

# ILLICIT FIREARMS



**Illicit firearms are used to aid criminal activity and strengthen an organised crime group's market position. The availability of illicit firearms is an ongoing concern for law enforcement due to the harm they cause.**

## WHERE DO ILLICIT FIREARMS COME FROM?

The illicit firearm market is predominantly comprised of firearms which have been diverted from the licit market through a variety of means.

The grey market consists of all long-arms that were not registered, or surrendered as required during the gun buybacks, following the National Firearms Agreement (1996). An unregistered firearm is an illegal firearm. Grey market firearms may end up in the illicit market.

Illicit handguns have principally been sourced by criminals who took advantage of differences in state and territory definitions of firearms and other loop-holes—which have been closed for more than a decade.

Firearms are also diverted to the illicit market through the theft from licensed individuals and firearms dealers, and illegal importation.

## SIZE OF THE ILLICIT FIREARMS MARKET

The Australian Crime Commission conservatively estimates that there are more than 250 000 long-arms and 10 000 handguns in the illicit firearm market.<sup>1</sup>

In a recent national intelligence assessment of the illicit firearm market, the ACC reported that the durability of firearms ensures those diverted to the illicit market remain in circulation for many decades—the oldest firearm traced by the ACC was a functioning revolver manufactured in 1888.

The Australian Institute of Criminology's *Firearm Theft in Australia 2008–09* publication estimates around 1500 firearms are stolen each year, the majority of which are long-arms, with relatively few of these recovered.<sup>2</sup>





### IMPACT

Although there is no single group which dominates the sale and supply of firearms to the illicit market, the illicit use and possession of firearms is a significant element of organised criminal activity in Australia.

Even a small number of illegal firearms in circulation can have a significant impact, particularly when a cycle of retaliatory violence begins.<sup>3</sup> The imperishable nature of firearms and the ongoing supply of firearms to the illicit market ensures they remain a serious threat to the Australian community.

### LINKS TO SERIOUS ORGANISED CRIME

Money and power are key drivers for organised crime. Firearms are used as an enabler to protect interests and commit acts of violence. Organised crime groups use firearms for a variety of reasons, including:

- > conflicts and territorial disputes over the management and protection of drug turf and appropriation of 'protection' money
- > the promotion of criminal image, reputation and status to support their dominion

- > personal factors such as revenge, interpersonal or family conflicts.

### GOVERNMENT RESPONSE

In February 2012, the Minister for Home Affairs and Justice commissioned the ACC to develop a contemporary national intelligence assessment of the illicit firearm market in Australia and its links to organised crime activity. The National Illicit Firearm Assessment informed state and territory governments of the illicit firearm market in Australia, and the findings were presented to the Standing Council of Police and Emergency Management in June 2012.

In June 2012, federal, state and territory governments reached agreement to deliver major reforms to tackle the illicit firearm market, including:

- > tougher penalties—including a maximum penalty of life imprisonment for aggravated firearm trafficking
- > national roll-out of the Australian Ballistics Identification Network
- > establishing a National Firearms Interface

- > expanding the ACC's Firearm Tracing Capability
- > establishing a firearm intelligence and targeting team within Customs and Border Protection
- > establishing measures to identify and target vulnerabilities in the international airstream
- > improving police responses to firearm crime
- > establishing a national campaign on unlicensed firearms
- > developing an annual illicit firearm intelligence assessment.<sup>4</sup>

Serious and organised crime is not only a threat to civil law and order and community safety; it is a threat to Australia's national security.

On 23 January 2013 the Australian Government launched Australia's first national security strategy, *Strong and Secure: A Strategy for Australia's National Security*, which provides an overarching framework to guide Australia's security efforts over the next five years. The strategy recognises that preventing, detecting and disrupting serious and organised crime is one of the eight key pillars to securing the Nation

and its citizens. As a part of the 2013-14 Budget, the Government also committed \$30.2 million to the delivery of a National Border Targeting Centre in Customs to target high risk passengers and cargo to help stop drugs, guns and other contraband entering the country.

Organised crime has evolved well beyond a simple law and order problem within the remit of an individual agency, jurisdiction or country. The social, economic, systemic, environmental, physical and psychological harms caused by serious and organised crime have a very real impact on the whole community. The Commonwealth Organised Crime Strategic Framework (OCSF) and the National Organised Crime Response Plan (OCRP) strengthen multijurisdictional approaches, coordination, information sharing and joint activities to combat the national threat of serious and organised crime.

Further information on the national security strategy can be found at <<http://www.pm.gov.au/press-office/strategy-australias-national-security>>.

Further information on the OCSF and OCRP can be found at <<http://www.ag.gov.au/CrimeAndCorruption/OrganisedCrime/Pages/default.aspx>>.



Australia's response to the threat of organised crime is multi-faceted and ever-evolving. As the picture of criminality in Australia continues to develop and transform over time, Australia's response strategies will also adjust and develop to meet new challenges and opportunities in the fight against organised crime.

### ENDNOTES

- 1 Jason Clare, 2012, *Final report on the national investigation into the illegal firearms market*, media release 29 June 2012 < <http://www.jasonclare.com.au/media/portfolio-releases/home-affairs-and-justice-releases/949-final-report-of-the-national-investigation-into-the-illegal-firearms-market.html>>.
- 2 Bricknell, S, 2011, *Firearm theft in Australia 2008–09*, Australian Institute of Criminology, Canberra < <http://www.aic.gov.au/documents/D/4/E/%7BD4E4005C-13BC-4664-B53F-5F78589C057F%7Dmr16.pdf>>.
- 3 Cook, PJ, Cukier, W & Krause, K 2009, *The Illicit Firearms Trade in North America*, Criminology and Criminal Justice, Sage Publications United Kingdom. Viewed 28 April 2010 < <http://www.guncontrol.ca/English/Home/Releases/cook.pdf>>.
- 4 Jason Clare, 2012, *Major agreement to tackle the illegal firearms market*, media release 29 June 2012 < <http://www.jasonclare.com.au/media/portfolio-releases/home-affairs-and-justice-releases/962-major-agreement-to-tackle-the-illegal-firearms-market.html>>.

**The Australian Crime Commission conservatively estimates that serious and organised crime costs Australia at least 15 billion every year. This cost comprises loss of business and taxation revenues, expenditure on law enforcement and regulatory efforts, and social and community impacts of crime. Raising public awareness of crime issues is an important step in minimising the impact serious and organised crime can have on the community.**