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Committee Secretariat
Parliamentary Select Committee
Law and Order
Parliament Buildings
Wellington. NZ

Inquiry into issues relating to the illegal possession of firearms in New Zealand

The Sporting Shooters' Association of Australia (SSAA National) respectfully offers this submission to the Select Committee in a gesture of good will, cognizant of the fact that we have no right of input to sovereign matters affecting New Zealand.

As with many other of our two country's associations and allegiances, the Council of Licenced Firearms Owners (COLFO) of New Zealand and the Sporting Shooters Association of Australia (SSAA), each country's respective premier representative Shooting Associations, have affiliations and close associations in the interests of lawful firearms ownership and use.

Because of our two countries geographical and cultural similarities we believe that many of the relevant issues experienced in New Zealand are similar to those experienced in Australia and there may be opportunities to build on each other's knowledge and understandings.

Of concern to us in relation to firearms matters in Australia, is that often, the political imperative overshadows sound, just and effective legislation and strategies. To this end we offer some points for your consideration.

New Zealand is to be complimented and admired for adopting a pragmatic, efficient and effective approach to firearms ownership and management, dealing with real issues and to this end we hope this submission is received with the goodwill in which it is intended.

Geoff Jones

SSAA National President



**SSAA National
Submission Paper**

**New Zealand Law and Order Select
Committee**

**Inquiry into issues relating to the illegal possession of
firearms in New Zealand**

June 2016

Law and Order Standing Committee Inquiry into issues relating to the illegal possession of firearms in New Zealand

- **How widespread firearm possession is among criminals**
- **How criminals, gangs and those who do not have a licence come into possession of firearms**
- **What changes, if any, to the current situation might further restrict the flow of firearms to criminals, gangs and those who do not have a licence**

SSAA Summary Statement

As the Australia's premier sports shooting and recreational hunting organisation, the Sporting Shooters' Association of Australia respectfully requests this opportunity to provide comment as the Select Committee inquires into issues surrounding illegal possession of firearms in New Zealand.

The Sporting Shooters' Association of Australia (SSAA National) provides this submission as an international affiliate in support of the Council of Licenced Firearms Owners (COLFO) of New Zealand.

The SSAA was established in 1948 with the aim of promoting the shooting sports and protecting firearm owners' interest within Australia. Today, we represent more than 175,000 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.

Hunting and target shooting and are equitable and safe pastimes that can involve people from all ages and skill levels. There are social, environmental and economic benefits that are passed on by shooters who hunt, 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 that is responsible for crimes involving firearms. In almost all cases, the crimes are drug, gang and organised crime related.

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 Select Committee Inquiry will be to ensure the cause of New Zealand's illegal firearms market is the focus. In this case, as with Australia's \$15 billion per annum serious organised crime industry, the SSAA suggests a focus on porous borders and ports through increased Customs funding and police efforts to target these areas. 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.

SSAA National accepts that there should be sensible regulation of civilian firearm ownership as guided by evidence-based research but we would caution against unintended consequences.

Current Australian firearms legislation has had serious negative impacts on almost every aspect of our sport. There have been very high administrative and community costs, significant community division and the creation of a firearms "grey market" which cannot be addressed.

Australian shooting teams that once produced the most medals out of any event are not as competitive as they once were. Since 1996, the medal count for Australians competing in international shooting competitions has dramatically diminished. Australian shooters are significantly disadvantaged as their legitimate pathway to pursue competitive shooting at the highlight level seems impossible to navigate. Intending international visitors and intending shooting teams are regularly refusing to come to Australia creating a cultural and economic void.

- **How widespread firearm possession is among criminals**

This is a matter for conjecture only and in fact is impossible to estimate.

The only conclusions that have been drawn are that criminals prefer hand guns for their activities and there is no ready source of supply of handguns from the “legitimate” market in New Zealand or Australia.

Whether handguns or long arms, when Australian statistics show that less than 0.2 per cent of licenced firearms owners are affected by theft each year, it would be misdirected to focus on illegal firearms being prevalent from this source .

In Australia, crime groups such as outlaw motorcycle gangs have been singled out by the Federal Government for importing illicit wares including firearms.

A study by the Australian Crime Commission found that around 70 per cent of Australia’s serious and organized criminal threats are based offshore or have strong offshore links, making importation a real threat. The government also revealed that there are 38 active outlaw motorcycle gangs in Australia, involving around 7000 people operating at various levels.

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 Australia.

It is reasonable to extrapolate these findings into a level of real concern and that there is interaction between these groups in both New Zealand and Australia. It is also reasonable to presuppose that New Zealand is subject to similar threats as Australia as to the level of criminal possession of firearms by criminals.

- **How criminals, gangs and those who do not have a licence come into possession of firearms**

The recent Australian National Audit Office's report into Customs 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.

Although the Australian Border Force (ABF) has received additional funding and has reportedly increased its inspection rates, media reports that at least two shipments of firearms and parts have slipped through ports without detection add further concern and the need for authorities to focus on illegal firearms passing through our borders unchecked.

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.

The Australian Crime Commission recently identified another emerging threat posed by illicit firearms sourced online via the 'darknet' in its 2014/15 annual report, while the Australian Associated Press (AAP) reported last year that firearms such as handguns are readily available for sale via a website found in the 'dark web' - a highly illegal section of the internet that requires special software to gain access. According to reports, the dark net section sees illicit items such as firearms and drugs available for sale. Law enforcement authorities have found it difficult to trace users of the dark web, making it the ideal location for those dealing in illicit items for sinister purposes.

While there has been a major focus on the acquisition of whole firearms, it goes without saying that it is not impossible or in fact all that difficult to manufacture a firearm with the appropriate tools and materials and some basic knowledge. 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. Regardless of the material, it is illegal to manufacture a firearm without appropriate licences.

On November 17, 2015 Mr Chris Dawson APM in his capacity as CEO of the Australian Crime Commission and Director of the Australian Institute of Criminology wrote to SSAA pointing out four key areas of supply to the firearms black market, including illegal importation of undeclared firearms and firearm parts; domestically manufactured and assembled firearms; a failure to record or reconcile the interstate movement of firearms; and theft from firearms owners and firearm dealers including suspected staged theft.

Again it is reasonable to draw the conclusion that the experience of illegal criminal access and possession of firearms would be very similar in New Zealand to that of Australia.

- **What changes, if any, to the current situation might further restrict the flow of firearms to criminals, gangs and those who do not have a licence**

SSAA has for many years studied the New Zealand model for firearms licencing and management and acknowledges its excellence both in efficiency, effectiveness and fairness when measured on a world - wide basis.

Unfortunately the very nature of crime and criminals is to try meet every challenge and to circumvent every strategy imposed by authorities trying to maintain law and order.

Nevertheless it is incumbent an authorities to balance legislation and restriction with the legitimate needs and rights of the citizens.

With such an excellent base firearms management base model existing in New Zealand and with available evidence, we would suggest that increased effort and vigilance would be in order without the need to resort to unnecessary or unproven legislation to counter any concern of current or increased illegal criminal access and possession of firearms.

We would suggest the following;

- Increased public awareness of the responsibilities of firearms ownership and the need and requirement for safe and secure storage
- Active engagement of Shooting Associations and Clubs – these firearms owners are already established as legitimate and have a vested interested in protecting their sport
- Active engagement of minority groups – most such groups want to be genuinely included as part of the broader legitimate community
- Active education campaigns for firearms safety, responsibility and competent use
- Increased funding, resources for and efforts by police in investigating illegal possession and sources
- Increased funding, resources for and efforts by Customs and Border Protection services in monitoring, investigating and prosecuting any firearm import or export offences
- More effective prosecution of real criminals and criminal activity in relation to firearms offences

Conclusion

Unfortunately Australia has ventured down a path of severe restrictions on legitimate firearms ownership which has proven to be very costly, a huge drain on police resources, divisive within the community and no more effective or with any different outcomes for public safety to the enlightened New Zealand model for firearms management.

New Zealand has real opportunity to deal with the illegal criminal possession of firearms and positive public safety outcomes based on credible and scientifically proven evidence and not emotive political and social beliefs.

SSAA in support of COLFO would be pleased to offer any assistance that we are able.

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

A handwritten signature in black ink that reads "G. E. Jones." The signature is written in a cursive style with a large, looping initial "G" and a period at the end.

Geoff Jones

SSAA National President