responsibly own a handgun for their sport of choice.

Banning self-loading handguns from civilian ownership would have little effect on the number of illegally held firearms in Australia, when Customs is so ill-equipped and under-resourced to capture any more than 13 per cent of prohibited items that are imported into Australia on an annual basis. In 2012 for example, police were able to break an importation ring involving an Australia Post outlet in the Sydney suburb of Sylvania Waters, seizing 140 Glock pistols. The question that needs to be asked is: How many more illegal activities like this have occurred undetected, and what can be done to prevent and stop them?

- f. Stricter storage requirements and the use of electronic alarm systems for guns stored in homes;**

SSAA comments

Each Australian state and territory has in place strict regulations for the proper storage and security of firearms. The added burdens of electronic alarm systems for law-abiding and licensed firearm owners is unnecessary and ignores the fact that not all firearm owners live in a metropolitan suburb. The presumption that law-abiding firearm owners are the sole source of illegal firearms in Australia also ignores the fact that firearms are also stored and owned by private security firms, the police and defence forces.

When less than 0.2 per cent of Australia's licensed firearm owners are affected by theft each year, it is misdirected to focus on illegal firearms being prevalent from this source. New South Wales Police Commissioner Andrew Scipione has pointed to a "national security threat", with authorities being unaware of the levels at which firearms are being illegally imported into Australia¹¹.

- g. The extent to which there exist anomalies in federal, state and territory laws regarding the ownership, sale, storage and transit across state boundaries of legal firearms, and how these laws relate to one another; and**
- h. Any related matters.**

SSAA comments

Any new regulations or laws introduced as a result of this Senate Inquiry, or indeed any other inquiry, must be crafted with the consideration that hunting and target shooting are legitimate recreations, pastimes and services that benefit the wider community. Many law-abiding firearm owners travel interstate and overseas to attend competitions or undertake hunting activities in different locations. These reasons for owning a firearm are enjoyed by hundreds of thousands of Australians each year and they provide much economical benefit to our nation. A recent report from the CSIRO's *Wildlife Research* journal estimates that Australian hunters alone contribute more than \$1 billion to the economy¹². The Victorian Government is now capitalising directly on the benefit of hunters to its state, reporting that hunting has a \$439 million impact annually and supports almost 3500 full-time-equivalent jobs across Victoria¹³.

We know from past experiences that firearms registries are ineffective and expensive. Reports of lost firearms, firearms being marked stolen when an owner moves interstate, and firearms listed with the wrong owner when they have previously been sold or handed in from a deceased estate are common.

As mentioned at the outset of this submission, SSAA National believes all laws and regulations that affect firearms and private firearms ownership must be based on credible and scientifically proven evidence and not emotive political and social beliefs. Much of the previous inquiry points appear to stem from pre-opinionated political positions, rather than considered steps towards further improving public safety.

As a major stakeholder in legitimate shooting recreations in Australia, the SSAA will continue to work towards ensuring protection of our 160,000-plus members and their interests. Our ongoing efforts to educate members and the public will continue as we strive for wider education of our chosen sport and recreation. Our programs such as the AIC Crime and Violence Prevention award-winning Secure Your Gun, Secure Your Sport Gun Safe Voucher program and state-based safety training will be further developed as we support law-abiding firearms owners' freedoms.

We hope this submission will be received with the goodwill intended.



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Tim Bannister
SSAA National CEO

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- ¹¹ Aikman, A & Box, D 2012, 'Top cop Scipione's call to arms on gun imports', *The Australian*.
- ¹² Finch, N, Murray, P, Hoy, J & Baxter, G 2014, 'Expenditure and motivation of Australian recreational hunters', *Wildlife Research*, vol. 41, no. 1, CSIRO Publishing.
- ¹³ Department of Environment and Primary Industries 2014, 'Estimating the economic impact of hunting in Victoria in 2013', Victorian Government.