

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group 3

Program: Other Agency

Question No. SBE15/110

Senator Xenophon asked the following written question from the hearing on 20 October 2015:

I refer to an article in the Sun Herald, *AFP missing weapons, armour*, 2 August 15 which claims that an audit into its firearms and armoury revealed Australian Federal Police has lost almost 30 controlled items in the past year including munitions, body armour, bullet-proof vests, Tasers, batons, handcuffs and night vision goggles. A comparison across federal agencies revealed that Customs had reported only one gun – a Glock as missing during the past three years. It was later sighted and accounted for. This is the second time since 2009 that the AFP have been warned that its stocktake procedures for guns and ammunition were of serious concern. The audit of the AFP firearms made four high risk and significant-risk findings including that officers were still carrying guns with no current ‘‘Use of Force’’ qualifications, that AFP documentation was not of a sufficiently high level to explain responsibilities to those in charge of firearms, stocktakes had been affected by deficiencies in previous asset registers and there were insufficient tracking and stocktake mechanisms. The audit found that a ‘‘key contributor to the weaknesses identified’’ was poor governance documents, deficient systems, and inconsistencies in operating procedures across jurisdictions.

1. How does the AFP explain the missing controlled items?
2. Who is accountable for the lost controlled items? Individual officers or otherwise?
3. What are the minimum qualifications and training for an officer to carry a gun?
4. How does the AFP ensure only officers who meet these minimum qualification/training are carrying guns?
5. What is the AFP doing to address insufficient tracking and stocktake mechanisms?

The answer to the honourable senator's question is as follows:

1. The AFP does not have any missing firearms. Any firearm not originally sighted as part of stock count procedures have been pursued and subsequently located.

The AFP is an operational agency that deploys members and equipment across Australia and internationally. Members are required to operate in difficult conditions and thus can result in damage to and loss of other operational equipment.

2. Controlled items are either personally issued to an individual, or if held in greater quantities at some locations, to a designated asset administrator at those sites.
- 3-4. All AFP recruits must complete the five week Operational Safety Training component of their recruit course prior to being certified to carry a firearm. After initial recruit training all sworn appointees are required to undergo a yearly re-certification, known as the Operational Safety Assessment (OSA), which is carried out by AFP Operational Safety Training instructors.

The minimum requirements for the carriage of firearms are;

- Medical clearance.
- Completion of a theory component to gain a clear understanding of the requirements outlined in the Commissioner's Order on Operational Safety (CO3).
- 100 per cent pass mark on the online Use of Force exam.
- 100 per cent pass mark on the online Police/Protective Service Officer Powers exam.
- Dedicated firearms training on the standard issue firearm, culminating in the Official Firearm Qualifying Assessment (OFQA), this includes safe handling and marksmanship assessments. All aspects of the OFQA must be achieved to be deemed competent.

If a recruit or sworn appointee is found not yet competent (NYC) in any aspect of their Operational Safety Training or assessment they must return their accoutrements, including firearm. In the case of NYC for firearms, remedial plans and further training are then developed by an independent Operational Safety Trainer to ensure the member can re-qualify at a later stage.

In accordance with CO3, if an AFP appointee's operational safety qualification expires, the AFP appointee must return or surrender all AFP equipment and stand down from operational duty.

5. The AFP has implemented improved processes including:

- Sighting AFP firearms and accoutrements annually through bulk stores stocktakes and requiring members to attend with personally issued items during annual 'Use of Force' operational safety assessment re-qualifications.
- System enhancements to improve tracking of movements of items and data cleansing.
- Using guidance, education and training to members on how to manage their personally issued items.

AFP is monitoring the implementation of improvements and assessing further enhancements.