

COMMONWEALTH PAPER  
PMC AGENDA ITEM NO. [1]

## NATIONAL FIREARMS REGISTER – PURPOSE AND CAPABILITIES

## RECOMMENDATION

The Commonwealth recommends that participants:

- (a) **endorse** the policy outcomes and key capabilities of the National Firearms Register as outlined in this paper,
- (b) **agree** that the Australian Criminal Intelligence Commission (ACIC) provide costed options for implementing the policy outcomes and key capabilities for consideration by Police Ministers and National Cabinet in mid-2023, and
- (c) **agree** that the Commonwealth Attorney-General's Department consult publicly on a National Firearms Register by releasing the consultation paper at **Attachment A**.

## PROPOSED PUBLIC COMMUNIQUE TEXT

Participants:

- (a) **discussed** the purpose and capabilities of a National Firearms Register,
- (b) **agreed** that the Australian Criminal Intelligence Commission provide advice on costed options for a National Firearms Register, for consideration by Police Ministers and National Cabinet in mid-2023, and
- (c) **agreed** to consult publicly on a National Firearms Register through the release of a consultation paper.

## KEY ISSUES

- A National Firearms Register (Register) will contribute to police and community safety by ensuring police and other law enforcement agencies have timely and accurate information about firearms and owners across all Australian jurisdictions.
- On 3 February 2023, National Cabinet tasked the Commonwealth Attorney-General and Police Ministers to report back in mid-2023 with costed options, and associated timeframes, to implement a Register in accordance with the following principles of operation:
  - Operate in near real-time
  - Provide details of licence holders
  - Provide a single firearm record (technical details, identity and history)

**Date cleared for distribution to all jurisdictions:** 17 March 2023

**Contact Officer:** Alex Engel, Assistant Secretary Transnational Crime, 02 6141 5843,  
Alex.Engel@ad.gov.au

- Be interoperable between jurisdictions
- Link firearms and individuals
- Leverage existing systems where possible
- Provide notification of cross-jurisdictional movement of firearms.
- The ACIC is uniquely suited to scope the Register in line with National Cabinet expectations, as it:
  - currently administers the Australian Firearms Information Network (AFIN), which provides a national view of information about each firearm known to law enforcement agencies, and National Firearms Identification Database (NFID), a reference tool that helps law enforcement identify and record firearms in a consistent way;
  - is best placed to capitalise on existing IT infrastructure and systems in line with National Cabinet's expectations, and
  - has an understanding of and familiarity with existing jurisdictional registry systems that will need to effectively interact with the Register.
- In order to enable the ACIC to scope the Register, this paper seeks participants' further agreement on the policy outcomes and key capabilities below.
  - Agreement on these features will allow the ACIC to better scope costed options and timeframes for National Cabinet. This will include identifying existing capabilities to leverage, improvements required to data management processes, development in systems, and potential changes to legislative frameworks.
- Scoping will consider the costs and benefits of including the listed capabilities as part of the Register, and enable advice on options to be provided to Police Ministers to inform their consideration of the preferred approach.

### Policy outcomes

- In addition to the core objective of the Register – to improve community and law enforcement safety – a well-constructed Register would improve the overall management and regulation of firearms in Australia by providing faster access to reliable and fit-for-purpose firearms ownership, firearms licencing information and other relevant risk factors. This includes:
  - improving the administration of firearms licencing practices, including facilitating improved licencing decisions to prevent firearms getting in to the wrong hands
  - reducing diversion and improving identification of illicit firearms
  - supporting the gathering of intelligence to identify and disrupt illicit manufacture of firearms
  - supporting improved compliance and enforcement functions, and
  - contributing to public confidence in police and law enforcement's management of firearms through improved data on lawful firearms ownership in Australia, which in turn will enable:
    - greater transparency through reliable statistics on lawfully owned firearms, the categories of lawfully owned firearms and the number of firearms licences in Australia

- improved understanding and analysis of firearms ownership and risks
- firearms policy decisions supported by accurate firearms and licencing data
- greater accountability through public reporting, and
- more reliable estimations of the illicit firearms market.

#### **Key capabilities necessary to support the policy outcomes**

- For the Register to be able to deliver against its core objective, the principles outlined by National Cabinet, and the above policy outcomes, it will need to draw on existing firearms databases to produce the following capabilities:
  - enable unique identification of both firearms and non-government individuals and entities authorised to possess firearms, underpinned by consistent firearm descriptors through the mandatory use of the NFID
  - provide a view of firearms in Australia, with an ability to record movement of firearms from import or manufacture to export or destruction
  - provide an alert or notification function for prescribed high-risk information or events, including negative licence decisions, interstate transfers, detected non-compliance with licence conditions, stolen firearms and ongoing probity checks
  - establish nationally standardised data management processes to ensure that quality data is captured in a timely manner
  - data to be accessible by law enforcement and regulatory agencies in near real-time
  - capacity to provide reporting and analysis of firearms and licencing data, including for intelligence and risk identification purposes, and
  - capacity to trace the movement of high-risk parts such as frames, receivers, suppressors and other components as required.
- To provide a broader public benefit, it is also necessary that the Register draw on, and contribute to existing capabilities, including firearms registries, AFIN, NFID and the National Criminal Intelligence System (NCIS). This broader information sharing will aim to increase public safety outcomes by ensuring that law enforcement and regulatory agencies can access national:
  - court information – including firearms prohibition orders, apprehended violence orders and criminal records
  - address information – to capture interstate movement of licence holders, and
  - fact of death information – to identify articles sent to deceased estates.

#### **Additional capability for further consideration**

- In addition to the above key capabilities, a Register would be assisted by the ability for trusted non-government entities to electronically:
  - verify firearms licencing and permit information, and
  - submit and manage information regarding dealer firearms stock and related articles.

- This would assist registries and law enforcement to more comprehensively address risks to police and community safety, and further reduce illicit diversion by:
  - Increasing safeguards at shopfront point of sale, to minimise buyer fraud and limit non-compliance
  - Enabling monitoring of dealer stock, facilitating increased real-time visibility of firearms and firearms movements and the ability to proactively identify illicit diversion trends and risks.
- While beneficial to the key policy outcomes, expanding the Register to provide controlled access by trusted non-government entities will likely have considerable impact on industry partners such as dealers, including increased regulatory burden and costs. We consider this to be highly beneficial but not critical to the effective operation of the Register.

### Public Consultation

- Given public interest in the Register, it is proposed that participants agree to the release of the public consultation paper at **Attachment A**.
- The consultation paper will be released for a period of three weeks to give interested parties an opportunity to provide input.
- Feedback from the consultation process will be incorporated into ACIC's scoping, and advice on themes will be provided to Police Ministers as part of the mid-year considerations.

### Key Risks

- There are persistent data quality issues across Commonwealth, state and territory data sets including due to business practice with entering data and lack of agreement on common data standards due to differing state and territory regulations. If left unaddressed this would prevent any system-based solution from being fully effective. Scoping will consider ways in which jurisdictions could embed business rules and common data capture standards to ensure data quality.
- The success of a National Firearms Register may also be limited by jurisdictional differences across firearms laws. National Cabinet has committed to addressing these discrepancies through the Firearms and Weapons Policy Working Group.
- The Register may raise privacy concerns amongst stakeholders. Scoping will consider how these concerns could be addressed through adopting appropriate cybersecurity protections, strict access controls and adapting relevant privacy notices used by firearms regulators in issuing licenses and permits.
- Developing a Register that meets requirements will be complex to design, cost and implement. The Register, however, would likely reduce long term costs on jurisdictions, automating information sharing arrangements that would otherwise have taken place through resource-intensive manual processes.
- Some of the key capabilities, while highly beneficial, would require a greater resourcing commitment from government, could impose an initial regulatory impost on the firearms community through enhanced reporting requirements, and would likely require legislative changes to be made by jurisdictions. The scoping will consider the additional benefits of these capabilities relative to their additional costs.

- Existing firearms-related registries and data capabilities are funded using a mix of Commonwealth, State and Territory funding. A Register, and the associated necessary uplift of jurisdictional systems, will require a similar mix of resourcing. The costs associated with creating a Register is a matter that will be brought to Police Ministers and National Cabinet following scoping.

## BACKGROUND

### Current national firearms-related data capabilities

The **National Firearms Identification Database** (NFID) is a reference tool that helps Australian police identify and record firearms in a consistent way. The database is used to identify and characterise a firearm, using details such as make, model, chambering and capacity. The database assists in ensuring a firearm is described consistently during its registration, during importation or during transfer of ownership and movement across state and territory borders.

The NFID, if used by all jurisdictions, is designed to standardise the firearms information being entered into the **Australian Firearms Information Network** (AFIN). AFIN provides a national life-cycle view of registered firearms in Australia, from legal importation through to legal exportation or destruction, to support law enforcement agencies and the officers who protect our communities. The information in the AFIN is provided by firearm registries and Commonwealth agencies who deal with imports, exports and permits. The National Firearms Register is expected to either expand the AFIN or replace it.

The **National Criminal Intelligence System** (NCIS) hosted by the ACIC is a national information sharing environment that supports the collation and sharing of criminal intelligence and other policing information across Commonwealth, state and territory law enforcement. NCIS is currently being used by all police forces and aims to securely link law enforcement and intelligence agencies to share information nationally in a targeted, timely and relevant way. Three jurisdictions currently share information with NCIS (VIC, QLD, WA) with remaining jurisdictions expected to come online in 2024. Options for a National Firearms Register will be designed to feed into the NCIS, ensuring that firearms information is incorporated into law enforcement's broader criminal intelligence holdings.

### Australian firearms regulation issues

The regulation of firearms in Australia is primarily the responsibility of the states and territories with the Commonwealth government's role largely contained to the import and export of firearms. There has been extensive public discussion about firearms regulation, and police and other law enforcement agencies' access to real-time and effective intelligence regarding firearm ownership.

While the National Firearms Agreement provides the shared policy principles governing firearms regulation in Australia, each jurisdiction developed their licensing and registration laws and systems independently, resulting in inconsistencies in approach, including differences in definitions, data standards and in some instances, firearm categorisation.


States and territories have made significant investments in developing their regulatory frameworks and registration systems. s 37(1)(a)

[REDACTED]

s 37(1)(a)

[REDACTED]

s 37(1)(a)



## CONSULTATION

The Commonwealth Attorney-General's Department has consulted with the Australian Federal Police, ACIC, state and territory police, state and territory firearms and births, deaths and marriages registries, the Australian Border Force, the Department of Defence, the Department of Home Affairs, the Australian Department of Health and counterparts in New Zealand Police in developing the relevant materials.

## ATTACHMENTS

**Attachment A:** Public consultation paper on a National Firearms Register