

# From the IRA to ISIS: Exploring terrorist access to the UK's illicit firearms market

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In this chapter we focus on the illicit firearms market in the United Kingdom (UK) and the ways in which terrorists can access this market. Researchers have noted that a number of sources provide information on illegal firearms use in the UK (e.g. crime data and crime reduction evaluations, police reports, media reports), but limited research has been undertaken to understand the dynamics and key players in the UK illegal firearms market.<sup>1</sup> The research undertaken on terrorist acquisition of firearms in the UK has focused primarily on the methods used by the Irish Republican Army (IRA) and other terrorist organisations involved in the conflict in Northern Ireland, with a strong emphasis on the international dimension of such acquisitions.<sup>2</sup> Academic and policy-oriented research therefore lags behind policy interest in terms of terrorist access to the UK illicit firearms market. We address this lacuna in our knowledge of the issue by using a mixture of quantitative and qualitative investigative methods (see Box 1).

## **Box 1: Research design**

The difficulties of estimating the scale and characteristics of the illegal firearms in a country are well documented. We conducted a comprehensive review of UK government sources, media reports, and academic research, and interviewed ten key informant interviewees (KIIs) to determine the 'characteristics of the illegal firearms market in the UK', in line with recommended practice for estimating illicit firearms markets and trafficking in Europe.<sup>3</sup>

Firstly, the research team gathered official UK Home Office statistical data on the legal firearms market in the UK, which are disaggregated by region and

police force area. Secondly, the team collected and analysed UK statistical data on firearms offences, paying particular attention to regional disparities. The Office for National Statistics provides these data annually, using police-recorded crime data.<sup>4</sup> KIIs recommended the use of data on firearms discharges in a particular area as an indicator for illegal firearms availability. This information is not provided in official statistical datasets, but is occasionally provided to the public for areas that are affected by high levels of firearms usage (e.g. Birmingham, Greater Manchester, Liverpool and London). Thirdly, although the UK government does not routinely make official annual statistical data on firearms seizures publicly available, this information has been provided to the UK Parliament; however, it is not disaggregated by type of firearm or where weapons were seized. Fourthly, we also drew on the annual strategic assessment of the National Crime Agency (NCA), publicly available reports from the National Ballistics Intelligence Service (NABIS), materials made available by police forces and information contained in media reports. Fifthly, a dataset of cases of illegal firearms possession; the illegal production, conversion and reactivation of firearms; diversion; and illegal smuggling was constructed by collecting information on firearms offences using the law pages.com, and the websites of the NCA and NABIS.<sup>1</sup> Additional information on these cases was gathered from reports in national and local media and from KIIs.

Our research relied heavily on information gathered from interviews conducted with nine current and former high-ranking UK police officers with experience of investigating the country's illegal firearms market from an organised crime group (OCG) and urban street gang (USG) perspective and/or a counter-terrorism perspective. In addition, we also conducted an interview with a journalist with extensive experience of covering crime and security issues in the UK, in particular the issue of terrorist access to illegal firearms (see Table 1). KIIs provided a good understanding of developments in the UK illegal firearms market during the past decade and terrorist access to this market. Several KIIs generously gave their time to provide detailed accounts of operations and cases of illegal firearms acquisition, transfer and smuggling, which included information on available firearms, prices, sources of supply and the main players in the UK illicit firearms market.

1 The dataset focused on cases in which an individual or group was convicted of the following offences: the possession of, or conspiracy to possess, prohibited firearms or ammunition with intent to endanger life or to enable another person to endanger life; possessing a prohibited firearm or imitation firearm with intent to commit an indictable offence, or resist arrest; illegally importing firearms and conspiracy to illegally import firearms or ammunition; the possession, purchase, acquisition, manufacture, selling or distribution/transfer of a 'prohibited' firearm; the conversion of or conspiracy to convert imitation firearms; the possession of firearms or ammunition without a firearm certificate; and conspiracy to possess, acquire, distribute, sell, or transfer firearms and/or ammunition.

**Table 1: UK key informant interviewees, March-May 2017**

Key informant interviewee (KII)	Position	Date
KII 1	Former high-ranking police officer, Greater Manchester Police	23/03/2017
KII 2	High-ranking police officer, Merseyside Police	24/03/2017
KII 3	Former high-ranking police officer, Avon and Somerset Police; former NABIS employee	28/03/2017
KII 4	Former high-ranking intelligence officer, West Midlands Police; former NABIS employee	28/03/2017
KII 5	Former NCA head	28/03/2017
KII 6	High-ranking police officer, North East Counter Terrorism Unit, West Yorkshire Police	24/04/2017
KII 7	Crime correspondent for national newspaper	02/05/2017
KII 8	High-ranking police officer, West Midlands Police	04/05/2017
KII 9	High-ranking police officer, Police Service of Northern Ireland	05/05/2017
KII 10	High-ranking police officer, head of UK Counter Terrorist Command, London Metropolitan Police Service	12/05/2017

In addition to open-source information and interviews with KIIs, the research team submitted targeted Freedom of Information (FOI) requests for information on firearms seizures, discharges, and lost or stolen registered firearms to 15 police forces in England and Scotland.<sup>1</sup> Four police forces provided all the requested information and three forces provided some of it (citing lack of information or high costs of retrieval as grounds for refusal for some information). In addition, FOI requests were submitted to the Home Office, the Ministry of Defence (MoD) and the NCA. The NCA refused to supply the requested information on firearms seizures and the Home Office indicated that it does not hold such data. However, the Home Office provided information on recorded lost or stolen registered firearms for England and Wales and the MoD provided information on armed forces losses in the UK.

<sup>1</sup> More specifically, the police forces with the highest levels of registered firearms and shotguns, and also those with the most recorded firearms offences for the years 2011-2016. FOI requests were sent to the following police forces: Avon and Somerset, Devon and Cornwall, Essex, Greater Manchester, Kent, Merseyside, Metropolitan, Norfolk, North Yorkshire, Scotland, Sussex, Thames Valley, West Mercia, West Midlands, and West Yorkshire.

Therefore, although these data did not give the research team the confidence to determine an estimate for the size of the UK illicit firearm market in terms of numbers of firearms or financial value, when complemented with information provided by KILs and media reports they gave the team the confidence to reach tentative conclusions about the availability of various types of firearms in the country's illicit firearms market.

## 1. UK national policy to fight the illicit firearms market and terrorist access to it

### 1.1 UK legislation dealing with the illegal possession, use and trafficking of firearms

UK legislation is regarded as being particularly restrictive in terms of the legal possession of most types of firearms and gives a strong message that the illegal possession, use and trafficking of firearms are regarded as serious criminal offences.<sup>1</sup> According to a 2010 parliamentary report, 34 pieces of UK legislation dealt with firearms control.<sup>5</sup> The Firearms Act (1968) is the main piece of primary legislation concerned with the possession and use of illegal firearms, and the Customs and Excise Management Act (1979) is of most relevance for firearms trafficking. The relevant provisions related to the possession, use and trafficking of illegal firearms in both Acts have been amended numerous times, with recent relevant amendments following the adoption of the:

- Criminal Justice Act (2003);
- Violent Crime Reduction Act (2006); and
- Anti-Social Behaviour Crime and Policing Act (2014).

In addition, the Terrorism Act (2000; 2006) includes the offence of possessing a firearm 'in circumstances which give rise to reasonable suspicion that ... possession is for a purpose connected with the commission, preparation or instigation of an act of terrorism', with the 2006 Terrorism Act increasing the maximum prison sentence for such an offence from ten to 15 years.<sup>6</sup> The Terrorism Act (2000) also made it an offence for an individual to provide, receive, or invite another to receive

<sup>1</sup> Northern Ireland's Firearms Act is largely comparable to that of the rest of the UK, with the exception of permitting serving and former police or prison officers to legally possess firearms if they are in possession of a licence.

instruction or training in the use of firearms, with a maximum prison sentence of ten years.<sup>1</sup>

### Box 2: UK legal definitions of firearms and terrorism

#### Firearms

Section 57 of the Firearms Act (1968) provides the definition of firearms used in this case study:

*A firearm is a lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged. It includes:*

- *any lethal or prohibited weapon as defined by Section 5 of the Firearms Act (1968);*
- *any component part of such a lethal or prohibited weapon; and*
- *any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon.<sup>7</sup>*

#### Terrorism

Section 1 of the Terrorism Act (2000) provides the definition of terrorism used in this case study:

*Section 1(1) ... the use or threat of action where –*

- (a) The action falls within subsection (2),*
- (b) The use or threat is designed to influence the government or an international government organisation to intimidate the public or a section of the public, and*
- (c) The use or threat is made for the purpose of advancing a political, religious, racial, or ideological cause.*

<sup>1</sup> Terrorism Act (2000, sec. 54). The Counter-Terrorism and Security Act (2015) introduced a 'weapons and explosives measure' in terms of which the secretary of state can prohibit an individual from making an application for a firearm or shotgun certificate and possessing offensive weapons, imitation firearms or explosives if the individual is suspected of involvement in terrorism-related activity, as defined by the Terrorism Prevention and Investigation Measures Act (2011). See Counter-Terrorism and Security Act (2015, sec. 18). Sections 2-4 of the Terrorism Prevention and Investigation Measures Act (2011) define 'involvement in terrorism related activity' as: 'commission, preparation or instigation of terrorist acts; conduct which facilitates the commission, preparation or instigation of terrorist acts; conduct which gives encouragement to the commission, preparation or instigation of terrorist acts; and conduct which gives support to individuals who are known or believed by the individual concerned to be involved in the above conduct.'

Section 1(2) Action falls within this subsection if it –

- (a) Involves serious violence against a person,
- (b) involves serious damage to property,
- (c) endangers a person's life, other than that of the person committing the action,
- (a) creates a serious risk to the health or safety of the public or a section of the public, or
- (b) is designed seriously to interfere with or seriously to disrupt an electronic system.

Section 1(3) The use or threat of action falling within subsection (2) which involves the use of firearms or explosives is terrorism whether or not subsection (1)(b) is satisfied.<sup>8</sup>

Three key dimensions of UK legislation seek to address the illegal possession, use and trafficking of firearms:

1. the prohibition of the possession and importation of prohibited firearms, unless given an exemption by the home secretary;
2. the regulation of the possession and importation of permitted firearms and shotguns; and
3. deterrence by tough prison sentences.

Most legal commentaries note the complexity of UK legislation in terms of the definitions of firearms that are prohibited versus those subject to regulation.<sup>9</sup> Particular problems have been highlighted regarding the definitions for and determining the regulation of 'imitation firearms', 'realistic imitation firearms', 'readily convertible imitation firearms', 'deactivated firearms' and 'antique firearms'.<sup>10</sup> The Crown Prosecution Service (CPS) Guidance notes that while case law exists to help with interpretations, challenges remain.<sup>11</sup> The 2010 UK House of Commons Home Affairs Committee report on firearms controls stated that: *"An onerous burden is placed on the police and on the public because of the difficulty of understanding and applying the 34 relevant laws which govern the control of firearms. It is unreasonable to expect members of the public to know their responsibilities when the law is so complex and confused. It is also unreasonable to expect the police to apply the law accurately in all cases when it is so complex. ... We recommend that, rather than adding new rules and greater confusion, the Government provides proposals for early consultation on how to codify and simplify the law. Along with the proposals themselves, we urge the Government to*

give careful consideration to how it will publicise the legislation in order to give greater clarity to the lay person".<sup>12</sup>

Criminals have thus been able to exploit some of the 'grey areas' in the Firearms Act with regard to the acquisition and use of converted blank-firing and reactivated firearms.

### Box 3: Responding to the threat posed by the conversion of Olympic .380 BBM blank-firing pistols<sup>I</sup>

In early 2009 the London Metropolitan Police Service (MPS) noted the use and recovery of an increasing number of Olympic .380 BBM blank-firing pistols<sup>II</sup> that had been illegally converted to fire live ammunition – 148 such pistols were recovered in London during 2007-2010. Such converted pistols were reportedly being sold for between £450 and £750. An MPS armourer determined that the pistol could be converted using equipment that could be purchased from a do-it-yourself shop. The MPS consulted with the German manufacturer of the pistol and the director of the UK Gun Trade Association regarding their concerns over the ease of converting the pistol, and conveyed its concerns to NABIS, the NCA's predecessor (the Serious Organised Crime Agency, or SOCA), Her Majesty's Revenue and Customs Service, the Forensic Science Service (FSS) and ACPO Criminal Use of Firearms (CUF) for assistance to address the problem. Following tests, the FSS concluded that the Olympic .380 BBM blank-firing pistol is 'readily convertible' and should be classified as a 'prohibited firearm' and, in accordance with the Firearms Act (1968), subject to licensing.

Yet one of the reasons for the variety of the pieces of legislation that deal with firearms control in the UK is that changes in legislation and policy are made in response to the collection and presentation by police forces of clear evidence of new developments, and trends in the illegal possession, use and trafficking of firearms, such as the criminal acquisition and use of converted, reactivated and antique firearms or

I This case study draws on the following materials: KII 3, 28 March 2017; KII 4, 28 March 2017; and NABIS (n.d.), *Operational Debrief: Olympic .380 BBM Programme of Activity*.

II The Bruni Olympic .380 BBM blank-firing pistol was reportedly a popular choice for use in dog training, signalling the start of races at youth athletics meetings, and theatrical and other drama productions. A licence was not required to purchase the pistol, which retailed for around £80-90. As a result, retailers were not required to keep records of imports or sales of the pistols, as would have been the case for a firearm subject to regulations.

the role of intermediaries in the supply of illegal firearms. For example, the case of Grant Wilkinson, discussed in section 2.3.1, influenced the NABIS and Association of Chief Police Officers (ACPO) proposals to create the offence of 'possession of a firearm with intent to supply'. Box 3 presents a case study of the way in which evidence was gathered of the threat posed by the conversion of an Olympic .380 BBM blank-firing pistol, evidence for understanding how to determine 'readily convertible firearm' in accordance with the Firearms Act (1968), and a response proposed to mitigate the risk, which included changes to legislation, cooperation with firearms dealers, and an amnesty. Therefore, while the UK's Firearms Act approaches its 50th anniversary, the country's legislation, regulations, and policy have been adapted to address the challenges posed in the 21st century by illicit firearms availability and use in the UK.

To address the problem posed by the fact that an estimated 1,500 pistols were already in circulation in the UK, a 'multi-agency Joint Management Group' worked with registered gun dealers, as well as trade and gun enthusiast associations, to stop further imports; withdraw the pistol from the market via a recall; and implement a targeted amnesty, which recovered 700 pistols. Overall, 1,322 pistols were removed from circulation using these methods.

Despite repeated recommendations for the codification of UK legislation on firearms controls into a single new law,<sup>13</sup> the UK government has continued to amend the Firearms Act (1968) through other legislation covering criminal offences. For example, during the 2010 parliamentary committee hearings on firearms controls, NABIS and ACPO recommended the creation of two new offences, which were introduced by the Anti-Social Behaviour Crime and Policing Act (2014) as amendments to the Firearms Act (1968): the possession of a firearm with intent to supply; and the importation of, or conspiracy to import, firearms without a licence. However, the government did follow the committee's recommendation to provide guidance on UK firearms controls, publishing the *Guide on Firearms Licensing Law* in April 2016.<sup>14</sup>

The third key dimension of UK legislation to address the illegal possession, use and trafficking of firearms is the use of tough prison sentences as a deterrent (see Box 4 for the maximum sentences for firearms-related offences). UK guidance on sentencing for firearms offences refers to the judgment of Lord Bingham in *R v Avis* (1998), in which he stressed that the unlawful possession and use of real and imitation firearms are particularly serious offences and therefore sentencing should be



used to discourage such possession and use.<sup>I</sup> Since Bingham's judgment, the maximum sentences for several firearms offences have been increased, new offences have been added to the Firearms Act (1968), and mandatory minimum five-year prison sentences are to be imposed for offences relating to the possession, purchase, acquisition, manufacture, sale or distribution/transfer of 'prohibited firearms', as well as cases where someone uses another person to 'look after, hide or transport' prohibited firearms or arranges for the firearms to be available.<sup>II</sup>

The sentencing of those convicted of such offences has been robust, including in cases where the Trident anti-gun crime unit in London raided properties where the offender was suspected of being a custodian for prohibited firearms. For example, Katrina Jordan was sentenced to six years and eight months in prison for the illegal possession of a firearm after police executed a search warrant on her flat and found a Kalashnikov assault rifle and ammunition in January 2015, while Lynn Tetteh was sentenced to five years in prison for possession of a Kalashnikov assault rifle and ammunition in April 2016.<sup>15</sup> It is also notable that the solicitor general, Robert Buckland, has referred several cases relating to firearms possession, acquisition, distribution, sale or transfer to the Court of Appeal for custodial sentences to be increased. For example, in December 2016 Tawana Blake was sentenced to six-and-a-half years in prison for being paid by a gang to store two illegal firearms and ammunition. Buckland referred her case to the Court of Appeal and in February 2017 her sentence was increased to eight-and-a-half years, with Lord Justice Simon stating that 'a deterrent sentence is required where assistance to criminals is significant'.<sup>16</sup> The highest-profile instance of such a referral relates to Buckland's call in 2016 for the sentences for 16 members of Birmingham's Burger Boys gang to be increased for the sale and transfer of at least eight firearms and ammunition, initially sourced from Paul Edmunds. Box 5 summarises the original and new prison sentences in this case.

I Lord Bingham posed four questions that should be considered in sentencing for cases of the unlawful possession and use of real and imitation firearms, which are included in guidance for UK judges on sentencing: 1. 'What sort of weapon was involved? Genuine weapons are more dangerous than imitations, loaded firearms than unloaded, unloaded for which ammunition is available than those for which none is available. Possession of a firearm which has no lawful use, such as a sawn-off shotgun, is more serious than possessing a firearm capable of lawful use; 2. What use, if any, was made of the firearm? The more prolonged, premeditated and violent the use, the more serious the offence is likely to be; 3. With what intention, if any, did the defendant possess the firearm? The more prolonged, premeditated and violent the use, the more serious the offence is likely to be; and 4. What is the defendant's record? The seriousness of any firearms offence is increased if there is an established record of committing such offences or crimes of violence' (CPS (n.d.), *Legal Guidance: Firearms*, [http://www.cps.gov.uk/legal/d\\_to\\_g/firearms/](http://www.cps.gov.uk/legal/d_to_g/firearms/)).

II The changes were introduced by the Criminal Justice Act (2003), Violent Crime Reduction Act (2006) and Anti-Social Behaviour Crime and Policing Act (2014).

**Box 4: Maximum sentences for offences relating to the production, possession, distribution and importation of illegal firearms**

<i>Firearms offence</i>	<i>Maximum prison sentence</i>	<i>Legislation</i>
Possession of/conspiracy to possess prohibited firearms or ammunition with intent to endanger life or to enable another person to endanger life	Life imprisonment	Section 16, Firearms Act (1968)
Possession of a prohibited firearm or imitation firearm with intent to commit an indictable offence or resist arrest	Life imprisonment	Section 18, Firearms Act (1968)
Importing firearms and conspiracy to import firearms or ammunition	Life imprisonment	Section 170, Customs and Excise Management Act (1979)
Possession, purchase, acquisition, manufacture, selling or distribution/transfer of a 'prohibited' firearm	10 years	Section 5, Firearms Act (1968)
Possession of a firearm or imitation firearm with intent to cause fear of unlawful violence	10 years	Section 16A, Firearms Act (1968)
Conversion of/conspiracy to convert imitation firearms	7 years	Section 4, Firearms Act (1968)
Carrying a firearm, air weapon or imitation firearm in a public place	7 years	Section 19, Firearms Act (1968)
Possession of firearms or ammunition without a firearm certificate	5 years	Sections 1 and 2, Firearms Act (1968)
Conspiracy to possess, acquire, distribute, sell or transfer firearms and/or ammunition	5 years	Section 3, Firearms Act (1968)
Unregistered selling, manufacture, transfer or repair of firearms	5 years	Section 3, Firearms Act (1968)

Source: CPS (n.d.), *Legal Guidance: Firearms*, [http://www.cps.gov.uk/legal/d\\_to\\_g/firearms/](http://www.cps.gov.uk/legal/d_to_g/firearms/)

### Box 5: Increased prison sentences for the sale and distribution of illegal firearms: Birmingham's Burger Boys

<i>Offender, age</i>	<i>Original sentence</i>	<i>Sentence after appeal</i>
Nosakhere Stephenson, 41	16 years and 6 months	22 years
Sundish Nazran, 32	13 years	17 years and 3 months
Louis McDermott, 36	9 years and 4 months	12 years and 8 months
Theodore Wiggan, 28	10 years	13 years and 4 months
Rowan Gul, 33	12 years and 3 months	16 years and 9 months
Fitzroy Ducram, 50	7 years and 4 months	10 years and 8 months
Mohammed Miah, 24	13 years	17 years and 5 months
Amar Ghalib, 32	4 years and 11 months	7 years and 2 months
Joynal Abdin, 26	7 years and 3 months	12 years
Ifran Hussain, 25	10 years and 10 months	13 years and 10 months
Usman Hussain, 31	5 years	8 years
Mohammed Fedar, 27	4 years and 4 months	6 years and 8 months
Janed Mohammed, 21	4 years and 6 months	5 years and 5 months
Clinton Officer, 32	11 years	14 years
Jamal Smith, 24	6 years and 6 months	8 years
Darren Mentore, 35	12 years	14 years

Source: BBC (2016)<sup>17</sup>

## 1.2 UK national policy and key instruments to address the illicit firearms market and terrorist access to that market

UK national policy to address the illicit firearms market has been characterised as 'event-driven', with increased attention in Parliament and changes to legislation following marauding firearms attacks, high-profile shooting incidents and worrying trends in illegal firearms crime. UK policy would benefit from 'a continued focus by politicians and police' to maintain low levels of illegal firearms acquisition, possession and use.<sup>18</sup> No single national policy strategy document deals with the illegal firearms market, but the issue is addressed in the context of OCG and USG activities. The NCA is tasked with national coordination, information collection and analysis regarding illegal firearms possession, use and trafficking, providing analysis in the National Strategic Assessment of Serious and Organised Crime. KIIs recognised the importance of police forces' providing the NCA and NABIS with information on illegal firearms to enable the creation of a national picture and good intelligence. The NCA National Strategic Assessment of Serious and Organised

Crime 2016 concluded that firearms are among the top five threats to the UK for 2016-2017.<sup>19</sup>

The UK government's counter-terrorism strategy – known as CONTEST – was launched in 2003 and first published in 2006.<sup>20</sup> It consists of four 'work streams':

- Pursue: to stop terrorist attacks;
- Prevent: to stop people becoming terrorists or supporting terrorism;
- Protect: to strengthen protection against a terrorist attack; and
- Prepare: to mitigate the impact of a terrorist attack.

Overall, the strategy has been regarded as providing 'a holistic framework for the UK's response to terrorism'.<sup>21</sup> As we will demonstrate in the following sections of this chapter, terrorist-related concerns about the illegal firearms market relate primarily to the threat of a marauding terrorist firearm attack (MTFA) with semi-automatic or automatic firearms. Lord Harris's report showed that attention and activities have been directed towards the 'prepare' dimension of the strategy regarding the risk of an MTFA in London.<sup>22</sup> This study focuses on the 'pursue' dimension, in terms of preventing terrorist access to illegal firearms. KIIs emphasised the importance of UK counter-terrorism experience and surveillance resources for 'intelligence, enforcement and prevention', arguing that the following elements have been important for preventing terrorist access to illegal firearms and MTFAs in the UK:

- the limited availability of semi-automatic and fully automatic firearms because of the enforcement of UK firearms legislation;
- the fact that OCGs with access to semi-automatic and fully automatic firearms are unwilling to supply terrorists, perhaps due to their 'honour code' or the risk of detection and subsequent negative impact on their other business interests; and
- the UK's significant intelligence, monitoring and surveillance capabilities that enable early detection of potential risks and thus prevent MTFAs.<sup>23</sup>

Research for this chapter focused on the supply side of the illegal firearms market and terrorist access to that market. However, a key aspect of UK policy on illegal firearms possession, use, and trafficking in OCG and USG contexts is the need to adopt a comprehensive approach that addresses demand and related serious and organised criminal activities, in particular illegal drug market activity.<sup>24</sup> One KII with extensive experience of successful investigations into cases of illegal firearms possession, use and trafficking in an area with high rates of gun crime stressed that 'we can't break all of the supply routes, therefore we need to change [OCGs' and USGs'] mentality'.<sup>25</sup> Another KII emphasised that in order to deal with gun crime,

one has to be cognisant of the broader socio-economic context in which illegal firearms are used, and that it is not enough to just focus on trying to cut off supply.<sup>26</sup> Several KIIs emphasised the importance of looking at young people as an at-risk group for gun crime, which is particularly reflected in the UK's Ending Gang and Youth Violence Programme.<sup>27</sup>

While there is a national framework for tackling OCG and USG gun crime, police forces have relative autonomy to determine how best to address the illegal firearms market in their areas, and which measures to take and cooperative arrangements to make. Therefore, there is a force-by-force approach for dealing with the local illegal firearms market, driven by local market dynamics and key individual decision-makers in regional police forces. Most notable in this regard are the three police forces that established specialist units to tackle firearms-related crimes in three of the four police forces areas with the highest levels of firearms offences:

- Trident (London Metropolitan Police Service): established in 2000 in response to high-profile shooting incidents and murders, but now responsible for tackling gang crime more broadly;
- Xcalibre (Greater Manchester Police): formed in 2001 as part of a multi-agency response to tackle gun- and gang-related criminality in Moss Side and South Manchester; and
- Matrix (Merseyside Police): created in 2005 and dedicated to tackling gun crime at all levels, from education and community involvement to investigation and armed response where required. It ceased to exist in 2014 due to budget cuts.<sup>28</sup>

The importance of utilising street-level intelligence gathered by covert operatives in conjunction with the surveillance and monitoring of computers, phones, credit cards and banking helps to identify the 'Mr Big' figures involved in the illegal firearms market and not just the lower-level figures. While KIIs acknowledged that Matrix was disbanded during a period of declining gun violence in the Merseyside area, the subsequent increase in firearms offences in this area corresponds with the period since the disbanding of the specialised unit. It was therefore felt that if 'we take our eye off the issue, the problem returns ... we need to keep up the pressure and constantly disrupt the supply of firearms'.<sup>29</sup>

Due to the circulation of illegal firearms within the UK, this has involved mapping OCG and USG linkages in order to understand potential firearms flows and distribution. KIIs explained that intelligence on who procures from and supplies the UK illicit firearms market comes primarily from covert operations and surveillance.<sup>30</sup> According to KIIs, an area where more work is needed is that of understanding the

nature of the demand for firearms.<sup>31</sup> A variety of methods have been used to learn about supply and circulation, such as the use of undercover operatives (to access the illicit firearms market, gather information on the types of firearms that are available, prices, etc., and identify key players and potential sources of supply) and the use of controlled deliveries of firearms parts in postage/courier parcels from the United States (to apprehend the key players involved in the illegal firearms market and not just the custodians and initial recipients).<sup>32</sup> Golding and McClory emphasised the importance of long-term covert operations to disrupt illegal arms supplies and circulation in the UK, as well as noting that such operations require considerable resources and therefore compete with other priorities, such as terrorism. They stressed that the West Midlands Police had insufficient surveillance capacity to deal with illegal firearms supply and the Greater Manchester Police could not put phone taps in place quickly enough.<sup>33</sup>

### 1.3 Forms of cooperation in the fight against the illicit firearms market

Several agencies are involved in the fight against the illicit possession, use and trafficking of firearms in the UK:

- National Crime Agency
  - Strategic Governance Group and Threat Group on Firearms
  - Border Policing Command
- National Ballistics Intelligence Service
- UK police forces (police force areas in England and Wales, Police Scotland, Police Service of Northern Ireland)
  - National Police Chiefs Council/Association of Chief Police Officers Criminal Use of Firearms
  - Five regional counter-terrorism units
  - Anti-gun crime specialist units
- UK Border Force
- Her Majesty's Revenue and Customs Service
- National Police Chiefs Council – Counter Terrorism Coordination Committee
- National Counter Terrorism Policing Network
- Metropolitan Police Counter Terrorism Command (known as SO15)
- Home Office, Office for Security and Counter Terrorism
- Joint Terrorism Analysis Centre, MI5
- Crown Prosecution Service
- Judiciary
- Her Majesty's Prison and Probation Service

This section provides an overview of cooperation among these agencies and the ways in which they cooperate internationally. In addition to cooperation with other national law enforcement agencies and Europol, UK police forces and NABIS have also sought to cooperate with European firearms producers. As noted above, the London Metropolitan Police Service consulted with Bruni as part of its efforts to address the threat posed by converted Olympic .380 BBM pistols. In 2012 NABIS visited the Glock factory in Austria to deepen cooperation that began because of tracing requests sent to the factory in relation to the circulation of Glock pistols in the UK illegal firearms market.<sup>34</sup>

### 1.3.1 Inter-agency cooperation in the UK

KIIs stressed the importance of good inter-agency cooperation in the UK to address the illegal firearms market and terrorist access to it. The experience of dedicated ‘gang and gun crime’ units in Greater Manchester, London, and Merseyside, combined with the national capabilities and intelligence provided by NABIS, enabled police to ‘investigate the gun’ and, in the process, both address street-level gun violence and apprehend the key players – ‘Mr Big’ figures – in OCGs, USGs and illegal firearms supply. The recovery of ballistics material used in crimes and other discharges, and its processing and analysis by NABIS helped police to create an ‘inferred firearm’ and better understand the dynamics of the firearms market in each police force area, as well as national networks.<sup>35</sup> The ‘investigate the gun approach’ made possible by such cooperation was regarded by KIIs as a novel 21st-century response to gun crime in the UK, revealing useful information to address the illegal firearms market in the UK.<sup>36</sup> The creation of NABIS (see Box 6) and NCA support are regarded as critical in this regard.

When an illegal firearm is seized at a UK port of entry, it is reported by the NCA International Crime Team (ICT).<sup>37</sup> When a firearm is seized in someone’s possession in such circumstances, the appropriate NCA border investigation team conducts the investigation. In cases where the firearm is found in a parcel, the NCA ICT assesses the circumstances and decides on the appropriate unit to investigate a particular case, perhaps referring it to the regional intelligence unit that covers the intended recipient’s address. The regional organised crime unit or police force area’s intelligence bureau takes further action. Irrespective of the option chosen, the NCA ICT and NABIS are required to be informed of progress and the outcome of any investigation. In order to ensure that a pre-existing investigation into an illegal smuggling operation is not disrupted by the UK Border Force, senior investigating officers ‘should give serious consideration to notifying the UK Border Agency’ to prevent disruption. Similarly, a senior investigating officer is required to check with

the UK Border Force to ensure that action to stop criminals bringing firearms into the country does not interfere with an operation by another UK law enforcement or security agency, including counter-terrorism operations.

#### **Box 6: National Ballistics Intelligence Service**

NABIS was launched in March 2008 as a 'new weapon in the fight against gun crime'. It is funded on a subscription basis by UK police forces, with forensic laboratories in Birmingham and Manchester and links to the laboratories of the Metropolitan Police, Police Scotland, and the Police Service of Northern Ireland. NABIS provides law enforcement agencies in the UK with forensic, tactical, and strategic intelligence, based on the analysis of ballistic recoveries from crime scenes and other firearms-related incidents that are processed and analysed using the Integrated Ballistics Identification System (IBIS). This includes statistical data on firearms availability, recovery and use.

NABIS has expanded on the FSS forensic database of firearms and ballistic material recovered from crime scenes, which it inherited, and the current database contains information on firearms types, producers, serial numbers, and other markings. NABIS reportedly traced 1,417 recovered firearms that had serial numbers between 2013 and May 2016,<sup>38</sup> helping to identify the source and point of diversion for each weapon and also contributing towards the construction of an overall national picture on sources of supply and risks of diversion.<sup>39</sup> It is necessary for police forces to submit recovered ballistic material as quickly as possible for NABIS analysis, to help support investigations into the firearm in question and possible links with other recorded firearms crimes in the area or in other parts of the UK.

The West Midlands Police, which hosts the NABIS team and database, considers NABIS to be 'the most advanced ballistic tracking and intelligence service in the world'.<sup>40</sup>

Operation Dragonroot (see Box 7), and the agenda for the ACPO CUE, indicate that counter-terrorism considerations are currently a significant factor in UK police operations to address illegal firearms possession, supply, and distribution.<sup>41</sup> KIIs highlighted the positive benefits of collaboration between units that focus on OCGs and USGs and those with a terrorist focus, because the former deal with the illegal firearms market on a daily basis and have tactics and operational experience that is



tested daily, while the latter have better strategic-level intelligence, as well as more sophisticated monitoring and surveillance capabilities.

### Box 7: Operation Dragonroot, October 2016

Operation Dragonroot was a joint operation that took place in the UK during October 2016 involving police forces around the country, organised jointly by the NCA and the National Counter Terrorism Policing Network (NCTPN). It was intended to give a clear public signal of bringing organised crime and counter-terrorism resources together to address illegal firearms in the UK. The operation was intended to disrupt the 'criminal supply of illegal firearms' and identify the 'potential for their supply to terrorists'.<sup>42</sup> Media attention focused on the 833 firearms seized during the operation, which included the confiscation of firearms from firearms dealers who had their licences revoked and 93 firearms surrendered to Essex police. The recovered or seized firearms included 200 handguns (including CZ-75, Makarov, Tanfoglio GT32, and Zoraki pistols), 153 shotguns, 99 rifles, 11 assault rifles (including one AK-74), two machine guns and one Skorpion sub-machine gun.<sup>43</sup>

However, the testing of 'a new approach to intelligence collection and sharing, which the NCA and NCTP will now continue via a central coordination hub' was considered more important than the quantity and quality of firearms collected.<sup>44</sup> KIIs indicated that the results in terms of intelligence on criminal-terrorist links with regard to illegal firearms varied significantly among police force areas.<sup>45</sup> The operation ran in parallel to a public awareness campaign #GunsOffOurStreets, which 'invited the public to report what they know'.<sup>46</sup>

KIIs warned that care needs to be taken to prevent the merging of capabilities for addressing the illegal firearms market.<sup>47</sup> One KII noted that while counter-terrorism units can provide more resources for monitoring and surveillance to address illegal firearms supply and circulation, the KII questioned the willingness of these units to share potentially useful information with those involved in addressing illegal firearms in the hands of criminals. This KII therefore cautioned that too much stress on counter-terrorism could have a negative impact on the ability of police forces to address the daily negative impacts on the public caused by illegal firearms supply and circulation.<sup>48</sup> He therefore stressed the importance of getting the balance right between the various proactive and reactive approaches.<sup>49</sup>

### 1.3.2 Cooperation with law enforcement agencies in Europe and European agencies

KIIs explicitly mentioned only Ireland, Lithuania, and the Netherlands as EU member states with which UK law enforcement agencies have undertaken significant cooperation to address the illegal firearms market in the UK. UK law enforcement agencies cooperated with Lithuania in efforts to address the illegal supply of converted Baikal pistols during 2006-2011 (see also section 2.3.4).<sup>50</sup> Cooperation between the UK and the Netherlands to address the smuggling of drugs and small numbers of firearms led to the creation of a joint investigative Dutch police-Merseyside Police 'team'.<sup>51</sup> In October 2013 the NCA concluded an investigation in cooperation with the Netherlands and Germany into a UK OCG that was importing drugs and weapons from the Netherlands.<sup>52</sup>

The head of NABIS intelligence, Ian Head, has served as the chair of the European Firearms Experts (EFE) group, which forms part of the Law Enforcement Working Party, during 2013-2017. Because the EFE group is responsible for producing the EU Firearms Threat Assessment and facilitating the sharing of expertise, good practice and information on illicit firearms manufacturing and trafficking in Europe, the fact that a NABIS representative chairs the group would indicate that there is good potential for UK cooperation with partners in another EU member state. For example, NABIS was asked to produce the 2011 European Firearms Threat Assessment.<sup>53</sup> The decision to appoint Ian Head was reportedly taken in 'recognition for the work that NABIS and the UK has done to support the group over the past five years [and] NABIS is helping to shape the international engagement of law enforcement and influence how Europe tackles gun crime'.<sup>54</sup> The NCA has also noted that the UK 'has influenced EU-level activity including efforts to standardise and tighten firearms legislation'.<sup>55</sup>

One KII discussed cooperation with Europol, focusing in particular on the embedding of two police officers from Merseyside and the West Midlands Police, both with extensive experience of investigating illegal firearms-related crimes in the UK liaison bureau at Europol during 2014-2015.<sup>56</sup> The secondments were a pilot programme 'to facilitate the exchange of information from UK Law Enforcement relating to firearms, the wider threat of Serious and Organised Crime and the EMPACT (European Multidisciplinary Platform Against Criminal Threats) threat priority areas'.<sup>57</sup> According to the ACPO CUF lead, Deputy Chief Constable David Thompson, 'The project has a two-fold purpose; to increase joint investigations with EU Member States and ACPO forces, and gain increased support from Europol for UK investigations'.<sup>58</sup> The results of the project were regarded positively by one KII, because the exercise demonstrated the potential for such secondments, but there were

questions regarding the implications of Britain's pending withdrawal from the European Union (EU).<sup>59</sup> The UK also reportedly shares the quarterly results and analysis of its firearms tracing with the firearms focal point at Europol.<sup>60</sup> However, the KII noted that while the UK is providing information on illegal firearms, only limited information is being returned. Part of the problem could be related to the currently limited use of IBIN. In conclusion, the KII stated, 'I'm not sure we get what we want from European cooperation [on the issue of illegal firearms trafficking] at the moment'.<sup>61</sup>

### 1.3.3 Cooperation with the United States

Several KIIs mentioned good cooperation with the United States in the investigation of imports into the UK resulting from online sales, including on the dark web, and courier or postal deliveries of blank-firing and Glock pistols.<sup>62</sup>

One of the best publicly known cases of multi-level cooperation to address the illegal importation of firearms into the UK, and their subsequent distribution to criminals in the country, is known as Operation Lapworth I and II (see Box 8). The operation focused on the attempt by criminals based in West Yorkshire in England to illegally import 12 Glock pistols from the United States in the period between April 2010 and April 2011. The operation involved cooperation in the UK between the West Yorkshire Police, SOCA (the NCA's predecessor), NABIS, the UK Border Agency and the CPS, and consultations with SO15. It also relied on good cooperation with the US Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). The case revealed important information on the methods used to smuggle firearms into the UK, but also demonstrated the benefits of national and international cooperation to gather intelligence, test new surveillance tools and tactics, and test the responsiveness of mechanisms for bilateral cooperation to trace illegal firearms and manage a transatlantic investigation into a smuggling operation. Operation Lapworth I and II is one of the best examples of strong inter-agency cooperation in the UK, and noteworthy cooperation with the ATF in the United States.

**Box 8: Operation Lapworth I and II, 2010–2011<sup>63</sup>**

Operation Lapworth began following the discovery by the UK Border Agency at East Midlands Airport of parts and components for two Glock 26 pistols that had been shipped from the United States to addresses in Bradford in packages that stated that the contents were electronic items. Altogether, 13 firearms were shipped by Scottdale Liburd of Texas in the United States to addresses in West Yorkshire in 27 parcels, all of which stated that the contents were electronic items. The shipments were arranged by Asian males involved in criminal activities, with the initial contact made with Liburd via iOffer.com. Payments for the weapons were made via PayPal and indicated that credit card fraud was used to pay for some of the items. The parcels were delivered to recipients that were not directly involved in criminal activities, with subsequent delivery or pick-up by the criminals. Even after the arrest of Atique Arif, Adnan Izbai, Mudassar Izbai, Mohammed Tariq, and Damian Waite in July 2010 for their role in the illegal importation of the seized Glock pistol components, communication continued with Liburd to continue the delivery of Glock pistols. At the same time, a tracing request facilitated between NABIS and the ATF had identified the so-called ‘straw purchaser’<sup>1</sup> for the Glock pistols in the United States as Yvette Trevino. The ATF arrested Trevino and relayed information to its UK counterparts in early August 2010 that Trevino’s former boyfriend, Scottdale Liburd, organised the purchases and shipments from the United States.

In December 2010 Liburd informed the ATF that renewed requests had been made for the shipment of Glock pistols to West Yorkshire. All parties agreed to utilise this information to arrange for a controlled delivery of deactivated firearms parts from the United States to West Yorkshire, with the aim of identifying the actual end user of the firearms and locating the firearms that had been delivered before July 2010, some of which had been used in Manchester in the autumn of 2010. The controlled delivery therefore not only required cooperation between law enforcement and border agencies, but also cooperation with the airline involved in the transportation of the items and the use of surveillance technologies that could be housed in the smuggled parts and components without discovery until the end user could be identified. The controlled deliveries took place in February 2011 and led to a snooker club in Bradford run by Sakawat Shah, who, along with Moshin Hussain, was suspected of dealing in the illegally imported firearms after they arrived in the UK. In October 2011 Shah and Hussain were sentenced to eight years’ imprisonment, while Arif and Tariq were given 24-year prison sentences and Iqbal was sentenced to 12 years in prison.

<sup>1</sup> ‘Straw purchaser’ is the term used to describe an individual that purchases a firearm, but conceals the identity of the ultimate end user.

## 2. Characteristics of the UK illicit firearms market

The UK illicit firearms market is fragmented. There are strong regional variations relating to supply, but also distribution networks that operate between regions.<sup>64</sup> This section provides an overview of the availability of illegal firearms in the UK, drawing on a mixture of quantitative and qualitative data. KIIs and media sources provide information on the price of different types of firearms in the UK, as well as the main characteristics and supply mechanics of and actors involved in the illegal firearms market. In addition, the study sought to investigate whether the UK illicit firearms market can be most accurately described in terms of ‘the existence of local markets in illegal firearms with questions of supply and demand largely manifested at a local level’.<sup>65</sup>

### 2.1 Estimating the size of the UK illicit firearms market

It is very difficult to reliably quantify the size of a national illicit firearms market, since it involves assessing an illegal activity that is not captured by official statistics.<sup>66</sup> It has been estimated that following the Dunblane massacre of March 1996, there were between 500,000 and 4 million firearms on the UK illicit firearms market.<sup>67</sup> This is such a broad range that it is not regarded as a useful point of departure for a study of this market. One common assumption expressed by KIIs and desk-research corresponds with the NCA claim that: ‘The overall availability of firearms in the UK remains lower than in other western European countries.’<sup>68</sup> For example, according to official UK national data, as of the end of March 2016 a total of 720,419 firearms and shotgun certificates were valid related to 539,194 registered firearms (mainly rifles) and 1,331,563 shotguns.<sup>69</sup> Therefore, in 2016 around only 1% of the population of England and Wales were legally permitted to possess a firearm or shotgun.<sup>1</sup> Previous studies have demonstrated that England and Wales have relatively low firearms possession rates compared to other European countries. While the EU has an estimated 15.7 firearms per 100 persons, for example, the estimate for England and Wales is only 6.2 firearms per 100 persons.<sup>70</sup>

We examined several proxy indicators for estimating the size of the UK illicit firearms market.<sup>71</sup> Firstly, we analysed the regional breakdown of official data for England and Wales on registered firearms and official data on police-recorded firearms offences. Despite the limitations of using this government data for estimating

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<sup>1</sup> The UK Office of National Statistics (ONS) recorded the population of England and Wales in 2016 as 58,381,200 (ONS (2017), ‘England and Wales population mid-year estimate’, 22 June, <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/timeseries/ewpop/pop>).

the size of the UK illicit firearms market, we found that the police force areas with the highest number of registered firearms do not provide a useful indicator for the availability of illegal firearms, because the highest number of firearms offences occur in urban areas with comparatively lower overall numbers of firearms and registered firearms holders. It has been noted that there: *“is a lack of data in the public domain showing the extent to which legally-owned firearms are used in gun crime, partly because it is difficult to collect accurate data (because in many incidents the gun is not fired or recovered and therefore difficult to identify), and partly because the Home Office does not routinely publish the data that it does collect”*.<sup>72</sup>

Importantly, the Home Office, the ACPO Firearms and Explosives Licensing Group, and NABIS informed a parliamentary enquiry on firearms control that the *“the vast majority”* of firearms-enabled offences are committed with illegally-held firearms.<sup>73</sup> The relatively low level of firearms loss and theft also indicates that in recent years the legal firearms market has not represented a significant source for the UK illicit firearms market (see section 2.3.5).

Secondly, we tried to collect data from open sources and FOI requests on firearms discharges for regions with high levels of firearms offences. Thirdly, we examined information on firearms seizures. All of these official data sources were interrogated using information provided by KIIs and other qualitative data sources. These various data sources do not directly provide an indication of the size of the illicit firearms market in the UK, but can help to understand the level of availability of illegal firearms in the country.

### 2.1.1 Firearms offences

Criminal offences involving firearms accounted for 0.2% of police-recorded crimes during the period 2012/13-2015/16.<sup>1</sup> Table 2 indicates that the number of police-recorded firearms offences was in decline in England and Wales between 2008 and 2014 and in Scotland between 2007 and 2013, but has increased again in recent years. The most significant factor behind the worsening situation is a 15% increase in offences involving handguns, which have occurred mainly in urban areas (from 2,162 in 2013/14 to 2,497 in 2015/16). Offences involving shotguns and imitation weapons, including converted weapons, have also increased in recent years. Despite the overall 5% increase in firearms offences committed during 2015/16 compared

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<sup>1</sup> The types of crime involving a firearm that are considered in this section are: homicide; attempted murder; threats to kill; assault with injury and assault with intent to cause serious harm; robbery; rape; and sexual assault (ONS (2017), *Focus on Violent Crime and Sexual Offences, England and Wales: Year Ending Mar 2016*, 9 February, p. 54).

to 2013/14, the data for police-recorded crimes involving firearms in England and Wales in 2015/16 are still at 47% of the firearms-crime level for 2005/06.

**Table 2: Trends in police-recorded crime in England, Scotland and Wales involving the use of firearms,<sup>I</sup> 2002/03-2015/16<sup>II</sup>**

Year (April-March)	Firearms offences in England and Wales	Firearms offences in Scotland	Firearms offences in England, Scotland and Wales
2002/03	10,248	-	-
2003/04	10,338	-	-
2004/05	11,069	-	-
2005/06	11,088	1,068	12,156
2006/07	9,645	1,260	10,905
2007/08	9,865	1,143	11,008
2008/09	8,199	970	9,169
2009/10	8,082	841	8,923
2010/11	7,040	647	7,687
2011/12	6,022	535	6,557
2012/13	5,158	365	5,523
2013/14	4,856	374	5,230
2014/15	4,912	-	-
2015/16	5,182	-	-

Source: ONS (2017);<sup>74</sup> Allen and Dempsey (2016)<sup>75</sup>

For at least the past decade the Greater Manchester, London, Merseyside, and West Midlands police force areas consistently recorded the highest levels of firearm crime per head of population in England and Wales (see Table 3). Data for 2015/16 indicated that London Metropolitan (30%), West Midlands (10%) and Greater Manchester (9%) police force areas accounted for around half of firearms offences in England and Wales, while they account for about a quarter of the population.<sup>76</sup> National data for 2016/17 were not published when this study was prepared, but London Metropolitan firearms offences data for 2016/17 were released in April 2017 and indicated a 42% increase from 1,793 firearms offences in 2015/16 compared to 2,544 during 2016/17.<sup>77</sup>

I Firearms include: shotguns; handguns; rifles; imitation weapons such as BB guns or soft air weapons; other weapons such as CS gas or pepper spray; stun guns; and unidentified weapons. They exclude conventional air weapons, such as air rifles.

II Police-recorded crime data are not designated as national statistics.

**Table 3: Firearms offences by police force area, per 100,000 of head of population, 2007/08–2014/15**

Police force	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	Per 100,00 head of population for year ending March 2015
West Midlands	974	985	903	912	648	499	540	562	20
Metropolitan Police	3,396	3,087	3,524	2,747	2,479	1,959	1,594	1,652	19
Greater Manchester	1,160	827	709	504	365	387	397	437	16
Bedfordshire	83	64	96	105	64	49	77	86	13
South Yorkshire	202	144	121	134	84	163	164	161	12
Merseyside	398	352	258	226	248	211	212	162	12
Essex	260	176	154	135	137	131	154	176	10
West Yorkshire	332	287	267	218	257	253	224	221	10
Suffolk	38	25	16	26	20	22	16	59	8
Lancashire	349	207	215	179	126	100	116	116	8

Source: ONS (2016);<sup>78</sup> Allen and Dempsey (2016)<sup>79</sup>

### 2.1.2 Firearms discharges

KIIs from police force areas with high levels of firearms crime informed the research team that ‘firearms discharges by the public’ are better indicators for illegal firearms availability than ‘gun crime’.<sup>80</sup> A report from the West Midlands Police chief constable to the Strategic Police and Crime Board explained that: “*Firearms discharges are regarded as a strong indication of the actual prevalence of lethal purpose weapons amongst criminals. This is one of the critical areas monitored by the UK threat group and NABIS. Discharges provide an insight into the nature and type of weapons used and the circumstances*”.<sup>81</sup>

Yet the report noted that there are differences between police forces’ recording of firearms discharges. For example, the Greater Manchester Police only record ‘gang-related firearms discharges’, while other forces record all reported public firearms discharges. The NCA noted that firearms discharges more often relate to USGs than OCGs, due to the fact that OCG use is more limited and is largely involved with protection, robbery, intimidation and status.<sup>82</sup> NABIS analysis has indicated that: “*once a firearm has been discharged, it has an 86 per cent chance of not being used again ...*



*This disposability may be aided by the relatively low cost of antique, converted or reactivated weapons. ... Conversely, so called 'status weapons', such as sub-machine guns, are re-used disproportionately more often and are subject of greater movement, showing them to be a far less disposable commodity".<sup>83</sup>*

This should be borne in mind when examining the data given below as an indicator for firearms availability.

The Greater Manchester Police and Merseyside Police provided information on recorded firearms discharges for recent years. While the data for Merseyside indicate a decline in firearms discharges during the period 2012-2015 (see Table 4), KIIs reported that there were 87 firearms discharges in 2016.<sup>84</sup> Furthermore, new types of firearms were discharged, because only 29 of the 87 recorded discharges were shotguns, and less than half a dozen of the remaining 58 discharges could be linked. A similar trend was recorded in Greater Manchester Police data, with a notable increase in firearms discharges during 2015/16 compared to previous years – from 34 discharges in 2012/13 to 21 in 2013/14, and then on an upward trajectory to 33 in 2014/15 and 55 in 2015/16.<sup>85</sup> The data were interpreted by KIIs as indicating the greater availability of new types of firearms during 2015-2016 in comparison with previous years.

**Table 4: Information on firearms seizures and discharges in the Merseyside Police area, 2012-2016<sup>1</sup>**

Year	Firearms seizures	Firearms discharges
2012	N/A	32
2013	114	35
2014	128	27
2015	122	25
2016	109	N/A

Source: Merseyside Police (2017)<sup>86</sup>

<sup>1</sup> Data on firearms discharges were 'obtained by use of "keyword" searching and then a review of the descriptive information held. The data is based on physical evidence or from credible individuals that there has been a discharge of a firearm which includes air weapons'.

### 2.1.3 Firearms seizures

The UK Border Force provides data annually on seizures of drugs, cigarettes, alcohol, ivory and coral, but not firearms, explosives and ammunition.<sup>87</sup> Therefore, the data on seizures at borders and ports presented in Table 5 have been constructed using information made publicly available during questions and debates in the UK Parliament. This dataset reveals that the UK Border Force seized the highest number of ‘real’ firearms during 2012/13, with the second highest level in 2015/16. The broad range of items covered by ‘imitation’ and ‘other’ does not enable informed analysis for the availability of illegal firearms. For example, the ‘imitation’ category ‘other’ category mixes ‘parts of guns’ with stun weapons, mace and pepper sprays, airguns, and silencers. Therefore, only limited analysis of this data is possible to inform an estimate of the size of the UK illicit firearms market.

NABIS has provided some information in press releases on the number of firearms seized or recovered in recent years.<sup>88</sup> For example, NABIS analysed 859 ‘recovered’ firearms, most of which were classified as ‘illegal’, during 2015/16 and found that 55 of these firearms had ballistic links to criminal discharges.<sup>89</sup>

**Table 5: Firearms seizures by the UK Border Force, 2010/11-2015/16<sup>I</sup>**

Type of firearm	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Real	94	197	463	283	126	445
Imitation <sup>II</sup>	776	3,888	1,255	399	419	321
Other <sup>III</sup>	1,150	176	1,403	3,017	2,301	1,533

Sources: UK Parliament (2016); They Work for You (2016)<sup>90</sup>

## 2.2 Types and prices of available firearms

Problems with the categorisation of firearms used in firearms offences, in particular unidentified firearms, mean that it is difficult to use these data to determine the types of firearms that are available on the illicit firearms market. UK police-recorded

I The figures quoted are management information, which is subject to internal quality checks and may be subject to change. These figures are not already in the public domain.

II Imitation includes: readily convertible firearms and realistic imitation firearms.

III ‘Other’ includes: parts of guns, mace and pepper sprays, stun weapons/batons, air gas guns and silencers.

data show that handguns continue to be the criminal ‘firearm of choice’, a preference that reportedly began in the 1980s.<sup>91</sup> Since 2003/04, handguns have been used in 40% of police-recorded firearms offences (see Table 6).<sup>92</sup>

**Table 6: Firearms offences by firearm type in England and Wales, 2006/07–2015/16<sup>I</sup>**

Year	Shotguns	Handguns	Imitation firearms <sup>II</sup>	Rifles	Unidentified firearms	Rifles and other firearms <sup>III</sup>
2006/07	612	4,173	2,516	69	1,276	1,068
2007/08 <sup>IV</sup>	602	4,172	2,561	71	1,325	1,205
2008/09	618	4,273	1,507	89	953	848
2009/10	581	3,757	1,526	67	1,368	850
2010/11	611	3,107	1,618	74	958	746
2011/12	494	2,655	1,387	56	834	652
2012/13	453	2,256	1,226	43	724	499
2013/14	387	2,134	1,142	55	698	495
2014/15	431	2,062	1,123	52 (55) <sup>V</sup>	833	463
2015/16	411	2,157	1,431	(43)	666	517

Source: ONS (2017);<sup>93</sup> Allen and Dempsey (2016)<sup>94</sup>

It has been estimated that 750 USGs or OCGs in the UK are ‘involved with guns’.<sup>95</sup> Hales, Lewis and Silverstone emphasised that ‘supply is patchy’ and criminals are ‘forced to buy whatever is on offer’.<sup>96</sup> One KII indicated that ‘firearms are transported around the country’ for use by different OCGs and USGs, which further emphasises the limited supply of firearms.<sup>97</sup> This was based on the assumption that the profile for the availability of firearms for use in criminal offences in Manchester provided a ‘typical’ profile for OCGs and USGs in England and Wales. For example, firearms used by gangs in Manchester were transferred to ‘co-ethnic’ gangs and affiliates in Birmingham and Leeds too – but these firearms were not transferred to OCGs and USGs in Liverpool. The impression was given of circulation among small USGs.<sup>98</sup>

I Police-recorded crime data are not designated as national statistics.

II Imitation firearms include weapons such as BB guns and soft air weapons, which can fire small plastic pellets at low velocity.

III Rifles and other firearms include starting guns, prohibited firearms (including CS gas) and other firearms.

IV The Violent Crime Reduction Act introduced in October 2007 made it illegal to import or sell imitation firearms and tightened the rules for the manufacture and sale of certain types of air weapons.

V The use of (...) refers to rifles data for calendar year 2014 for 2014/15 and 2015 for 2015/16, taken from Allen and Dempsey, (2016 p. 9).

NABIS data provide the UK with an excellent opportunity to understand the types of firearms that are available in the country, changes in demand and supply over time, and prices. NABIS research and analysis published in 2015 indicated seven types of illegal firearms in the UK:

- 'original lethal purpose' firearms;
- converted blank-firing firearms;
- reactivated firearms;
- lawfully owned firearms and shotguns that have been diverted into the illicit market;
- homemade firearms;
- antique weapons; and
- 3D-printed guns.<sup>99</sup>

The analysis did not reveal which type of firearms are most in demand or readily available based on submissions to NABIS, but noted that 'a third of guns examined by police were blank-firing, modified or reactivated weapons that had been converted'.<sup>100</sup> It is important to bear in mind that access to certain types of firearms differs according to position in the criminal hierarchy: while semi-automatic or reactivated ex-military firearms are restricted to older and more senior members of an OCG (for intimidation purposes or for an assassination), cheaper firearms, such as converted pistols and antique handguns, are usually available to young gang members and USGs.<sup>101</sup>

### 2.2.1 Prices

Research conducted by Hales, Lewis and Silverstone that was published in 2006 remains the most comprehensive survey of illegal firearms procurement and prices for illegal firearms in the UK (see Table 7). Their research indicated that the price for illegal firearms in the UK was influenced by the following factors:

- Firearm type and availability;
- Leakage from legal sources;
- Regional levels of supply and demand;
- Purpose built lethal firearms are typically more expensive than converted or illegally manufactured firearms;
- If the firearm has been used in a previous crime, it will be cheaper than a 'clean' firearm;
- Better criminal contacts typically mean wider choice and lower price;
- Urgency allows the seller to dictate the price, pushing prices higher;

- Prices are generally lower if the seller is a dependent drug user; and
- Ammunition availability.<sup>102</sup>

KIIs highlighted that most of these factors continue to influence illegal firearms prices.<sup>103</sup>

**Table 7: Price estimates for different types of firearms, 2006**

Type of firearm	Low end	High end
Shotgun	£50-200	£700-800
Handguns	£150-200	£1,000-1,400
Converted imitation firearm (e.g. 8 mm blank firer)	£200	
Automatic weapons (e.g. MAC-10 sub-machine gun/machine pistol)	£800	£4,000

Source: Hales, Lewis and Silverstone (2006, pp. 49-56)

Ammunition availability is also considered an important factor for understanding the dynamics of the UK illicit firearms market. Therefore, UK police forces monitor the price of ammunition as a key indicator for the availability of ammunition and types of firearms in their areas.<sup>104</sup>

### 2.2.2 Changes in availability

In 2010 a UK parliamentary committee reported that ‘replica, converted and deactivated firearms have emerged as a major source of illegal guns, perhaps owing to the difficulties that criminals now experience in acquiring genuine lethal firearms’.<sup>105</sup> NABIS analysis in 2010, for example, indicated that some pre-1995 standard deactivated firearms had been reactivated and used in criminal offences, and in January 2012 NABIS produced a profile on the ‘Scale and Use of Deactivated and Reactivated Firearms Across the UK’, which indicated that although there have been a comparatively low number of reactivated firearms discharges, such firearms are used for murder and intimidation.<sup>106</sup> Therefore, the issue of conversion is not new and available data indicate that converted handguns are among the most readily available types of firearms for OCGs and USGs in the UK.<sup>1</sup>

<sup>1</sup> Reactivated MAC-10s were reportedly selling for up to £2,000 in 2008, while a reactivated Uzi sub-machine gun was sold to an undercover officer in Merseyside for £5,000 in 2010.

KIIs explained the cyclical nature of supply and demand in the UK illegal firearms market. They noted that when a particular type of firearm is targeted for an intervention in order to restrict supply, its price increases and demand switches to another type of firearm that has become more readily available.<sup>107</sup> During the past decade it appears that this process has manifested itself in the following way.<sup>108</sup> During 2005-2009, a significant quantity of converted Baikal pistols were supplied from Lithuania. The blank-firing pistol was believed to cost around £10 and examples were sold to Lithuanian gangs for £300 after conversion and fitting with silencers.<sup>109</sup> It was reported that a converted Baikal pistol could cost about £1,500 in the UK at the time. Targeted interventions by police forces in London and Greater Manchester, and cooperation with Lithuanian authorities by the nascent NABIS arrested the supply during 2009-2011.<sup>110</sup> During 2009-2011 Glock pistols were imported into the UK from the United States in significant quantities before supply was arrested. The Glock pistols were reportedly purchased for around £300 in the United States and resold in the UK for up to £4,000.<sup>111</sup>

#### Box 9: Illegal firearms in Merseyside<sup>112</sup>

Merseyside has a high level of firearms crime, and like other such areas in the UK, demand for firearms largely originates from OCGs and USGs involved in the illegal drugs trade. Also in comparison with other areas with high levels of firearms crime, Merseyside recorded a significant decline in firearms offences during 2007-2014 (see Table 3). However, several KIIs indicated that Merseyside has traditionally constituted a distinct firearms market in the UK, with a specific profile for types of firearms and sources of supply that differs from other regions of England and Wales.<sup>113</sup>

Firstly, firearms circulate among criminals in Merseyside, and there is limited evidence of transfers to other parts of the UK for use in criminal activities.<sup>1</sup> Inferred firearms analysis for Merseyside during 2012-2015 indicated that firearms used in homicides had been discharged multiple times, which is regarded as an indicator of limited supply, and correlated with a comparatively low level of firearms discharges for Merseyside (see Table 3). Most of the discharges were reportedly from shotguns. The Merseyside Police seized the following firearms during 2014-2015: 22 revolvers, 16 rifles or muzzle-loading weapons, 43 handguns and 22 pistols.<sup>114</sup>

<sup>1</sup> A notable exception was a case where criminals from the West Midlands and Merseyside met in prison and arranged a transfer.

Secondly, the main source of firearms used in armed violence in Merseyside has traditionally been lawfully held firearms that have been stolen from other regions of the UK. The Merseyside Police area has had – and continues to have – one of the lowest overall levels of registered firearms and shotguns in England and Wales. Merseyside Police data also record only ten registered firearms reported stolen during the period 2012–2016.<sup>115</sup> Criminals from Merseyside steal firearms, mainly shotguns, from large houses in nearby rural police force areas. It is suspected that criminals have recently targeted premises belonging to registered firearms holders. For example, a registered 7.62 mm sniper rifle, .50 calibre rifles, and 1,000 rounds of ammunition were stolen from a property in North Wales and made their way to Merseyside. The sniper rifle was discharged in Merseyside and a .50 calibre rifle was recovered from a field in Merseyside, where it had been abandoned, with the butt and barrel sawn off.

The picture reportedly changed quite dramatically in 2016. There was an increase in firearms discharges and ‘new’ types of firearms being used.<sup>116</sup> For example, only 29 of the 87 recorded discharges were shotguns, and less than half a dozen of the remaining 58 discharges could be linked. The ‘new’ types of firearms being used include:

- converted Glock 9 mm pistols that are misfiring, which were legally imported as deactivated firearms from Slovakia, and then converted in the UK and sold for around £3,000 each;
- antique St Etienne and Bulldog revolvers that were purchased online from a retired British couple living in France. Each antique revolver and ammunition production kit is sold for €400 and then resold in Merseyside for around £1,000. The Merseyside Police have recovered 36 such antique firearms to date. The firearms were delivered to one person’s home and the ammunition to another; and
- converted Baikal pistols, but it is unclear if this represents a new source of supply or the recirculation of Baikal pistols that arrived in the UK during the period 2006–2009.<sup>117</sup>

1 | The data relate to the theft of firearms recorded as either burglary and theft or theft (Merseyside Police (2017), ‘Firearms in Merseyside’, FOI request DJ 2017–429, 9 June, [https://www.whatdo-theyknow.com/request/firearms\\_in\\_merseyside\\_2#comment-78416](https://www.whatdo-theyknow.com/request/firearms_in_merseyside_2#comment-78416)).

Since 2013 KIIs have noted the supply of two different types of firearms on the UK illicit market as of particular concern: antique firearms since 2013; and reactivated firearms from Germany and Slovakia since 2015.<sup>118</sup> Regarding the apparent increase in firearms availability and use in the UK since 2015, the West Midlands Police chief constable, Dave Thompson, stated in January 2016: *“These guns are not the machine guns or the automatic weapons that we saw in the dark days. They are handguns and a lot of them are antiques and the ammunition is poor quality, but nonetheless there seems to be more of them than we have seen in a while. We need to look carefully at where they are coming from and we need to try to seize more of them .... We know, via the ballistic tracking, that new weapons have emerged that we have not seen before. ... I think we do have a strong sense that there is a little more availability”*.<sup>119</sup>

Since 2013 ‘antique’ firearms, such as the late-19th-century French-made Saint-Etienne army revolver, have become increasingly popular among low-end USGs and represent an increased share of firearms discharges in urban areas.<sup>120</sup> Although the ammunition for antique firearms is considered obsolete, and therefore these weapons are not subject to the same controls and restrictions as other types of handguns (i.e. not subject to the need for a firearms certificate), they can be adapted to fire modern ammunition.<sup>121</sup> Several cases of transfer and use, including for terrorist acts, are discussed below. In Birmingham, antique firearms were sold in 2014 for £3,000 each.<sup>122</sup>

NABIS analysis from 2015 highlighted criminal interest, including by USGs in south-east England, in reactivated Czech-produced Skorpion vz.61 sub-machine guns sourced from Germany and Slovakia.<sup>123</sup> Skorpion sub-machine guns were used in two attacks in London in 2014, including the shooting of a police community support officer, and in two murders in London between September 2015 and April 2016.<sup>124</sup> Detective Superintendent Damian Allain of the Metropolitan Police’s Trident anti-gang unit said: ‘We are seizing more automatic weapons and we recognise there are potentially more Skorpion weapons in circulation but we are targeting the suppliers to get them off the streets.’<sup>125</sup> Police seized 18 sub-machine guns in 2015, compared to 13 in 2014.<sup>126</sup> Open-source information on the price for Skorpion vz.61 sub-machine guns in the UK is unclear. One case records the online dark web purchase price for Skorpion sub-machine guns of around £3,000, with the potential for a sale in the UK up to £15,000.<sup>127</sup> In another case it was reported that Skorpion vz.61 sub-machine guns and Vz.58 assault rifles could be purchased for around £4,000 in the UK.<sup>128</sup>



## 2.3 Supply mechanisms for the illicit firearms market

The five main supply mechanisms for the illicit gun market in the UK are:

1. illegal production, conversion, and reactivation;
2. legal imports diverted to the illicit market;
3. legal purchase in another country and illegal importation into the UK;
4. the smuggling of illegal firearms; and
5. theft or loss from legitimate owners and diversion into the illicit market.

Below we will give an overview of the dynamics and actors involved in these supply mechanisms. It is important to keep in mind that the players involved in the supply of firearms to the illegal firearms market can use a variety of methods to source and distribute firearms (including multiple methods in one case).

### 2.3.1 Illegal production, conversion and reactivation

The illegal production of ammunition and the conversion and reactivation of firearms are regarded as important sources of supply for the UK illicit firearms market. Hale, Lewis and Silverstone provided the following profile for those involved in these activities: 'Individuals with basic engineering skills have been able to circumvent firearms legislation by converting legally-obtained air weapons and blank-firing imitation firearms and reactivating deactivated firearms, so that they fire live ammunition, which in some cases is home-made.'<sup>129</sup> These individuals can produce ammunition, convert a blank firer, reactivate a deactivated firearm, and/or produce a firearm from parts. The profile is middle-aged or elderly white males with an interest in firearms.<sup>130</sup> Some consider them to be 'gun enthusiasts' who will not necessarily have direct connections to criminal networks, but are known by a 'distributor' who has criminal links.<sup>131</sup> The following cases provide information on the key actors involved and illustrate the dynamics of the reactivation and conversion of firearms in the UK.

During 2005-2007 the Metropolitan Police investigated a series of firearms discharges and murders involving reactivated MAC-10 machine pistols. Their investigations led them to Grant Wilkinson. The Thames Valley Police found Wilkinson's illegal firearms factory in the outbuilding of a farmhouse near Reading and a store at a property in High Wycombe, which contained two converted MAC-10 machine pistols; nine deactivated MAC-10s; ten replica handguns; parts and components for firearms; material for the production of ammunition; and machinery, tools and documentation for conversion. It transpired that Wilkinson purchased

90 blank-firing MAC-10s from Guy Savage's Sabre Defence Industries in London 'on the pretence that they were to be used in the James Bond movie *Casino Royale*'.<sup>132</sup> He used a false name to purchase the firearms, paying £55,000 in cash in several transactions. He expected a 500% return on this investment.<sup>133</sup>

In 2009 undercover officers from the Merseyside Police's Matrix unit involved in the investigation of illegal firearms supply in Merseyside uncovered an illegal firearms factory at an industrial unit in Liverpool, where James Dunne and Neil Hilderley reactivated at least 45 firearms.<sup>134</sup> The undercover officers were led to the factory as a result of purchasing an Uzi sub-machine gun and Sten gun from two 'couriers', Lee Malone and Joseph 'Jo Jo' O'Rourke. The firearms indicated the existence of reactivated weapons, because the rifling on both weapons was the opposite way from what it should have been.<sup>135</sup> The Merseyside Police found the industrial unit that was being used for the reactivation of firearms and production of ammunition. The arrest of Malone and O'Rourke also led the Merseyside Police to an international arms-trafficking operation (see section 2.3.3).

In January 2016 former Polish soldier Bart Pawlowski was found guilty of reactivating more than 40 firearms, including Kalashnikov assault rifles, and producing ammunition at a workshop in London.<sup>136</sup> Ishmael Brown and Ehsen Abdul-Razak used mobile phones from their prison cell to source and sell the firearms. The deactivated firearms were collected by Brown's girlfriend, Caitlin Adams, and Aaron Shane Murray. The pair delivered the firearms to Pawlowski's workshop during January-June 2015. The operation was uncovered when Murray and Uzair Patel were found in possession of a 9 mm self-loading pistol. By January 2016 only eight of the 40 reactivated firearms had been recovered.

### 2.3.2 Legal imports diverted to the illegal market

NABIS research identified the way in which 'corrupt registered firearms dealers' in Australia and the United States use their extensive knowledge of firearms and firearms legislation to exploit loopholes in legislation to import firearms that are subsequently diverted to the illegal firearms market.<sup>137</sup> Several KIIs intimated that more could – and should – also be done in the UK in this regard.

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I As a result of the investigation, proposals were put forward for significant changes to UK firearms legislation. The case also demonstrated what can be achieved when UK law enforcement agencies collaborate to address the illicit firearms market. Guy Savage cooperated with the police and gave evidence at Grant Wilkinson's trial, but was subsequently arrested and extradited to the United States for international arms trafficking offences.

A number of cases of corrupt registered firearms dealers exist in the UK. In January 2017, for example, police in Birmingham stopped and searched the vehicle of 67-year-old John Spencer Booth, a registered firearms dealer, and found ten sawn-off shotguns and over 200 rounds of ammunition.<sup>138</sup> A particularly worrying case came to light in April 2014, when police discovered 463 firearms (including an anti-tank weapon) while investigating an alleged assault case involving 49-year-old James Arnold.<sup>139</sup> The investigation of Arnold's property led to Anthony Buckland, a firearms dealer in Norfolk, who had illegally sold at least 26 firearms to Arnold. Buckland was found guilty of selling prohibited weapons and fraud.

The most significant recent investigation into a registered firearms dealer diverting legally imported firearms into the illegal firearms market had not concluded at the time of writing.<sup>140</sup> Paul Edmunds, a 65-year-old registered firearms dealer, is accused of playing an important role in the diversion of legally imported antique firearms into the illegal firearms market in the West Midlands during 2009-2015.<sup>141</sup> It has been estimated that he imported hundreds of firearms from the United States, which were supplied via an intermediary to the Birmingham-based Burger Boys gang. Police found three armouries at his home in Gloucestershire in July 2015, in which he reportedly made tens of thousands of rounds of ammunition that were supplied with the antique firearms to the Burger Boys. NABIS experts linked ammunition recovered from at least 90 crime scenes to the ammunition found at Edmunds' house. His identification and arrest followed the capture in 2014 of the Burger Boys gang members involved in antique firearms dealing (see box 5).<sup>142</sup> The firearms and ammunition were transferred to the Burger Boys gang via a mutual acquaintance, Dr Mohinder Surdhar, who was a firearms certificate holder. Surdhar has pleaded guilty to the transfer of firearms, but Edmunds has denied his part in the conspiracy.<sup>143</sup> This case indicates the potential for legally imported firearms to be diverted to the illegal market, as well as the illegal production of ammunition in line with the first category referred to above. It also shows the importance of intermediaries to the process of facilitating a transfer between legal firearms dealers and the illicit firearms market. As noted in section 1.1, above, antique firearms represent a loophole in the Firearms Act regulatory regime, because dealers do not have to record details of the sale, and purchasers do not require a firearms certificate.

### 2.3.3 Legal purchase in another country and illegal importation into the UK

The United States is the source for over half of all firearms seized at UK border entry points.<sup>144</sup> Many of these firearms can be traced back to so-called 'straw purchases' or online purchases (see also section 2.3.4). One of the most notorious cases of legal

purchase in the United States and illegal importation into the UK relates to the activities of Stephen Greenoe. Open-source reports do not reveal another case on the same scale during the period under study.

During February-June 2010, US national Steven Greenoe travelled from the UK to Raleigh in North Carolina (United States) eight times to purchase firearms at several different gun stores, illegally export them from the United States, and illegally import them into the UK. In this way he acquired at least 79 firearms, mainly pistols.<sup>145</sup> Greenoe purchased most of the firearms using a North Carolina conceal-and-carry weapons licence. The smuggling operation was first identified by covert police in Merseyside's Matrix unit in February 2010, when Lee Malone and Joseph 'Jo Jo' O'Rourke offered to sell undercover officers five Glock 9 mm pistols for £18,500 (see section 2.3.1). In the end Malone and O'Rourke only supplied three Glock pistols to the undercover police for £10,500. Although the serial numbers had been manually removed from the pistols, forensic analysis in the UK revealed their serial numbers. These were sent to the United States in a tracing request, which revealed that these three Glock pistols were purchased by Steven Greenoe on 17 February 2010 at Carolina Shooters Supplies. Alerted to Greenoe's activities, the ATF monitored his purchases during the period 20-24 July 2010 and recovered 33 Glock pistol boxes that he had disposed of in Raleigh. These boxes matched Greenoe's purchases and provided bullets that had been test fired and provided with the pistols. On 25 July 2010 Greenoe checked in four bags of luggage for his flight from Raleigh via New York to Manchester, UK. He did not declare the pistols in his luggage. The Immigration and Customs Enforcement agency and the ATF retrieved a garment bag from the luggage area, and the screening of this luggage revealed two hard-sided Pelican cases. Sixteen pistol slides and pistol barrels were found in one case, and 16 lower pistol receivers in the other. The serial numbers for these pistols matched those that Greenoe had purchased during his week in the United States. Inside one case there was a note addressed to the US Transport Security Administration stating that Greenoe had permission to transport the inert 'samples'. Another piece of luggage contained 32 magazines. Greenoe was arrested at the departure gate for his flight. He stated that he purchased firearms during February-July 2010 for his employees involved in overseas maritime protection and all but two of the firearms had been exported to the UK using the same method. He appeared to be aware that he was violating US export control laws by exporting firearms without a licence. He was convicted of violating US export control laws and sentenced to ten years in prison.

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I According to documents from the US District Court for the Eastern District of North Carolina from 2010 (Case No. 5:10-M-1646), these firearms included 29 Ruger pistols (various models), 27 Glock pistols (various models), one Steyr M9 pistol, one Taurus 709 pistol, one Highpoint C9 pistol, one Smith & Wesson pistol, one SIG Sauer P250 pistol, one Skyy pistol and one Browning Grade III 12-gauge shotgun.

### 2.3.4 Smuggling of illegal firearms

Writing just over a decade ago, Hales, Lewis and Silverstone assessed illegal firearms smuggling as a 'relatively insignificant' source for the UK illegal firearms market.<sup>146</sup> Ireland was mentioned as a source of supply, although they urged caution in using such information to indicate a pattern for illegal firearms smuggling into the UK.<sup>147</sup> The most recent NCA National Strategic Assessment of Serious and Organised Crime indicates that smuggling firearms into the UK is a concern, and indicates two main forms of smuggling, via:

- maritime and roll-on/roll-off traffic at UK ports; and
- the postal service and courier companies.<sup>148</sup>

NCA analysis indicates that handguns, Skorpion sub-machine guns and assault rifles are smuggled into the UK via Belgium, France, and the Netherlands from Eastern and South-Eastern Europe.<sup>149</sup> The NCA notes that 'routes to the UK are varied and dependent on the method used'.<sup>150</sup> The assessment of KIIs in the UK regarding UK-based OCG involvement in firearms smuggling is in line with the view that firearms trafficking by OCGs in Europe is 'almost exclusively a supplementary rather than primary source of income for the small number of OCGs involved in this crime area'.<sup>151</sup> As noted above, the size of the return for illegal firearms smuggling is not regarded as being worth the risk for UK-based OCGs. Analysis of source countries and suspected routes indicates an overlap with drug-smuggling routes into the UK. Bulk heroin consignments are assumed to be shipped via South-Eastern Europe to Dover. Cocaine is shipped from the Americas by container to the European hubs of Antwerp and Rotterdam, before transportation to UK ferry ports.<sup>152</sup> The drugs-firearms link between gangs in the Netherlands and the UK, in particular Merseyside, is not a new phenomenon, but is a particular concern.<sup>153</sup> Many of the open-source cases of trafficking interceptions during the period under study revealed the transfer of small quantities of firearms and ammunition in drugs shipments.

During the past decade one can identify two general profiles for illegal firearms smuggled into the UK. The first is the illegal smuggling of converted Baikal blank-firing pistols from the Baltic states by Lithuanian crime gangs. The peak period for the illegal smuggling into the UK of Baikal pistols, which were converted into pistols capable of firing live rounds in Lithuania, was 2005-2009. UK police forces found evidence of their use by USGs during this period. The UK Border Force detected efforts to import such items in 'private multi-occupancy passenger-vehicles or privately operated parcel post vehicles from Lithuania'.<sup>154</sup> In one case, ten Baikal pistols, silencers and 300 rounds of ammunition were found hidden in the

dashboard of a Lithuanian-registered minibus at Dover inbound tourist controls. In another case, 15 converted Baikal pistols, silencers, another handgun, and several hundred rounds of ammunition were found in a Lithuanian-registered car-transporting lorry.<sup>155</sup> One of the sources of the conversion was uncovered in Kedainiai in Lithuania in August 2006, where hundreds of legally purchased Baikal low-powered gas pistols were converted to fire live ammunition.<sup>156</sup> Publicly available information shows that in some cases it was difficult to demonstrate criminal intent to distribute on the part of the drivers and passengers in the vehicles bringing the Baikal pistols into the UK. It was assumed that this method for smuggling converted Baikal pistols was successfully blocked in 2009-2010, after UK-Lithuanian cooperation. However, in October 2015 five Baikal pistols and 35 rounds of ammunition were found in a Lithuanian 'postal bus', and another ten handguns, silencers, and 100 rounds of 9 mm ammunition were seized at Dover in a UK-registered Peugeot 208 car driven by two Lithuanian nationals.<sup>157</sup> Therefore, it appears that in cases where a route and method for illegal firearms trafficking has been stopped, it can resurface five or six years later if demand continues and supply is restricted.

Secondly, the smuggling of deactivated and reactivated ex-military sub-machine guns and rifles into the UK from Central, Eastern and South-Eastern Europe has emerged as a significant concern in recent years.<sup>158</sup> For example, the NCA issued a warning in 2015 concerning the smuggling of Czech-produced Skorpion sub-machine guns into the UK.<sup>159</sup> UK law enforcement agencies have focused particularly on efforts to smuggle such automatic firearms into the country since the MTFAs in Paris in November 2015.<sup>160</sup> These types of firearms are thought to have been illegally imported into the UK via traditional trafficking methods and by post.<sup>161</sup>

In August 2015 the NCA and the Kent Police intercepted what is thought to be the 'largest seizure of automatic weapons ever made on the UK mainland'.<sup>162</sup> Gang boss Harry Shilling and his 'lieutenants', Michael Defraime and Richard Rye, sourced 22 Vz.58 assault rifles, nine Skorpion sub-machine guns, two silencers, 58 magazines, and 1,500 rounds of ammunition from FG Security in Slovakia. The automatic firearms were purchased for 'between £120 and £320 each but could have been sold for up to £4,000 each'.<sup>163</sup> The gang's intentions were brought to the attention of the NCA after Shilling and Defraime had travelled to Hungary, Romania and Slovakia in 2014 to purchase firearms. Surveillance and monitoring of their phones indicated that the firearms would be smuggled into Cuxton in Kent from Boulogne in France on board a pleasure craft in August 2015. The boat left the UK on 9 August for France and returned with its cargo on 10 August 2015. NCA surveillance teams monitored the smugglers unloading bags and suitcases containing the firearms and ammunition into a van. The investigation did not reveal the gang's plans for the firearms, although it is suspected that the gang intended to use them to achieve a higher

status in the OCG and USG hierarchy. The seriousness of the offence is reflected in the sentences handed down to the gang in April 2016 (between 64 months and 30 years in prison). While the source for the firearms is a well-known concern, this smuggling method stands out in the open-source information on large-scale firearms trafficking into the UK.

Another method for sourcing reactivated Skorpion sub-machine guns from continental Europe was uncovered in spring 2014, which exhibited elements used for smuggling other types of illegal firearms into the UK. While serving an eight-year prison sentence for robbery, Andrew Mullings used a smartphone from his cell in Wandsworth Prison to organise the sourcing, sale and distribution in the UK of eight reactivated Skorpion sub-machine guns. He purchased the weapons from a dark-web retailer, which delivered the firearms from Germany via Parcelforce to eight different addresses in London. Spencer Inglis took delivery of the firearms and Mullings' girlfriend, Emily Ciantar, acted as the courier. Five Skorpion sub-machine guns are believed to have been delivered before police obtained knowledge of the delivery of the presumed sixth weapon to Inglis on 12 April 2014, with subsequent interceptions on 15 May 2014 and 19 June 2014. As noted in other cases, the use of partners and friends as couriers and custodians is a feature of the UK illegal firearms market.<sup>164</sup>

The review of open-source information has revealed other cases in which criminals have used public websites and the dark web to order firearms and parts for delivery into the UK in postal and courier packages from Germany and the United States.<sup>165</sup> Although the UK police do not report a significant number of hits for the use of dark-web sources for procuring firearms for illegal import into the UK,<sup>166</sup> the NCA reportedly began working in 2013 with the ATF and US Postal Inspection Service to investigate US-based dark-web trafficking groups that supply firearms to customers in the UK.<sup>167</sup> It is suspected that this cooperation related to the case of Mark Richard, who used dark-web sources to order handguns and ammunition that were delivered to Aaron Bishop and Martin Beard. Open-source data indicate that handguns, parts, and components illegally imported from the United States and Germany – both lethal and blank-firing weapons – are detected being shipped by post and courier; in several cases these are online purchases.

### 2.3.5 Theft or loss from legitimate owners

An increase in the loss or theft of registered firearms and shotguns in the UK has come to be seen as an indicator of a restricted illegal firearms market.<sup>168</sup> UK police report that leakage of legal firearms into the illegal market is a bigger problem now than in the past.<sup>169</sup> For example, 210 rifles, 103 handguns and 282 shotguns were reported as ‘misappropriated’ during 2006/07, compared to 692 licensed firearms reported stolen or lost in 2015/16.<sup>170</sup> The police authority areas that have high levels of registered gun ownership but low levels of firearms offences have been regarded as a source for the illegal firearms market.

KIIs and NABIS analysis highlight that holders of licences to deal in or possess firearms are acquiring illegal arms as collectors, with no intention to divert such firearms to the illegal market. However, such individuals have been identified as potential risk cases because ‘these hoarders and significant firearms caches pose a risk of bulk theft of firearms, whether or not the owner is criminally complicit ... which presents a risk of the collections finding their way into criminal hands’.<sup>171</sup>

The theft or loss of firearms held by the police and the UK MoD have not been regarded as a significant source for the illegal firearms market in England and Wales.<sup>172</sup> Between 2008 and 2016, 62 service firearms<sup>I</sup> were stolen or lost from UK military bases.<sup>II</sup> Interestingly, 39 of these weapons were later recovered, which indicates a relatively good recovery rate.<sup>173</sup> However, there have been several high-profile cases in recent years that have drawn attention to the potential risk of military personnel stealing firearms and ammunition and selling automatic weapons, potentially for terrorist purposes, in the UK. In England, a Royal Marines reservist was caught in a sting operation attempting to sell for £10,000 a C8 automatic assault rifle, a semi-automatic SIG Sauer P226 handgun, thousands of rounds of 5.56 mm and 9 mm ammunition, and hand grenades that he had stolen from the RM Poole military base in Dorset, as well as a sawn-off shotgun.<sup>174</sup>

I These figures include the theft of 18 pistols, 14 rifles and four light machine guns; the loss of two pistols, ten rifles, two general-purpose machine guns and one shotgun; and the non-specified disappearance of two non-operational L85A2 assault rifles, one SIG Sauer pistol, seven Biathlon rifles and one H&K MP7 carbine.

II The data only refer to weapons lost or stolen in ‘non-operational areas’ or explicitly specified as in the UK.



### 3. Terrorist access to the UK illicit firearms market

In recent years the UK has witnessed few terrorist attacks in which firearms have been used. In March 2017, however, the UK's most senior counter-terrorism police officer, Assistant Commissioner Mark Rowley, stated that there were '500 live counter-terror investigations at any time ... [and] 13 foiled attacks since June 2013'.<sup>175</sup> Earlier, in October 2016, he also stated that 'half of the terrorist plots that have been disrupted in recent years have involved terrorist plotters who tried to get hold of guns'.<sup>176</sup> One report quantified this as 'five of the 10 terrorist attacks foiled by British security services and police during 2015-16 involved plans to buy guns'.<sup>177</sup>

After the Mumbai attacks in 2008, UK law enforcement agencies became concerned about the threat of a MTFA in which a terrorist group could use the River Thames for an attack on key infrastructure in London.<sup>178</sup> More recently, the call by Abu Bakr al-Baghdadi and the so-called Islamic State leadership for jihadists to kill Westerners in Europe using whatever weapons are at their disposal has heightened fears of an MTFA occurring in the UK.<sup>179</sup> The MTFAs in Paris in November 2015 and Brussels in March 2016 have also influenced the focus of UK counter-terrorism agencies and national and local government on the need to disrupt jihadist efforts to acquire firearms for use in the UK. In an independent review of London's preparedness to respond to a major terrorist incident, Lord Harris noted that:

*No doubt, as a nation we have benefited from the fact that firearms are more difficult to acquire here than elsewhere in the world. However, London is not firearms-free. ... Our borders are not as secure as they should be and much greater efforts should be made to prevent the illegal transportation of weapons and people into the country. It would be naive in the extreme to assume that would-be terrorists will not attempt to exploit any such weaknesses.*<sup>180</sup>

As a result, some of the recommendations contained in the review's report called for:

- London's mayor to seek assurances at the national level that 'that the routine screening and searching of cars and freight entering the country is being significantly enhanced, with an uplift in land-based and sea-based border force coverage';
- the establishment of joint intelligence hubs between the NCA and Metropolitan Police Service to 'tackle the illegal importation of firearms with regular reports to Ministers and to the Mayor's Office on the progress made'; and

- changing national firearms legislation so that the ‘negligent’ loss or theft of a registered firearm results in the permanent removal of the holder’s firearms certificate.<sup>181</sup>

While such measures could be useful for information sharing between relevant agencies seeking to address access to illegal firearms in the UK, several KIIs reflected on the broader question ‘do jihadists in the UK need firearms for a terror act?’.<sup>182</sup> Firstly, KIIs reflected on the various organisational structures and purposes of jihadist terrorists today compared to ethno-national and separatist terrorist attacks perpetrated by groups in Northern Ireland. Republican and Loyalist terrorist groups in Northern Ireland had structures and purposes that were organised in a way that could be infiltrated, and sources for firearms, ammunition and explosives could therefore be identified using human-intelligence methods.<sup>183</sup> This is more difficult in the case of small cells of jihadist terrorists, but the logistical infrastructure and potential state sponsors and sources of supply are also not comparable. Secondly, KIIs considered that in seeking to acquire a firearm in the UK, especially a semi-automatic or automatic firearm, the risk of potential detection for a would-be jihadist terrorist significantly increases. The acquisition of such firearms is challenging for criminals, and is a ‘red’ flag’ that would invite a rapid law enforcement response due to the UK’s surveillance and monitoring capabilities. One KII asked if the limited availability of automatic firearms on the illicit market in the UK provides a very high ‘barrier to entry’ for perpetrators of MTFAs.<sup>184</sup> Thirdly, it was noted that a jihadist seeking to commit a spontaneous violent extremist act would use readily available tools (e.g. car, knives), because it takes time and planning to acquire a firearm for an MTFAs.<sup>185</sup> In the UK, automatic firearms are not considered an easily available option for a jihadist.

The first part of this section provides a case study of criminal and ‘ethno-nationalist and separatist’ terrorist access to illegal firearms in Northern Ireland. The second part analyses the recent cases of firearms acquisition by jihadists planning a terrorist attack. The final part provides more details about the firearm used in the right-wing terrorist murder of MP Jo Cox in 2016.

### 3.1 Terrorist access to illegal firearms in Northern Ireland

There is a clear and evident crossover between organised crime and terrorism in terms of the supply and use of illegal firearms in Northern Ireland. It is important to highlight that during the period known as ‘The Troubles’ – the 1970s and 1980s – illegal firearms were delivered via ports in Northern Ireland and the Republic of Ireland to terrorist paramilitary organisations engaged in the conflict in Northern

Ireland – on one side terrorist groups fighting for the unification of Ireland (Republican) and on the other side those fighting for Northern Ireland to remain part of the UK (Loyalist). On the one hand, the Republican terrorist paramilitary organisations and in particular the IRA significantly benefitted from state sponsorship from Libya's Colonel Muammar Qaddafi and Irish expatriates in the United States, who provided funds and significant quantities of firearms, light weapons and explosives for their cause.<sup>186</sup> It is difficult to accurately estimate the number and type of firearms that were smuggled into Northern Ireland during this time. The Loyalist forces, on the other hand, mainly used stolen weapons, and individuals with engineering skills produced illegal firearms from parts and reactivated firearms.<sup>187</sup> Since the signing of the Good Friday Peace Agreement in April 1998, terrorist paramilitary organisations have reportedly decommissioned their firearms and explosives, overseen by paramilitary groups and independent bodies.<sup>188</sup> It is assumed that elements in the IRA and other paramilitary organisations retained some of their arms, with firearms known to have been used during the Troubles continuing to be used in Northern Ireland and the Republic of Ireland today. Although armed violence has declined since the conclusion of the Good Friday Agreement, the terrorist-criminal nexus continues to influence the availability of illegal firearms in Northern Ireland.

Nowadays Northern Ireland has become relatively stable. However, official data show an increase in illegal firearms possession and seizures in recent years. The Police Recorded Security Situation Statistics show that the Police Service of Northern Ireland (PSNI) recovered 66 firearms in 2015/16, compared to 58 during 2014/15.<sup>189</sup> This increase corresponds with an increase in the number of weapons possession offences, which has been on the rise for the last three years for which data are available, reaching 923 offences in 2015/16 – the highest level recorded in the data series for trends in police-recorded crime in Northern Ireland.<sup>190</sup> In addition, there were 117 firearms discharges during 2015.<sup>191</sup>

Successor and splinter organisations to those involved in the Troubles are suspected of retaining firearms acquired forty or fifty years ago. Terrorist paramilitary-style shootings continue to be used today to maim or kill their victims. The Global Terrorism Database recorded 16 terrorist incidents that involved the use of a firearm or imitation weapons in Northern Ireland during 2015.<sup>192</sup> PSNI data indicate that during 2015/16 there were 14 casualties as the result of paramilitary-style shootings, 13 of which were carried out by Republican groups and one by a Loyalist group.<sup>193</sup> The vast majority of these attacks happened in Belfast, with the number of paramilitary-style shootings in Northern Ireland at its lowest since 2008/09. Six people were charged for firearms offences under Section 41 of the Terrorism Act (2000).<sup>194</sup>

Open-source data reveal a wide variety of firearms types seized by the PSNI and used in crimes, including Kalashnikov-type automatic rifles, Heckler and Koch (H&K) MP5 sub-machine guns, Glock and Makarov semi-automatic pistols, and shotguns. H&K MP5 sub-machine guns stolen from PSNI stocks and Glock 9 mm pistols appear to be used in high-profile crimes. Therefore, the illegal firearms used in Northern Ireland are markedly different to those in other parts of the UK, with access to military-grade firearms more readily available for criminal and terrorist use. Although some of these firearms could have entered Northern Ireland during the Troubles and circulated in the illegal firearms market for decades, there is evidence to suggest that some of these firearms might have been smuggled into Northern Ireland more recently using established routes for smuggling drugs. KIIs suggested that firearms are included as part payment for drugs supplied to OCGs (see Box 10).

#### Box 10: Linking drugs and guns in Northern Ireland

Jock Davison, a commander of the Provisional IRA, was shot and killed in South Belfast using a Makarov pistol that had not previously been used in Northern Ireland.<sup>195</sup> This pistol is suspected of being smuggled into Northern Ireland by a Ukrainian OCG operating in Northern Ireland that was supplying drugs and firearms to drug dealers in Belfast. Makarov pistols are reportedly sold for £2,200 each, including ammunition and a silencer.

Another case of drugs and firearms being smuggled into Northern Ireland was revealed by Operation Redstart, led by England's North West Regional Organised Crime Unit – TITAN.<sup>196</sup> The operation successfully disrupted the activities of a Liverpool-based OCG that was smuggling cocaine and cannabis to Northern Ireland, with the couriers protecting themselves with revolvers and sub-machine guns.

A high-ranking PSNI police officer provided an overview of the five main types of illegal firearms available in Northern Ireland, the majority of which are suspected of reaching Northern Ireland via the Republic of Ireland: 'If there is a cold in Dublin, there will be a sneeze in Belfast.'<sup>197</sup> Firstly, legacy firearms from the Troubles continue to be in use today. For example, it is known that 12 Kalashnikov-type assault rifles recently used in firearms offences were part of the shipments that arrived from Libya in the 1970s. The PSNI knows of at least one firearm that has been used 20 times since the 1970s. It is suspected that firearms in the hands of Republican

terrorist groups have limited crossover to OCGs. In contrast, there is more evidence of Loyalist firearms being transferred to OCGs, but such exchanges are still limited.

Secondly, reactivated firearms are available on the illicit gun market in Northern Ireland. Although there is evidence of the presence of skilled and experienced gunsmiths in both Republican and Loyalist terrorist organisations in Northern Ireland, Loyalist terrorist organisations are believed to have relied more heavily on reactivated firearms than Republican groups.

Thirdly, personal protection weapons (PPWs) stolen from serving and former police officers and other public figures, who can apply for a licence to legally possess a handgun under PPW provisions in Northern Ireland's Firearms Order, represent a potential source of illegal firearms use. During 2016, 53 PPWs were reported stolen, together with considerable amounts of ammunition. Other legally held weapons have also been reported stolen, but exact numbers are not available. A particularly worrying case became known in August 2016 involving the theft by a British Royal Marine from a UK military base of handguns and ammunition intended for terrorists in Northern Ireland.<sup>198</sup>

Fourthly, an important supply mechanism is the illegal smuggling of firearms for use by OCGs. Illegal firearms have been smuggled to OCGs in Northern Ireland in different ways, for example, by bus from Bulgaria, Latvia, Lithuania, and Poland; by ferry to Dublin and then into Northern Ireland; and by ferry from Liverpool in England and Stranraer in Scotland. As mentioned earlier, this type of firearms supply is usually linked to the illegal drug trade. At the lower end of the scale, converted blank-firing pistols can be purchased for around €150 and are treated as disposable firearms that are used once and often left at the crime scene. There is an increase in the import of Glock 9 mm pistols via Amsterdam and Dublin, with the serial numbers removed, and up to a dozen Skorpion sub-machine guns have recently been seized.

Finally, there is also evidence of attempts to procure firearms online via the dark web, with parts shipped separately for the recipients to reassemble. In 2016, for example, operations were conducted to trace shipments of Glock 9 mm pistols to OCGs.

### 3.2 Acquisition of firearms by jihadist terrorists in the UK

The introduction to section 3 noted the limited number of cases of jihadist plans to access firearms in the UK. There are only two such cases for which open-source information is readily available. This section presents a brief description of each case and reflections on the questions posed in the opening of this chapter on terrorist access to illegal firearms in the UK.

One of the two successful jihadist terror attacks in the UK in recent decades featured a firearm, although it was not used. On 22 May 2013 Michael Adebolajo and Michael Adebowale murdered 25-year-old soldier Lee Rigby close to his Woolwich barracks.<sup>199</sup> Adebolajo and Adebowale, both British Muslim converts of Nigerian descent, knocked Rigby over in their car before attacking him with knives. Adebolajo attempted to decapitate Rigby with a meat cleaver. When an armed police response team arrived, Adebowale brandished an unloaded 90-year-old Dutch-produced KNIL 9.4 mm revolver and was shot by armed police. Adebolajo had been arrested in Kenya in November 2010 with five Kenyan youths suspected of trying to enter Somalia to join al-Shabaab, and was returned to the UK. As a result of suspected terrorist ties, he was subject to monitoring by MI5, but was found to be 'spending most of his time involved in drug dealing'.<sup>200</sup> Adebowale was also involved in drug dealing. Therefore, both had low-level gang links and suspected jihadist interests. After the attack, both were convicted of murder and illegal firearms possession.

The second case relates to a foiled plot by radicalised British citizens to stage a drive-by shooting of police or soldiers in London in the name of ISIS. In this case, a would-be jihadist who did not have a criminal record was able to acquire a converted Baikal pistol and ammunition from a low-level criminal source that attended the same Muslim Cultural Heritage Centre. The police foiled the plot in late September 2014 shortly after the would-be jihadists acquired a firearm.<sup>201</sup>

The plot was as follows: 21-year-old Tarik Hassane, a medical student at the University of Medical Sciences and Technology in Khartoum (Sudan), and 21-year-old Suhaib Majeed, a physics student at King's College London, made preparations for an MTFA during the summer of 2014. Hassane travelled to Syria in 2013 as an ISIS sympathiser, although he reportedly did not seek to be a fighter. Majeed was tasked with procuring a firearm, ammunition and a moped that could be used in an attack when Hassane returned to the UK, while Hassane would be the gunman. Majeed sourced a converted Baikal pistol with a silencer and a magazine containing six rounds of ammunition from low-level street gang member Nyall Hamlett, who knew Majeed and Hassane via the Al Manaar Muslim Cultural Heritage Centre in

Ladbroke Grove (London), where he used to work as a cook. Hamlett, who converted to Islam while in prison, acquired the items from Nathan Cuffy, who was the custodian of five firearms and ammunition stored at his home. In September 2014 police raided Cuffy's home when Majeed and Hamlett were arranging the acquisition of the Baikal pistol and ammunition. Despite this disruption to the plot, Hassane returned to the UK in October 2014 and was reportedly monitoring Shepherd's Bush police station and/or a Territorial Army barracks in White City in London as potential sites for the attack. Hassane was picked up shortly after his return to the UK.

Hassane and Majeed were given life sentences for conspiracy to murder and preparation for acts of terrorism, with both given a minimum sentence of 21 years before first consideration for release on licence. Hamlett and Cuffy were acquitted on the charge of knowing about the plot to commit terrorist offences, but found guilty of transferring a prohibited firearm and ammunition. Hamlett was sentenced on one count to six years and six months in prison and on another to three years and three months, to be served concurrently. Cuffy was sentenced to a total of 14 years in prison for the intent to supply and possession of four other illegal firearms. One KII indicated that the intention to try Cuffy and Hamlett for terrorism offences sent a strong signal to USGs and OCGs of the risk of supplying illegal firearms that could be used for MFTAs to individuals.<sup>202</sup>

These two cases provide a very limited sample from which to draw general conclusions about the ability of jihadist terrorists to acquire illegal firearms in the UK. Both cases relate to firearms that are more readily available to USGs – antique and converted handguns – and not the semi-automatic or automatic firearms used in the MTFAs in Paris and Brussels. In terms of the source and method of acquisition, even though neither Hassane nor Majeed had the low-level street crime profile of Adebolajo and Adebowale, a contact in their community could source a handgun and ammunition. Assistant Commissioner Mark Rowley has noted that terrorist plotters who have sought but failed to acquire firearms have tended to turn to 'criminals in the communities they hail from. It will often be people involved in low-level organised crime or gang activity.'<sup>203</sup> Several KIIs noted the potential risk of low-level street criminals with access to antique or converted handguns being a source of supply for potential jihadists via a common third-party acquaintance in cities such as Birmingham, Bradford, Leeds or London.<sup>204</sup> The potential risk of a gang member converting to Islam and planning to commit an MTFAs was a risk considered by KIIs, but at present it was felt that there was nominal crossover of individuals between criminal and jihadist terrorist communities, even when they are located in the same geographical area. Therefore, the key to disrupting jihadist plans is thought to

be to identify the potential linkages, usually third parties at the edge of these communities.

Several KIIs stated that for a long time the UK counter-terrorism community did not believe that OCGs would supply firearms to jihadist terrorists.<sup>205</sup> If it is assumed that there is no link, then it is unlikely that resources will be made available to disprove this assumption.<sup>206</sup> It was assumed that an OCG's 'code of honour' would prevent such interactions. However, several KIIs speculated that it was perhaps most likely that the supply of firearms was not a particularly lucrative aspect of an OCG's business, and the risk to business of knowingly supplying firearms to terrorists would result in too much unwanted attention and not be worth the risk. The two cases briefly discussed above do not necessarily disprove this assumption. Hamlett and Cuffy claimed that they did not know that the firearm being transferred to Hassane and Majeed would be used in a terrorist act. Furthermore, neither had access to semi-automatic or automatic firearms. Therefore, to date there is evidence of low-level street criminals overlapping with potential jihadist terrorists, or the potential for firearms transactions between the two groupings. UK counter-terrorist agencies also have evidence of links between gangs and jihadists.<sup>207</sup> One KII noted that would-be terrorists in the UK do seek to obtain firearms, but they often lack the connections to suitable criminal networks.<sup>208</sup>

One KII noted that there is evidence of imprisoned top-level criminals converting to Islam for better food and treatment and perhaps meeting individuals that are radicalised and seeing business opportunities.<sup>209</sup> Again, the case of Hamlett provides evidence of a criminal converting to Islam while in prison and acting as an intermediary between firearms custodians and jihadist terrorists, but Hamlett was not involved in an OCG or even in USG activity. One KII noted the concern that prison could be used to forge criminal associations between terrorists and potential illegal firearms suppliers.<sup>210</sup> NABIS analysis has also flagged the risk that although there is limited evidence to date of jihadist and organised criminals in UK prisons conducting firearms deals, such a risk exists.<sup>211</sup>

Another common link between both cases is the interest by at least one plotter in travelling to a conflict area in which a radical Islamist group is fighting: al-Shaabab in Somalia for Adebolajo and ISIS-controlled parts of Syria for Hassane. In this regard, back in 2012 there were concerns that more of the young men that left Somali street gangs in London and Sheffield to fight with al-Shabaab in Somalia could return to the UK with experience of handling firearms and planning attacks that they might use in an MTFA in the UK.<sup>212</sup> One KII contrasted this profile of foreign fighters with gang backgrounds with the profile for foreign fighters or sympathisers in Syria, such as Hassane. However, the arrest of Mustafa Abdullah after



his return from Syria in May 2014 could be noted here, because it was feared that he intended to plan an MTFA in the UK using firearms knowledge acquired fighting with jihadists in Syria.<sup>213</sup> Abdullah was not arrested for the possession of illegal firearms, but because of documentation that indicated that he planned to acquire a firearm for an MTFA and evidence that he had received training in the use of firearms with designated terrorist groups in Syria. Several KIIs noted the potential risk of foreign fighters returning to the UK and using the skills they had acquired to carry out terrorist attacks.<sup>214</sup>

### 3.3 Right-wing terrorist firearms attacks

The EU Terrorism Situation and Trend Report notes that while most right-wing extremist groups across Europe appear to favour the use of knives and bladed weapons, firearms and explosives are also used.<sup>215</sup> For example, during July-April 2013 a Ukrainian national committed four right-wing terrorist attacks in the West Midlands, including stabbing an elderly Muslim male to death and using three improvised explosive devices to attack mosques.<sup>216</sup>

The only right-wing terrorist firearms attack during the period 2011-2016 documented in this study was the assassination of Jo Cox, MP in the market town of Birstall in her West Yorkshire parliamentary constituency on 16 June 2016. Thomas Mair, a 53-year-old right-wing extremist, shot Cox twice in the head and once in the chest with a sawn-off Weirauch .22 hunting rifle and then stabbed her 15 times.<sup>217</sup> The hunting rifle had been stolen from a car in Keighly in West Yorkshire in August 2015, although it was not thought that Mair had stolen the rifle, nor cut the stock and barrel to reduce the overall length of the firearm to 12 inches.<sup>218</sup> Mair's case was dealt with as a terrorist case. On 23 November 2016 he was sentenced to a whole-life term of imprisonment, which means he will never be eligible for parole.<sup>219</sup>

## 4. Conclusions

Our analysis of the available information indicates that once they are in the UK, illegal firearms circulate among OCGs and USGs, with converted blank-firing pistols and antique handguns representing the most readily available firearms on the illicit market today, with evident demand for, and possibilities for sourcing, deactivated and reactivated firearms from Europe and the United States. One could argue that the acquisition and use of converted and antique firearms reflect the limited availability of and access to automatic firearms and lethal handguns in the UK. The way

in which UK policy and legislation are amended in light of evidence presented by police forces on new threats and trends of misuse and exploitation of loopholes has helped to ensure that UK firearms controls remain stringent. At the same time, the event-driven approach and the withdrawal of resources when firearms offences have been in decline for several consecutive years indicate the need for law enforcement agencies to remain vigilant and adequately resourced to ensure that low levels of illegal firearms acquisition, possession and use are maintained. The 'comprehensive' UK policing approach, addressing supply and demand, with a particular focus on working with at-risk groups of young people, also yields better results than a focus on the supply side alone.

To date, jihadist terrorist access to the illicit firearms market in England and Wales is limited. There is some evidence that there are risks of lower-level USG members having common acquaintances in their local communities with individuals susceptible to carrying out MFTAs, but the firearms that are currently accessible are converted or antique firearms. Nevertheless, there are heightened fears of the risk of an MFTA, and therefore resources have been assigned and mechanisms established to further restrict the flow of illegal arms into and within the UK due to the potential terrorist risk they constitute. Inter-agency cooperation mechanisms to address the illegal firearms market and terrorist access appear to be well placed to draw on the experience of dedicated 'gang and gun crime' units and the 'investigate the gun' approach of the NABIS network. Yet, KIIs also noted that too much stress on counter-terrorism could have a negative impact on the ability of police forces to address the daily negative impacts on the public caused by illegal firearms supply and circulation. Getting the balance right is clearly key.

UK sentencing for illegal firearms possession, use, transfer and distribution is already particularly stringent, signalling a low tolerance for such criminal activities in the country. The UK's surveillance and intelligence capabilities are also regarded as playing a critical role at all levels in addressing the threat of terrorist access to the country's illicit firearms market, and all the KIIs referred to the high level of vigilance focused on the threat posed by illegal firearms in the hands of USGs, OCGs and terrorists.

Based on our analysis, we can therefore conclude that the main obstacles and challenges facing UK national policy to address the illicit firearms market and terrorist access to it are those of:

- maintaining constant focus on the issue of illegal firearms and recognising that a decline in firearms offences does not mean that one can focus attention on another issue;

- ensuring the regulation of ‘responsible’ legal firearms possession and preventing the exploitation of loopholes and grey areas in the current legislation;
- better monitoring and understanding the potential risks of diversion from registered dealers and firearms holders who seek to illegally acquire, possess, and distribute ‘prohibited’ firearms and/or illegally produce ammunition;
- gathering intelligence on new methods for obtaining illegal firearms – e.g. the dark web and 3D printing – and how best to mitigate the risk of criminals and/or terrorists obtaining firearms via such sources;
- ensuring the provision of sufficient personnel resources and surveillance capabilities to address the illegal firearms market. KIIs contrasted the availability of such resources for counter-terrorism with the challenges of acquiring such resources to deal with OCG and USG possession, use and trafficking of illegal firearms;
- overcoming the fact that addressing illegal firearms smuggling is not the highest priority for agencies tasked with monitoring UK ports of entry, and that the relevant agencies – the UK Border Force and HRMC – are being asked to do more with limited resources; and
- overcoming the effect on the UK market of the fact that other countries have different deactivation standards, and that low-cost blank-firing and antique firearms are widely available in some European countries.

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