

# **HANDGUNS: LAWS, VIOLENCE & CRIME IN AUSTRALIA**

**Churchill Fellowship Research Paper  
2003**

**Samantha Lee, Chair  
National Coalition for Gun Control**



THE WINSTON CHURCHILL MEMORIAL TRUST OF AUSTRALIA

Report by - Samantha Lee - 2003 Churchill Fellow

To study how other countries like the United States, Canada and the United Kingdom can assist Australia in reducing handgun violence.

I understand that the Churchill Trust may publish this Report, either in hard copy or on the internet or both, and consent to such publication.

I indemnify the Churchill Trust against any loss, cost or damages it may suffer arising out of any claim or proceedings made against the Trust in respect of or arising out of the publication of any Report submitted to the Trust and which the Trust places on a website for access of the internet.

I also warrant that my Final Report is original and does not infringe the copyright of any person, or contain anything which is, or the incorporation of which into the Final Report is actionable for defamation, a breach of any privacy law or obligation, breach of confidence, contempt of court, passing-off or contravention of any other private right or of any law.

Signed: Samantha Lee

Date: 07 December 2004

## Project Description

To study how other countries like the United States, Canada and the United Kingdom can assist Australia in reducing handgun violence.

Samantha Lee

Chair, National Coalition for Gun Control

PO Box 167 Camperdown NSW 2050

0418 49 14 59

## Highlights of Agencies Visited

One of the major highlights was visiting New Scotland Yard in London and talking to Superintendent Michael Hallowes. Superintendent Hallowes was able to provide an intelligent and thought provoking insight into handgun violence and trafficking in the United Kingdom, along with the benefits and short falls that have flowed from the United Kingdom's ban on handgun back in 1996 in response to the Dunblane Massacre in Scotland.

Another highlight was talking to researchers at the United States' Bureau of Alcohol, Tobacco and Firearms (ATF). This organization is able to dedicate an extensive amount of resources to analyse and collect data on handgun crime in the United States. Australia can learn a lot from this organization in relation to the type of detailed information that needs to be collected on handguns in order to gain a better and more comprehensive understanding of handgun crime in Australia.

### How findings will be distributed

- ⇒ On November 30th 2004 I will present my findings at the 'International Crime in Australia' conference hosted by the Australian Institute of Criminology at Melbourne Hyatt Hotel.
- ⇒ Report launched by a special guest next year and media invited.
- ⇒ The paper will be distributed by International Action Network against Small Arms to the members internationally.
- ⇒ The paper will be sent to a law lecturer at University of New South Wales Law School for feedback and supervision on getting the paper published within a Law or Public Health Journal.

1. KEY FINDINGS .....	7
2. INTRODUCTION .....	10
3. Important Definitions .....	11
3.1 TYPES OF HANDGUNS .....	11
3.2 FIRING ACTION .....	12
3.3 MECHANICS .....	12
4. Important Legislation and Agreements.....	13
5. PART ONE: Handgun Laws, crime, availability and violence in Australia.....	14
5.1 CURRENT HANDGUN LAWS .....	14
5.2 WHAT ARE THE ANOMALIES IN THE HANDGUN LAWS? .....	16
5.3 HOW MANY HANDGUNS ARE IN CIRCULATION IN AUSTRALIA? .....	18
5.4 NUMBER OF REGISTERED HANDGUNS.....	18
5.5 HANDGUN CRIME AND VIOLENCE IN AUSTRALIA .....	19
5.5.1 <i>HOMICIDES</i> .....	20
5.5.2 <i>SHOOT WITH INTENT</i> .....	21
5.5.3 <i>ROBBERIES</i> .....	21
5.5.4 <i>BANK ROBBERIES</i> .....	22
5.5.5 <i>SUICIDES</i> .....	22
5.5.6 <i>KIDNAPPING AND ABDUCTION</i> .....	23
5.6 THE IMPORTATION OF HANDGUNS INTO AUSTRALIA .....	23
5.7 TYPES OF HANDGUNS IMPORTED .....	24
5.8 HANDGUN TRAFFICKING AND AUSTRALIA.....	24
5.9 HANDGUN THEFT AND THE ILLEGAL HANDGUN MARKET.....	26
5.10 HANDGUN THEFT FROM SECURITY FIRMS .....	27
5.11 PUBLIC SAFETY ISSUES AND ARMED SECURITY GUARDS.....	28
5.12 OCCUPATIONAL HEALTH AND SAFETY ISSUES AND ARMED SECURITY GUARDS.....	28

5.13	GLOCK HANDGUNS: A PRIZED POSSESSION .....	29
5.14	HANDGUN CRIME DATA COLLECTION AND REPORTING IN AUSTRALIA. ....	30
5.15	WHO IS RESPONSIBLE FOR HANDGUN LAWS IN AUSTRALIA? .....	32
<b>6.</b>	<b>PART TWO: What Can Australia Learn From the United States, Canada, and the United Kingdom About Preventing Handgun Crime and Violence?.....</b>	<b>33</b>
6.1	INTRODUCTION .....	33
6.2	WHAT TYPE OF HANDGUNS DO CRIMINALS PREFER? .....	34
6.3	THE LINK BETWEEN GUN AVAILABILITY TO THE GENERAL PUBLIC AND GUNS AVAILABLE IN THE CRIMINAL MARKET .....	37
6.4	HOW DO PERPETRATORS OF HIGH-PROFILE SHOOTINGS GET THEIR HANDGUN?.....	38
6.5	HANDGUNS AND THE “STRANGER DANGER” MYTH .....	39
6.6	THE NEED TO CONTROL REPLICA, CONVERTED AND IMITATION HANDGUNS. ....	41
6.6.1	<i>CONVERTING HANDGUNS</i> .....	43
6.7	THE NEED TO LOOK BEYOND JUST THE BANNING OF HANDGUNS.....	46
6.8	CHANGES TO THE HANDGUN INDUSTRY, MANUFACTURING AND MARKETING. ....	46
<b>7.</b>	<b>Conclusion.....</b>	<b>48</b>
<b>8.</b>	<b>Recommendations .....</b>	<b>50</b>
<b>9.</b>	<b>Appendix .....</b>	<b>51</b>

## 1. KEY FINDINGS

- The current handgun laws are inadequate and fail to address serious public safety issues.
- There is an estimated 360,000 handguns in circulation in Australia.
- The Australian Institute of Criminology has found that while other firearm related deaths decreased from 1991 to 2001, handgun related deaths increased by 36 per cent. Handguns have become the weapon of choice for most crime.
- The increase in the number of 'shoot with intent' incidents is of major concern to Australia. Fifty-five percent of these incidents have occurred in public places, including streets, parks, footpaths, bus shelters and other locations which are outdoors and communal.
- From 1998 to 2003 the numbers of handgun imports have averaged around 10,000, per year.
- The majority of handguns have been imported from Austria, which is the home of the most powerful handgun - the Glock. Glocks are becoming the prized possession on the criminal market and more will be stolen in the future.
- Since the Monash shooting in 2002, the number of handguns imported by Victoria has increased from 2,850 in 2002 to 3,274 in 2003.
- In Australia between 1998 and 2002, pistols were used in the majority (68 per cent) of hold-ups involving a firearm.
- The carrying of handguns by security guards can decrease public safety and the safety of security guards themselves.

- The collecting and analysis of handgun crime statistics is inadequate in Australia and needs to be updated. More resources need to be poured into this area if we are to gain a better understanding of handgun crime in Australia. At present, there is no national standard for data collection, analysis and reporting on handgun crime and violence.
- Three of the four most popular handgun used in crime in the United States, are not banned in Australia. These are:
  - 9mm semiautomatic pistol
  - .38 caliber revolvers
  - .25 caliber semiautomatic pistols
- The handguns that criminals use reflect the handguns that are available to the general public.
- The legal handgun market feeds the illegal handgun market.
- Studies conducted in the United States have found that the availability of a handgun, or any firearm for that matter, in the home, is associated with an increased risk of suicide or homicide.
- Australia will see more powerful semiautomatic pistols, which are easier to use than previous models on the streets.
- Evidence suggests that Glock pistols are becoming a highly prized item in criminal circles in Australia.
- Research has found that the major source for the movement of handguns into the illegal market is via theft.

- A study on 65 high-profile shooting in the United States found that, among the incidents for which data was available, the majority of the firearms used in these events were obtained from perpetrators' homes or from friends or relatives.<sup>1</sup>
- criminals will move into the maximum firepower that is available in the public arena. If you ban .45 calibre they will move to a .38 a .25 or a .22 and, in our case, quickly progress to reactivating or converting deactivated and imitation firearms.

---

<sup>1</sup> Of the 128 firearms, 48 (37.5%) came from the perpetrator's home, and 30 (23.4%) came from a friend or relative of the perpetrator; 26 (76.5%) of the firearms used by a student to commit suicide came from the home of the student, and 48 (51.0%) of the firearms used in homicide events came from the home or from a friend or relative of the homicide perpetrator.

## 2. INTRODUCTION

On the 21<sup>st</sup> of October 2002, a man armed with a number of handguns opened fire on a room of students at Monash University in Melbourne, Australia, killing two students and injuring five others.<sup>2</sup> This tragedy brought the public's attention to a dangerous anomaly that currently exists within Australia's Firearm Laws - the legal availability of semi-automatic handguns.

In response to the Monash shooting, on the 6<sup>th</sup> of December 2002, the Council of Australian Governments (COAG) (comprising each State and Territory Government and the Commonwealth) agreed to tighten the control on handguns used for sport shooting and those held as part of an historical collection. The legislation does not ban all handguns, but predominantly focuses on handguns that are particularly small in size and therefore very easy to conceal and take into public places.

A way that Australia could improve our understanding of handgun violence, its culture and how to tackle it, is by drawing on the expansive amount of research and expertise that is available in other countries who also have had to contend with handgun violence for some time. These countries include the United States, Canada and the United Kingdom.

Although, firearm violence is not a new trend to Australia, the rise in handgun crime is, and there is very little domestic research and expertise, available to assist policy and law makers in this area. For this reason I have written this paper in the hope that it may assist future policy and legislative development in this area.

There are four issues that I will be focusing on in this presentation. Firstly, to outline some major anomalies in Australia's current handgun laws. Secondly, to give some general statistics about handgun violence and crime in Australia.

---

<sup>2</sup> The Age Newspaper. 21 Oct 2002. 'Gunman 'indiscriminately' kills students' Phillip Hudson

Thirdly, to look at some of the lessons that can be learnt by from other countries in relation to handgun violence. And finally, to make some recommendations on what steps Australia will need to tack in order to address the emerging handgun violence.

### 3. IMPORTANT DEFINITIONS<sup>3</sup>

#### 3.1 Types of handguns

##### *Revolver*

A revolver is a handgun that contains its ammunition in a revolving cylinder that typically holds five to nine cartridges each within a separate chamber. Before a revolver fires, the cylinder rotates and the next chamber is aligned with the barrel.

##### *Pistol*

A pistol is a handgun that does not contain its ammunition in a revolving cylinder. Pistols can be manually operated or semiautomatic. A semiautomatic pistol generally contains cartridges in a magazine located in the grip of the gun. When the semiautomatic pistol is fired, the spent cartridge that contained the bullet and propellant is ejected, the firing mechanism is cocked, and a new cartridge is chambered.

##### *Derringer*

A small single-or multiple - shot handgun other than a revolver or semiautomatic pistol.

---

<sup>3</sup> Definitions have been taken from Karlson, Trudy & Hargarten, Stephen. 1997. 'Reducing Firearm Injury and Death', Rutgers University Press, New Brunswick, New Jersey and London and ATF, Firearms & Explosives Tracing Guidebook, September 1993, pp. 35-40 and Paul C. Giannelli, "Ballistics Evidence: Firearms Identification," Criminal Law Bulletin, May-June 1991, pp. 195-215.

### 3.2 Firing action

#### *Fully automatic*

A fully automatic handgun is capable of firing a succession of cartridges so long as the trigger is depressed or until the ammunition supply is exhausted.

#### *Semiautomatic*

An auto loading action that will fire only a single shot for each single function of a trigger.

### 3.3 Mechanics

#### *Calibre*

This term applies both to guns and ammunition. The calibre of a bullet is its diameter and the calibre of a gun, either handgun or rifle, is the diameter of the inside of a barrel – the bore diameter. Calibre is measured in millimetres or fractions or an inch.

#### *Barrel length*

Barrel length is a measure of the firearms' size and it correlates with ease of concealability. Barrel length affects the firearm's accuracy and muzzle velocity and influences whether it will be used for hunting, target shooting, or a non-sporting purpose.

A revolver's barrel length can be measured by examining the weapons exterior, measuring from the cylinder to the muzzle end. However, with a semi-automatic pistol, the barrel is typically covered by the slide so the barrel length cannot be accurately measured by visual inspection. The semi-automatic barrel must be measured from the inside of the barrel

A firearm with a longer barrel accelerates a bullet over a greater distance and, therefore, for a longer period of time than one with a short barrel.

### *Magazine capacity*

Magazine capacity is basically how many cartridges a gun's magazine can hold. While most revolvers hold six cartridges in their cylinders, semi-automatic pistols with standard sized removable magazines have been manufactured to hold seventeen, nineteen or more cartridges. With a larger magazine capacity, a gun can fire more bullets before the shooter has to reload.

## **4. IMPORTANT LEGISLATION AND AGREEMENTS**

Australian Police Ministers' Council, Firearms Agreement, Canberra 10 May 1996  
Council of Australian Governments (COAG) Agreement on 06 December 2002. A joint initiative of the Commonwealth, States and Territories.

- ⇒ *Customs Act 1901 (Cth)*
- ⇒ *Firearms Act 1996 (ACT)*
- ⇒ *Firearms Act 1996 (NSW)*
- ⇒ *Firearms Act (NT)*
- ⇒ *Weapons Act 1990 (Qld)*
- ⇒ *Firearms Act 1977 (SA)*
- ⇒ *Firearms Act 1996 (Tas)*
- ⇒ *Firearms Act 1996 (Vic)*
- ⇒ *Firearms Act 1973 (WA)*

## 5. PART ONE: HANDGUN LAWS, CRIME, AVAILABILITY AND VIOLENCE IN AUSTRALIA

### 5.1 Current handgun laws

In response to the Monash shooting, on the 6<sup>th</sup> of December 2002, the Council of Australian Governments (COAG) (comprising of each State and Territory Government and the Commonwealth) agreed to tighten the control on handguns used for sport shooting and those held as apart of a historical collection.

In summary, the agreement has restricted the classes of handguns permitted for sports shooting purposes on the basis of calibre, barrel length and magazine/shot capacity. From 1 July 2003 sporting shooters have been prohibited from importing, purchasing, possessing or using a handgun that has:

- A calibre that is greater than .38" (unless the handgun is used to participate in a specially accredited event, in which case a handgun of up to .45" calibre will be permitted).
- A barrel length of less than 120 mm for semi-automatic handguns and 100mm for revolvers and single-shot handguns; and
- A magazine/shot capacity that exceeds 10 rounds.<sup>4</sup>

The Prime Minister, The Hon. John Howard, stated that highly specialised target pistols, some of which have a barrel length of less than 120 millimetres will be allowed.<sup>5</sup>

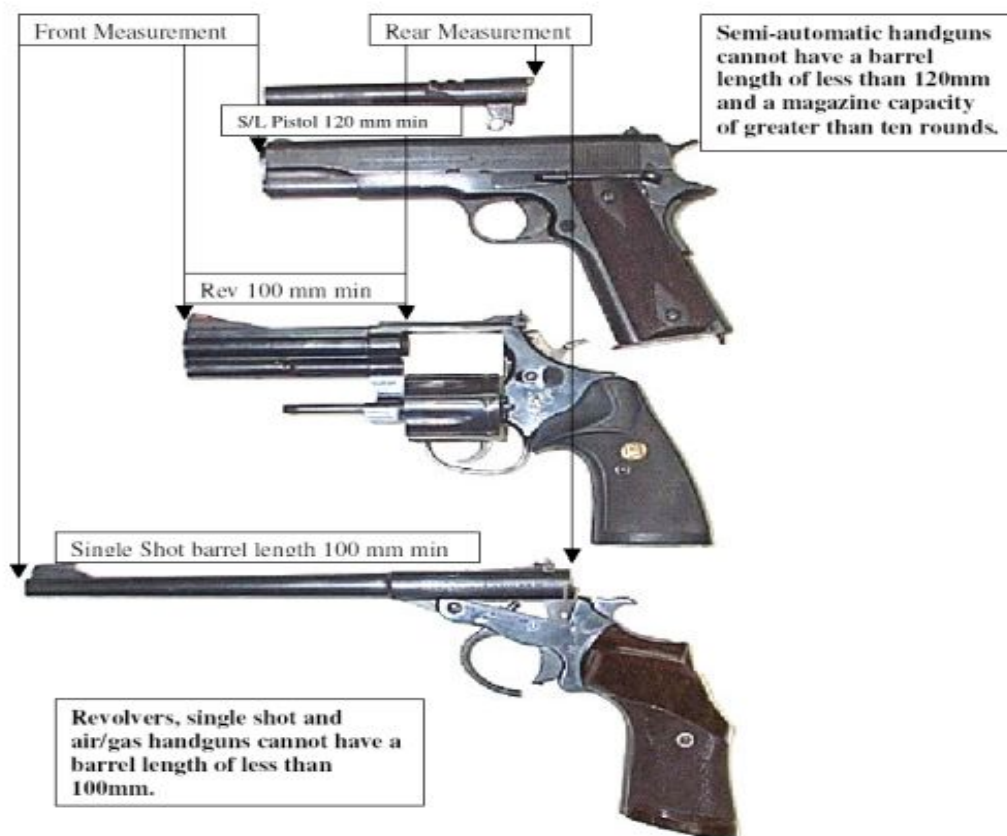
---

<sup>4</sup>Commonwealth Australian Government. National Handgun Buyback. A joint initiative of the Commonwealth, States and Territories. [Http://www.handgunbuyback.gov.au](http://www.handgunbuyback.gov.au) . The majority of States and Territories also agreed that the events of metallic silhouette and single (or western) action should be specially accredited for the use of handguns up to .45" calibre. Highly specialised handguns custom-designed for target shooting are also exempt from the barrel length restriction. Black powder muzzle-loading pistol and cap and ball revolvers are exempt from the calibre, barrel length and magazine/shot capacity restrictions.

<sup>5</sup> COAG meeting; handguns, 6 December 2002, TRANSCRIPT OF JOINT PRESS CONFERENCE WITH THE PRIME MINISTER AND THE STATE & TERRITORY PREMIERS AND CHIEF MINISTERS PARLIAMENT HOUSE - CANBERRA

The nation-wide agreement included a uniform, state-by-state ban on up to 500 models of handgun, a six-month amnesty, and a government-funded handgun buy-back scheme, all to take effect from 1 July 2003. Federal customs regulations were also amended to prohibit the importation of a wide range of pistols and revolvers based on calibre, magazine capacity, and barrel length. The other regulations that shooters have to comply with include:

- ⇒ Membership of an accredited sports shooter club;
- ⇒ Satisfactory police record checks and character references;
- ⇒ Graduated access to handguns through a 12 month "probationary" process supervised by the club
- ⇒ Completion of safety training; and
- ⇒ Participation in a minimum number of shooting events per annum.



How handguns Source: Western Australia Police Service, 'Handguns: Is your handguns legal? 2003.  
<http://www.police.wa.gov.au/Services/FirearmsandWeapons.asp?Handguns>

It appears that the main objective of the legislation is to prohibit the possession and use of handguns that are particularly easy to conceal. Barrel length is a fairly good measure of concealability. A gun with a shorter barrel can be smaller overall and easier to conceal. A gun with a barrel length of 2.5 inches can be carried in pants or coat pocket without being noticed.<sup>6</sup> However, a handgun this size cannot be fired accurately beyond six yards.

## 5.2 What are the anomalies in the handgun laws?

There are significant anomalies that exist in relation to Australia's current handgun laws. The laws focus on the issue of "concealability", but fails to take into account other important public safety factors, along with international key findings on handguns and violence. These factors include:

- a. Many semi-automatic handguns are still legally available in Australia, while the long arm equivalent were banned back in 1996 in response to the Port Arthur massacre. These handguns are just as powerful as the long arm equivalent, and are an even greater danger to the community because they are easy to use and more concealable.
- b. The 2002 handgun laws largely focus on the issue of concealability, but do not adequately address other issues that are just as important such as, reducing handgun availability and the use of handguns in crime and suicide. There still is an estimated 360,000 handguns out there in the community.
- c. Firearm laws in Australia are the responsibility of the States and Territories. With up to 8 different sets of legislation, it is unlikely that a consistent approach to the legislation can be maintained.
- d. The handgun legislation does not define what "specially accredited events" are making it relatively easy for a sporting shooter to purchase and use a handgun with a caliber up to .45".

---

<sup>6</sup> Karlson, Trudy & Hargarten, Stephen. 1997. 'Reducing Firearm Injury and Death', Rutgers University Press, New Brunswick, New Jersey and London and ATF, Firearms & Explosives Tracing Guidebook, September 1993, pg 135.

- e. The handgun legislation bans short barrel handguns, but still allows a large number of longer barrel handguns. A firearm with a longer barrel accelerates a bullet over a greater distance and, gives it greater stability than a gun with a short barrel. The combination of the bullet's increased velocity and greater stability in flight makes the firearm more accurate over longer distance, and increases its range. This is why these firearms are preferred by target shooters.<sup>7</sup> Longer barrel handguns are also 10 times easier to conceal than the long arm equivalent.
- f. Many of the cheapest guns available have traditionally been small-caliber ones. Their price makes them easier to acquire.<sup>8</sup>
- g. According to research conducted by the United States Bureau of Alcohol, Tobacco and Firearms<sup>9</sup>, the most frequently traced crime gun for all age groups was the Smith & Wesson .38 revolver. This handgun is not banned under the current legislation.
- h. Law enforcement officers from 1982 to 1993 who were killed with a firearm other than their own firearm, more were killed with a .38 calibre handgun than any other type of weapon. Yet these handguns are not banned under Australian legislation.
- i. The current handgun laws do not restrict the supply or type of ammunition. Although any ammunition can be lethal if it hits a vulnerable part of the body, some ammunition is more lethal than others e.g. expanding bullets. This is supported by research in the States that has found that the type of ammunition used can have an impact on the severity of a gun shot wound. The measures used to determine the effect of a bullet include, muzzle velocity, kinetic energy, and relative stopping power. A greater emphasis on restricting the type and amount of ammunition in Australia is required.

---

7 Note 3 at p64

8 Giannelli C Paul., "Ballistics Evidence: Firearms Identification," Criminal Law Bulletin, May-June 1991, pg 29 Karlson, Trudy & Hargarten, Stephen. 1997. 'Reducing Firearm Injury and Death', Rutgers University Press, New Brunswick, New Jersey and London and ATF, Firearms & Explosives Tracing Guidebook, September 1993, pp. 35-40 and Paul C. Giannelli, "Ballistics Evidence: Firearms Identification," Criminal Law Bulletin, May-June 1991, pg 29

9 Department of Treasury, Bureau of Alcohol, Tobacco and Firearms. July 2000, 'Crime Gun Trace Report. Youth Crime Gun Interdiction Initiative.

j. The legislation does not include Derringer handguns.

### 5.3 How many handguns are in circulation in Australia?

In 1995 the Coalition for Gun Control (CGC) collected data from State Police Departments around the country to estimate the number of firearms in circulation in Australia. The CGC study found that there were approximately 4,000,000 firearms in Australia, and estimated that handguns accounted for around 7 per cent - 280,000.

In an article published in November 2000, by the Rebecca Peters (ex-Chair the CGC) and Roland Browne (current Co-Chair of the NCGC), they claim around 300,000 handguns are in circulation in Australia, with majority of these being either semi-automatic pistol or self-loading revolvers.<sup>10</sup> Since the publication of this article, another 45,348 handguns have been imported into Australia from 2000 to 2003. This takes the estimated number of handguns in Australia to 360,000.

### 5.4 Number of registered handguns

In Australia handgun registration occurs at State level, which means that to find out the number of guns registered in Australia data has been sourced from each individual firearm registry located in each State and Territory. In 2002 the National Coalition for Gun Control compiled statistics from each registry on the number of handguns registered. The results are outlined in the table below.

---

<sup>10</sup> Peters, Rebecca and Browne, Roland, Nov 2000, 'Australia's New Gun Control Philosophy: Public Health is Paramount', The Drawing Board: An Australian Review of Public Affairs, © 2000 School of Economics and Political Science, University of Sydney

*Table 1: Number of handguns registered in Australia in 2002*

State	No. of Handguns registered
New South Wales	48,340
Queensland	46,970
Victoria	36,700
Western Australia	12,700
South Australia	7,460
Tasmania	5,000
ACT	1,700
Northern Territory	1,255
<b>Total</b>	<b>160,125</b>

The number of handguns registered would have been more except for an anomaly that existed in the state of Queensland. Throughout the 90's and up until 2003, 'deactivated' or 'inoperable' handguns, as it was termed under the Queensland *Weapons Act 1990*, did not have to be registered, which has resulted in a number of handguns circulated without any way of ever retracing these handguns. As I will discuss later in this paper, deactivated handguns have become a considerable public safety problem for the United Kingdom, since the banning of all fully operable handguns back in 1996.

## 5.5 Handgun crime and violence in Australia

Overall there have been some very positive findings on the number of firearm-related deaths in Australia since the introduction of the new laws on firearms in response to the Port Arthur massacre in 1996 where 35 people were shot dead, 19 physically injured and many more emotional injured.

In November 2003, a study was published by the Australian Institute of Criminology on firearm-related deaths in Australia from 1991 to 2001.<sup>11</sup> The study found that in 1991 there were 629 firearm-related deaths in Australia compared to 333 in 2001, which represents a 47 per cent decrease in firearms deaths during this period. The most significant fall was in the number of suicides committed with a firearm. However, since 1998 the number of suicides and firearm-related accidents has fluctuated.

There were 5038 registered deaths in total during this period. Suicides accounted for 77 per cent of deaths, followed by homicides 15 per cent, accidents 5 per cent and firearm deaths resulting from legal intervention and underdetermined 2 per cent.

The Australian Institute of Criminology studies have found that while other firearm related deaths decreased from 1991 to 2001, handgun related deaths increased by 36 per cent. The study also found that although the number of homicides with a shotgun and hunting rifle has decreased, the number of homicides with a handgun has been increasing.

#### *5.5.1 Homicides*

In April 2003 the Australian Institute of Criminology revealed a very positive downtrend in firearm related death in Australia. The report on Homicides in Australia highlighted a 25% decrease in the number of homicides involving a firearm - this was the lowest number and proportion since National Homicide Monitoring Program data collection began in 1989.<sup>12</sup>

However, with these positive figures came a downside, as the report also illustrated a trend towards a rise in the number of handgun related deaths. Figures released by the Australian Institute of Criminology show that the percentage of homicides using a handgun has been steadily increasing; 42 per cent in 1998/99, 47.5 per cent in 1999/2000, and 55 per cent in 2002/03 (see tables 4-5 in appendices).

---

<sup>11</sup> Mouzos, Jenny and Rushforth, Catherine. Nov 2003, 'Firearm Related Deaths in Australia, 1991-2001, trend and issues in crime and justice, Australian Institute of Criminology, No.269.

<sup>12</sup> National Homicide Monitoring Program (NHMP) annual report. April 2003. Homicide in Australia: 2001- 2002.

### 5.5.2 *Shoot with Intent*

According to the NSW Bureau of Crime Statistics and Research the number of 'shoot with intent' offences involving handguns steadily inclined between 1995 and 2000<sup>13</sup>. In 1995 there were nine shoot with intent offences. In 2000 there were 42 offences, reaching 96 in 2002 and 81 "shoot with intent" incidents recorded in the 12 months to June 2003.<sup>14</sup> 'Shoot with intent' offences are either assaults or attempted murder offences in which the victims are shot but not killed. These offences can include malicious wounding, shoot with intent to murder, shoot with intent to do grievous bodily harm.

The increase in the number of 'shoot with intent' incidents is of major concern for several reasons. Firstly, fifty-five percent of these incidents have occurred in public places, including streets, parks, footpaths, bus shelters and other locations which are outdoors and communal. This increases the possibility of a greater number of people not only being injured, but being traumatized by witnessing someone being shot. Secondly, research by BOSCAR has found that males aged 18 to 19 are far more likely to be involved in this type of crime.

### 5.5.3 *Robberies*

According to the Australian Bureau of Statistics, the overall number of armed robberies committed with a firearm has decreased substantially. The proportion of robberies involving a firearm decreased from 36% in 1994 to 15% in 2003. A firearm was used in 6% of robberies recorded in 2003, the equal lowest proportion since national reporting began in 1993.<sup>15</sup>

---

13 Jacqueline Fitzgerald, Suzanne Briscoe and Don Weatherburn - Number 57, May 2001 ,B57 - Firearms and Violent Crime in New South Wales, NSW Bureau of Crime Statistics and Research.

14 Davis, Anne, 01 Nov 2003. 'Statistics Shoot Down the Tabloid Image', SMH

15 Australian Bureau of Crime Statistics, 2003, 'Recorded Crime – Victims, Australia, 4510.0

A study conducted by the NSW Bureau of Crimes Statistics and Research on robberies with a firearm, found these incidences fluctuated between 1995 and 2000. In 1997 there was peak (1,139 robberies with a firearm in NSW, an increase of 68 per cent from 1995), and substantially declined in the following years.<sup>16</sup>

However, the study also found the decrease in robbery with a handgun, has not been as pronounced as the overall decline in robberies involving firearms (21 per cent between 1998 and 2000, as compared with a 29 per cent decrease for robbery with any type of firearm). In 2000, the number of robberies with a handgun, while considerably lower than in 1997 or 1998, was still higher than it was in 1995.

#### 5.5.4 *Bank robberies*

A study published by the Australian Institute of Criminology in May 2003<sup>17</sup>, found that since the 1980's Australia has seen a general downward trend in the number of bank hold-ups with a firearm. However, between 1998 and 2002, pistols were used in the majority (68 per cent) of hold-ups involving a firearm. In terms of armed lone offenders: the proportion using pistols has not changed significantly over the past two decades (around 55 per cent in recent robberies). The proportion of longarms used by armed lone offenders decreased (to 22 per cent).

#### 5.5.5 *Suicides*

In a study conducted by the Australian Institute of Criminology on firearm related deaths in Australia between 1991 and 2001<sup>18</sup>, found a 47 per cent decrease in the number of these deaths, with suicides accounting for the largest part of this decrease. The study also found that the majority suicides were committed with a hunting rifle, which has been the pattern for some time in Australia. The use of shotguns to commit suicide has been declining.

---

<sup>16</sup> Jacqueline Fitzgerald, Suzanne Briscoe and Don Weatherburn - Number 57, May 2001 ,B57 - Firearms and Violent Crime in New South Wales, NSW Bureau of Crime Statistics and Research.

<sup>17</sup> Borzycki, Maria, May 2003, 'Bank Robbery in Australia, 'Trends and Issues in crime and justice', Australian Institute of Criminology, No. 253 pp 1-4

<sup>18</sup> Mouzos, Jenny & Rushforth, Catherine. Nov 2003. 'Firearm-Related Deaths in Australia, 1999-2001', Trends & Issues in Crime and Criminal Justice, No. 269, Australian Institute of Criminology

However, in relation to handguns the news is not as positive. Between 1991 and 2001, there has been an increase in the use of handguns to commit suicide. In 1991, 4 per cent of firearm related suicides were committed with a handgun, however in 2001, this increased to 13 per cent.

#### *5.5.6 Kidnapping and abduction*

A firearm was the predominant weapon type for kidnappings/abductions in 2001, and a person was four times more likely to be a victim of a kidnapping/abduction involving a firearm in 2001 than in 1995.<sup>19</sup> The research does not specify the type of firearm used. However, the easy concealability of handguns makes them a more desirable weapon in this type of crime.

### **5.6 The importation of handguns into Australia**

Figures from the Australian Bureau of Statistics (ABS) reveal that between 1997 and 2003 a total of 82,622 handguns (pistols and revolvers) were imported into Australia (see Table 1- 3 in appendices). From 1998 to 2003 the numbers of imports have averaged around 10,000, per year, except for a dramatic peak in the year 2000 when imports escalated to 18,943 pistols and revolvers, and between 1997 to 1998, there was almost a doubling of the number of handguns imported into Australia (1997/ 7,443 handguns and 1998/ 12,774).

The majority of handguns have been imported from Austria and the United States, however, in 2000; there was a significant increase in the number of imports coming from China (3,750).

Since 1997 to 2003 New South Wales has been the largest importer of handguns (32, 495), followed by Queensland (27, 094), Victoria (14,551) and South Australia (3,014). The number of handguns imported by the Australia Capital Territory is only slightly lower than the amount imported by South Australia. (2,801).

Since the Monash shooting in 2002 in Victoria, the number of handguns imported by Victoria has increased from 2,850 in 2002 to 3,274 in 2003.

---

<sup>19</sup> Australian Bureau of Crime Statistics, 2003, 'Year Book Australia, Crime and Justice, Feature Article – Weapons used against victims of crime'.

## 5.7 Types of handguns imported

The majority of handguns being imported into Australia are coming from Austria, which is the home of one of the most powerful handguns on the market - the Glock. The number of handguns imported from Austria doubled last year from 3,476 in 2002 to 6,025 in 2003.

The second biggest exporter of handguns to Australia is the United States. The top five United States exporters of handgun in 2001 were; Davis Industries<sup>20</sup>, Smith & Wesson, Beretta, Sturm, Ruger & Co and Taurus International.<sup>21</sup>

Australia has also seen a significant increase in imports over the past few years in handguns from China (exporter of NORINCO handguns), Italy (home of the Berretta pistol), and Germany.

## 5.8 Handgun trafficking and Australia

Trafficking of any kind is a risky business, therefore if individuals are to take such a risk there must be some guarantee of a substantial reward at the end of the smuggling operation. The risk is fed by the demand and the inability of the domestic market to meet the demand.

With over 360,000 semi-automatics handguns already in circulation here in Australia, and the easy legal availability of these firearms to a relatively small population, it is difficult to see how Australia's domestic market is undersupplied. Statistics collected by the Australian Customs and the NSW Firearms Trafficking Unit indicate that handgun trafficking is not a big industry in Australia.

---

<sup>20</sup> Davis Industries, is one of companies in southern California known for manufacturing the majority of Saturday Night Special handguns, or "junk guns," in the United States. This was noted by Violence Policy Center in Washington 1998, Davis Industries.  
<http://www.vpc.org/studies/smaldavi.htm>

<sup>21</sup> Industry News, [www.shootingindustry.com](http://www.shootingindustry.com), Special Report -Firearm Production 2001.

In the 2001/2002 financial year, Australian Custom authorities seized 204 handguns<sup>22</sup>, and found no detections or seizures of illegal firearms or explosives arising from commercial vessels.<sup>23</sup> Between 1999 and 2000, the New South Wales Firearms Trafficking Unit seized 197 illegal handguns.<sup>24</sup>

The New South Wales Crime Commission which works in collaboration with the NSW Firearms Unit, outlined in its 2001 annual report that the majority of illegal handguns/firearms turning up on Sydney streets is mainly the work of opportunistic firearms dealers who wish to seek quick financial gain, rather than organised trafficking syndicates,

*"A large proportion of illegal guns appear to have been supplied by a relatively small number of individuals, in some cases, licensed dealers, operating illegally. If the activities of these suppliers are targeted, there will be a significant impact on the flow of illicit firearms".<sup>25</sup>*

This observation has also been made by Jenny Mouzos from the Australian Institute of Criminology, who claims that according to police and other sources no organised black market in firearms appears to exist in Australia.

*"It is mostly divided into criminal gangs whose main focus is crimes other than dealing in firearms, or into small networks of individual who buy and sell by word of mouth. "*<sup>26</sup>

---

22 Mouzos, Jenny, 9-10 March 2000, Trafficking: INTERNATIONAL TRAFFIC IN FIREARMS: EMERGING ISSUES Australian Institute of Criminology, ACT, Paper presented at the Transnational Crime Conference convened by the Australian Institute of Criminology in association with the Australian Federal Police and Australian Customs Service and held in Canberra.

23 Australian Parliament, Senate Legal and Constitutional Legislation Committee, Australian Customs Service, Question 83, Questions on Notice, Budget Estimates Supplementary Material 03- 04.

24 Bureau of Crime Statistics and Research. Number 57, May 2001, Weatherburn, Don, 'B57- Firearms and Violent Crime in New South Wales'.

25 NSW Crime Commission, Annual report and Financial Statements 30 June 2002. Pg 23. 2.155

26 Mouzos, Jenny , February 1999, 'international traffic in small arms: an Australian perspective', trends & issues in crime and criminal justice, Australian institute of criminology, no. 104, pg 3

Recent successful investigation by police have lead to the arrest of individuals involved in such illegal firearm racketeering. In 2002, Frank Curr, a 58-year-old pawnbroker from Wacol Queensland, was charged and convicted for the sale of 700 illegal handguns in Sydney. Curr was a licensed firearms dealer in Queensland, who had conspired with a Sydney man to sell the pistols and revolvers.<sup>27</sup>

On 11 July 2003 a 43-year-old man was arrested on firearm related charges following a joint operation between the Australia Crime Commission and the NSW Police. The man had prohibited weapons, which included three pistols and five long arms.<sup>28</sup> On Saturday 15 November 2003, after a series of raids across Sydney, the NSW Police along with State and Federal enforcement agencies seized 753 illegal firearms. There was no indication that these firearms were smuggled into the country.<sup>29</sup>

Although the evidence does not appear to suggest that a well organized gun trafficking scheme is alive in Australia, it is an area that requires significantly more research. It is also a complicated area as there is no definitive way of measuring the trafficking of firearms. In Australia, it is an area that requires a lot more attention and investigation before confident summations can be made.

## 5.9 Handgun theft and the illegal handgun market

Research has found that the major source for the movement of handguns into the illegal market is via theft. In 2002, the Australian Institute of Criminology published a study on the number of firearms reported stolen to police between 1994 and 2000. The study found that within this period more than 25,000 firearms were stolen with an average of 4,000 firearms annually. Twenty-one per cent of these firearms were handguns.<sup>30</sup> The majority of firearms stolen were taken from residential dwellings (81%).

---

27 Sydney Morning Herald, November 23 2002, 'Man sold 700 illegal guns, court told' by Les Kennedy

28 NSW Police, 11 July 2003. Media Release, 'Joint Operation- Firearms Arrest'.

29 Australian Crime Commission, Media Release, Saturday 15 November 2003, '753 Firearms Seized – Illegal Gun Trafficking Syndicate Smashed'.

30 Mouzos, Jenny, June 2002. 'Firearms Theft in Australia' No. 230, Trends & Issue in Crime and Justice, Australian Institute of Criminology.

The AIC study claims that these figures may be an underestimation of the number of firearms stolen, because many individuals may be apprehensive about reporting a firearm due to fear of retribution.<sup>31</sup>

The United States Bureau of Alcohol, Tobacco and Firearms found that more than a quarter of all guns connected with Bureau's illegal gun trafficking investigation were reported to have been stolen<sup>32</sup>. Similarly, a study conducted in New Zealand by Phillip Alpers and R Walters found that 60 per cent of firearms stolen were taken from residential dwellings.<sup>33</sup>

At the Transnational Crime Conference held in Canberra in March 2000, Jenny Mouzos from the AIC, delivered a paper titled 'International Trafficking in Firearms: Emerging Issues'. In her paper Mouzos claims that theft is one of the main methods for the illegal acquisition of firearms,

*" For firearms traffickers, one of the main methods of illegal acquisition of firearms is through thefts from firearms dealers, military facilities and firearms owners. "*<sup>34</sup>

However, Mouzos also points out that theft is not the only means to acquire illegal firearms, as she also raises the growing problem surrounding the re-activation of de-activated firearms. This problem of converting firearms is an issue currently being faced by the United Kingdom, which I discuss later in the paper.

## 5.10 Handgun theft from security firms

In mid 2003, Sydney faced a spat of handgun thefts that specifically targeted the security industry including hold-ups of security guards while delivering money to financial services.

On the 28<sup>th</sup> of October 2003, two security guards delivering money in Surry Hills, Sydney, had their .38 handguns stolen and more than \$100,000 dollars in cash.<sup>35</sup>

---

31 Note 35 at pg 1

32 Bureau of Alcohol, Tobacco and Firearms. Commerce in Firearms in the United States. U.S Department of the Treasury, Washington, DC, February 2000.

33 Alpers, P & Walters, R. 1998, 'Firearm Theft in New Zealand: Lessons for Crime and Injury Prevention'. The Australian and New Zealand Journal of Criminology. Vol 31, No. 1

34 Mouzos, Jenny. March 2000, 'International Trafficking in Firearms: Emerging Issues', Transnational Crime Conference, p 7.

On the 31 August 2003, 31 Glock pistols were stolen from a private firm in Chester Hill, NSW.<sup>36</sup> ON 16<sup>th</sup> of October 2004, two armed men robbed guns and cash from a pair of security guards in Newtown, Sydney's inner-west.<sup>37</sup> On October 22, 2003 15 legally owned handguns were stolen from a house in Greenacre operated by a private security firm.<sup>38</sup>

### 5.11 Public safety issues and armed security guards

In response to the targeting of the security industry by gun thieves, the New South Wales Parliament introduced more stringent regulations around storage and security industry licensing. However, the government did not explore two very important questions on this matter. Firstly, is carrying a firearm in the workplace an occupational, health and safety hazard and a threat to public safety? Secondly, should the security industry be carrying firearms? The theft of high powered handguns from the security industry is not only a law and order issue, but it also a public safety issue. As the majority of security guards are being robbed in broad daylight and in crowded public places like shopping centre. On December 23, 2003, three Chubb security guards were robbed of their guns at an ANZ Bank. During this robbery, a 17-year-old girl standing with her mother was hit in the arm by a stray bullet fired by one of the robbers. The robberies did not take any cash, only the handguns.<sup>39</sup>

### 5.12 Occupational health and safety issues and armed security guards

The carrying of handguns also brings up some questions in regards to occupational, health and public safety issue. It could be argued that it is an occupational hazard for security guards to be carrying a firearm. The dangers of carry a firearm were recently highlighted when a security guard shot dead a person that badly assaulted her. On the 26<sup>th</sup> of July 2004, Karen Brown, a female security guard, shot dead 25-year-old William Aquilina after he assaulted her and robbed her of a bag of money outside the Moorebank Hotel in Sydney's south-west. Ms Brown was armed with a semi-automatic handgun. It has been claimed that Ms Brown shot Mr Aquilina while he was fleeing from the scene. Ms Brown is now facing a murder charge.<sup>40</sup>

---

35 SMH, October 28 2003. 'Gun Taken from guards', by Les Kennedy and Jacqueline Maley.

36 SMH, Sept 2003, 'Security firm targeted in gun crackdown', National.

37 SMH, 16 October 2004, 'Guards robbed of guns and money', AAP.

38 SMH, 22 Oct 2003, 'Security Industry Targeted by Carr', by Nick O'Malley.

39 SMH, December 23, 2003, 'New Taskforce to track down gun gangsters', by Robert Wainwright and Tim Dick, smh.com.au.

40 SMH, 02 August 2004, 'Shooting guard won't talk to police today', smh.com.au.

In this particular situation, the presence and use of a handgun made an already traumatic situation, even more traumatic. The carry of a handgun did not prevent Ms Brown from being robbed and assaulted. Nor did the firearm assist in protecting the property Ms Brown was employed to guard.

There have been numerous other assaults against security guards over the past few years, some of them fatal. On 16<sup>th</sup> of December 2002, a security guard picking up takings from the Currumbin RSL was shot in hands and arms.<sup>41</sup> On 30<sup>th</sup> of August 2003, a 25-year-old security guard was shot in the stomach at a premise he was guarding at Leichhardt. On Monday 03 September 2001, Ahmad Rashid, a security officer subcontracted to Chubb, and working alone, was killed in a hold up at the Punchbowl Ex-Serviceman's Club in Sydney.<sup>42</sup> In all these situations carrying a handgun did nothing to protect the security guard from being shot or prevent any property from being stolen.

In the United Kingdom, the security industry is not allowed to carry firearms and the majority of cash delivery is protected by computer tracking technology, not by armed guards.

### 5.13 Glock handguns: a prized possession

Evidence suggests that Glocks are becoming a highly prized item in criminal circles. A number of gun thefts in Sydney may have specifically targeted gun warehouses where Glocks are stored. For example, on the 31 August 2003, 31 Glock pistols were stolen from a private firm in Chester Hill, NSW.<sup>43</sup> Between 1999 and 2000, five Glocks were stolen from police cars in New South Wales.<sup>44 45</sup>

---

41 Queensland Police, Media Release, December 16, 2002, 'Robbery, Currumbin RSL'.

42 Chubb.com.au, 18 September 2001, 'Chubb offers \$100,000 Reward'.

43 SMH, Sept 2003, 'Security firm targeted in gun crackdown', National.

44 Parliament House NSW, Debnam, Mr Peter. Version: Corrected Copy NSW Legislative Assembly Hansard Article No.48 of 04/09/2003.Speech Type: PRIV; Private Members Statements.

45 Parliament House NSW, Debnam, Mr Peter. Version: Corrected Copy NSW Legislative Assembly Hansard Article No.48 of 04/09/2003.Speech Type: PRIV; Private Members Statements.

On the 24 January 2003 a Glock was stolen from the office draw of the businessman Kerry Packer.<sup>46</sup> On May 31 and 09 June 2000, two Glocks were stolen from a gun safe at Newtown police, along with a Glock vanishing from the police armoury library on April 29, 2000.<sup>47</sup>

These are just some of many incidents where Glock pistols been stolen. The New South Wales Bureau of Crime Statistics and Research estimate that a Glock handgun can retail from around AUS\$1,000 in the legal market, but can be sold for up to AUS\$5,000 on the black market.<sup>48</sup>

#### 5.14 Handgun crime data collection and reporting in Australia.

At present, there is no national standard for data collection, analysis and reporting on handgun crime and violence. The current information collected by police on handguns is not only limited, but inconsistent. The type of information collected differs from one state to the next. For example, Victoria identifies whether the firearm used was a "rifle or replica", "shotgun", "pistol". In New South Wales the firearms classification includes, "shotgun", "rifle" and "handgun". In South Australia the categories include "pistol or replica", "rifle" and "air gun" on type of firearms used in crime or stolen e.g. handgun, shotgun or rifle.

A similar story exists in relation to the data collected and generated by Firearm Registries across Australia. Each Registry categorises guns and parts differently, which means that the reports developed by the Registries are inconsistent, and very little use to policy analysts and lawmakers. Some Registries have even failed, when requested, to provide reporting on basic statistics such as; the number of handguns registered and the number of handgun licensees.

---

46 ABC News Online, 24/01/2003, 'Police to investigate Packer's pistol theft'. <http://www.abc.net.au/news/newsitems/200301/s769081.htm>

47 The Advertiser Newspaper, Adelaide, 05 February 2004, 'Police Lose Weapons Report'.

48 BOSCAR, May 2001, Violent Crime in New South Wales.

Such flaws in the data collection systems means that crime monitoring and reporting organisation such as the Australia Institute of Criminology (AIC) and the Bureau of Crime Statistics and Research cannot provide highly detailed reporting on handgun crime. The level of detail such organisation are able to provide on firearm type is whether the firearm was a handgun, shotgun or rifle.

In comparison the United States Bureau of Alcohol, Tobacco and Firearms has established a very extensive crime gun-tracing scheme, which Australia would benefit from replicating. The ATF scheme traces the origin and ownership of recovered firearms used in crime. The type of data the organisation collects on firearms used in crime include:

The relationship between the crime gun possessor's age and:

- The type, manufacturer, caliber, and model of crime guns recovered,
- The recovery date and location, and
- The date and location of crime gun purchase.

The primary goals of the scheme include:

- Ensuring that 100 percent of all recovered firearms are traced.
- Conduct research and analysis to determine community-wide patterns and trends.
- Produce and annual report for State and local authorities for use in developing informed enforcement strategies focused on the reduction of firearms violence.
- Use this information to increase the effectiveness of enforcement efforts in the apprehension and prosecution of those who illegally possess and traffic firearms.

The scheme works in collaboration with ballistics identification units. Tracing is conducted when the crime gun itself is recovered. If only a cartridge or is bullet is recovered, this image can be analysed so that it can be tied with previously identified shooters firearm.

### 5.15 Who is responsible for handgun laws in Australia?

In Australia, responsibility for regulating and controlling firearm falls within the power of the States and Territories. The Federal Government only has the power to regulate firearms in relation to custom controls and international trafficking of firearms.

The downfall of the Australian system is that laws on firearms are much more vulnerable to State and Territory political affairs. For example, since the National Agreement on Firearms 1996 was introduced, numerous attempts have been made, some successful, by State Governments to erode these laws. For example, in Queensland throughout the 90's and up until 2003, deactivated or "inoperable" handguns did not have to be registered. This has made keeping track of the handguns in Australia a very difficult task.

In comparison, Canada, also a federation and part of the Commonwealth, unlike Australia under the Canadian *Constitution Act, 1867* the federal government has responsibility for matters that concern all Canadians such as criminal law, which includes the responsibility for controlling and regulating firearm.

The benefit of the Canadian system is that firearm laws would be consistent throughout Australia, and not as vulnerable to ongoing erosion at the hands of State and Territory leaders.

## 6. PART TWO: What Can Australia Learn From the United States, Canada, and the United Kingdom About Preventing Handgun Crime and Violence?

### 6.1 Introduction

At present there are extensive gaps in Australia's knowledge about handgun crime and violence. Although studies by the Australia Institute of Criminology show that there has been an increase in the use of handguns to commit crime and violence; the fact is, we know very little beyond this point.

One thing that Australia can do to assist law and policy makers in understanding this area of violence is to draw upon the vast amount of knowledge available in other countries like the United States, Canada and the United Kingdom.

When it comes to understanding handgun violence, there is no better place to start than the United States. In 2002, in the United States, 30,242 (10.4 per 100,000) people died from firearm-related injuries<sup>49</sup>. In American handguns are the predominant crime gun used in with semi-automatic pistols accounting for half of all crime guns.<sup>50</sup> In 1994 American households contained 192 million firearms, of which 65 million were handguns. It is estimated that around 2 million handguns are sold every year in the United States.<sup>51</sup>

The United States has a huge problem when it comes to handgun violence, and for this very reason, it has been the leader in conducting research on handgun violence. Australia should be drawing upon this knowledge in order to learn more about handgun violence and how to tackle it.

---

49 On July 1, 2003 the population of the United States was 290,809,777.

50 Department of Treasury, Bureau of Alcohol, Tobacco and Firearms. July 2000, 'Crime Gun Trace Report. Youth Crime Gun Interdiction Initiative, pg 9.

51 Centre for Disease Control. Oct 2003, First Reports Evaluating the Effectiveness of Strategies for Preventing Violence: Firearms Laws, Finding from the Task Force on Community Preventive Services.

In March 1996, only a month before the Port Arthur massacre in Tasmania, Australia, and the United Kingdom was shocked by the killing of 16 school children and their teacher at the Dunblane Primary School in Scotland. The perpetrator, Thomas Hamilton, used two semi-automatic handguns. In response to this massacre the United Kingdom banned all handguns. Recently the United Kingdom has been assessing the impact of this ban on firearm-related violence in the UK. There have been some interesting findings from this assessment, which may be of some benefit to Australia.

Alternatively, Canada, although geographically in close proximity to the United States, the level of handgun violence in this country is considerably less than that of the United States. What can Australia learn from the experience of another Commonwealth country?

It would be a waste for Australia not to learn from the vast experience and resources devoted to tackling handgun violence in other countries. Each country can offer Australia a different insight into handgun violence, as well as provide strategies on how to contend with the rise in the use of handgun in Australia.

## **6.2 What type of handguns do criminals prefer?**

The fourth year running the United States Bureau of Alcohol, Tobacco and Firearms has published its national crime gun trace report. The report provides extensive analysis of guns used in crime.<sup>52</sup> The large analysis helps to identify consistent crime gun patterns. The key findings from the latest report (2002), include the following:

four handgun types and caliber of handguns accounted for 60 percent of all handgun traced. These were

- 9mm semiautomatic pistol
- .38 caliber revolvers
- .380 caliber semiautomatic pistols
- .25 caliber semiautomatic pistols

---

<sup>52</sup> Department of Treasury, Bureau of Alcohol, Tobacco and Firearms. July 2002. Crime Gun Trace Report 2002, National Reports

- ⇒ The most frequently traced crime gun for all age groups was the Smith & Wesson .38 revolver, with the Lorcin Engineering .380 semiautomatic pistol being the most frequently traced crime gun amongst juveniles (17 and younger). This pistol was also the second most common crime gun amongst youth (18-24yrs) and the third most frequent among adults. The Ruger 9mm semiautomatic pistol was the most common crime gun among youth.
- ⇒ Semiautomatic pistols are more prevalent among youth and juveniles than adults. With the 9mm semiautomatic pistol being the most frequent handgun type among young people.

*Table 2: Most Frequently Traced Crime Guns*

All Ages				
Manufacturer	Caliber/Gauge	Type of Crime Gun	Number of Crime Guns	Percent of Crime Guns
SMITH & WESSON	.38	Revolver	3,418	3.9
RUGER	9mm	Semiautomatic Pistol	2,368	2.7
LORCIN ENGINEERING	.380	Semiautomatic Pistol	2,351	2.7
RAVEN ARMS	.25	Semiautomatic Pistol	1,885	2.1
MOSSBERG	12 GA	Shotgun	1,774	2.0
SMITH & WESSON	9mm	Semiautomatic Pistol	1,696	1.9
SMITH & WESSON	.357	Revolver	1,645	1.9
BRYCO ARMS	9mm	Semiautomatic Pistol	1,576	1.8
BRYCO ARMS	.380	Semiautomatic Pistol	1,568	1.8
DAVIS INDUSTRIES	.380	Semiautomatic Pistol	1,462	1.7
Top Ten Crime Guns			19,743	22.3
All Crime Guns			88,570	100.0

Juvenile (ages 17 & younger)					
Manufacturer	Model	Caliber	Type	Number	Percent of Guns
LORCIN ENGINEERING	L380	.380	Semiautomatic Pistol	163	6.5
DAVIS INDUSTRIES	P380	.380	Semiautomatic Pistol	87	3.5
RAVEN ARMS	MP25	.25	Semiautomatic Pistol	87	3.5
LORCIN ENGINEERING	L25	.25	Semiautomatic Pistol	80	3.2
HI-POINT	C	9mm	Semiautomatic Pistol	54	2.2
LORCIN ENGINEERING	L9	9mm	Semiautomatic Pistol	50	2.0
PHOENIX ARMS CO.	RAVEN	.25	Semiautomatic Pistol	50	2.0
RUGER	P89	9mm	Semiautomatic Pistol	41	1.6
BRYCO ARMS	38	.380	Semiautomatic Pistol	40	1.6
BRYCO ARMS	9	9mm	Semiautomatic Pistol	39	1.6
Top Ten with Model Information				691	27.6
Total with Model Information				2,505	100.0

Youth (ages 18-24)					
Manufacturer	Model	Caliber	Type	Number	Percent of Guns
LORCIN ENGINEERING	L380	.380	Semiautomatic Pistol	643	5.5
DAVIS INDUSTRIES	P380	.380	Semiautomatic Pistol	391	3.3
HI-POINT	C	9mm	Semiautomatic Pistol	348	3.0
BRYCO ARMS	9	9mm	Semiautomatic Pistol	288	2.5
LORCIN ENGINEERING	L9	9mm	Semiautomatic Pistol	280	2.4
RUGER	P95	9mm	Semiautomatic Pistol	269	2.3
RUGER	P89	9mm	Semiautomatic Pistol	251	2.1
RAVEN ARMS	MP25	.25	Semiautomatic Pistol	224	1.9
LORCIN ENGINEERING	L25	.25	Semiautomatic Pistol	216	1.8
BRYCO ARMS	38	.380	Semiautomatic Pistol	181	1.5
Top Ten with Model Information				3,091	26.4
Total with Model Information				11,710	100.0

Adult (ages 25 & older)					
Manufacturer	Model	Caliber	Type	Number	Percent of Guns
LORCIN ENGINEERING	L380	.380	Semiautomatic Pistol	735	4.3
DAVIS INDUSTRIES	P380	.380	Semiautomatic Pistol	453	2.6
RUGER	P89	9mm	Semiautomatic Pistol	319	1.9
RAVEN ARMS	MP25	.25	Semiautomatic Pistol	306	1.8
HI-POINT	C	9mm	Semiautomatic Pistol	289	1.7
RUGER	P95	9mm	Semiautomatic Pistol	275	1.6
LORCIN ENGINEERING	L9	9mm	Semiautomatic Pistol	266	1.5
LORCIN ENGINEERING	L25	.25	Semiautomatic Pistol	234	1.4
BRYCO ARMS	9	9mm	Semiautomatic Pistol	230	1.3
BRYCO ARMS	38	.380	Semiautomatic Pistol	208	1.2
Top Ten with Model Information				3,315	19.2
Total with Model Information				17,225	100.0

(source: Bureau of Alcohol and Tobacco: Crime gun trace report 2000)

Some other key finding on guns used in crime were highlighted in a report by Mairanne. W. Zawitz from the Bureau of Justice Statistics at the U.S Department of Justice.<sup>53</sup> These findings included:

- ⇒ handguns that criminals use reflect the handguns that are available to the general public.
- ⇒ Criminals prefer handguns that are relatively new. In 1997 the ATF found that the percentage of crime guns that were less than three years old at the

<sup>53</sup> Zawitz, Marianne w. July 1995, 'Guns Used in Crime: Firearms, crime, and criminal justice', Bureau of Justice Statistics selected Findings, U.S Department of Justice.

time of their confiscation ranged from 22 to 43 per cent for juveniles and from 25 to 46 percent for adults.<sup>54</sup>

- ⇒ Most guns stolen are handguns. Over half of the guns that police agencies asked ATF to trace were pistols and another quarter were revolvers.
- ⇒ Research by Wright and Rossi in the 1980's found that most criminals prefer guns that are easily concealable, large caliber, and well made.

### 6.3 The link between gun availability to the general public and guns available in the criminal market

- ⇒ A United States Bureau of Justice Statistics report from the mid-1990s indicated that 81.2% of firearm thefts are from the home or care and that the rest from a variety of sources, including personal theft, from a place of business, from licensed firearm dealers, law enforcement, firearms manufacturers, government agencies and the mail. Approximately 60% of stolen firearms are handguns, 22% are rifles, and 17% are shotguns.
- ⇒ In America the 10 States with firearm theft rates more than twice the national household average shared three common traits: a large percentage of guns owners, relatively high crime rates and no laws requiring safe storage of firearm in the home.<sup>55</sup>
- ⇒ In a separate study focusing on illegal trafficking investigation supplying youth and juveniles with firearm the ATF found that 30% of these investigation involved stolen guns.<sup>56</sup>

---

<sup>54</sup> Zawitz, Marianne W. July 1995, U.S Department of Justice... 'Guns Used in Crime', by, BJS Statistician. pg 2.

<sup>55</sup> A Report by Americans for Gun Safety Foundation. December 2002, 'Stolen Firearms, Arming the Enemy, Americans for Gun Safety Foundation.

<sup>56</sup> Bureau of Alcohol, Tobacco and Firearms, "commerce in Firearms in the United States", February 2000.

#### 6.4 How do perpetrators of High-Profile Shootings get their handgun?

A recent study by the Violence Policy Centre examined 65 high-profile shootings over the past four decades in the United States from 1963 to 2001.<sup>57</sup> The report provides details for each shooting including; the identity of the shooter; the number of people killed and wounded; the make, model, and caliber of the guns(s) used in the shooting; the circumstances of the shooting, and how the gun was acquired.

In eight of the 10 school shootings the guns were obtained from a family member or friend of the shooter.

The study found that a handgun was used in 71 percent of shootings, and was the only or primary weapon. In 62 per cent of the handgun shootings, the handguns were acquired legally. In the 10 high-profile shootings in America's schools from October 1997 to March 2001, handguns were among the weapons used in nine of the shootings.

A similar study was conducted on firearms used by students in school-associated violent deaths in the United States between 1992-1999<sup>58</sup>. During July 1, 1992 to June 30, 1999, a total of 323 school-associated violent death events occurred in the United States, resulting in 358 deaths.

The study found that, among the incidents for which data was available, the majority of the firearms used in these events were obtained from perpetrators' homes or from friends or relatives.<sup>59</sup>

In addition, the study found that firearms used by perpetrators with no criminal history and no previous gang involvement were more likely to come from home than the firearm used by perpetrators who were members of a gang or had a criminal history.

---

<sup>57</sup> Department of Justice, Bureau of Justice Statistics, *Guns and Crime and Guns Used in Crime*, 1994 and 1995.

<sup>58</sup> Centre for Disease Control. March 7, 2003, 'Source of Firearms Used by Students in School – Associated Violent Deaths, United States, 1992 -1999.

<sup>59</sup> Of the 128 firearms, 48 (37.5%) came from the perpetrator's home, and 30 (23.4%) came from a friend or relative of the perpetrator; 26 (76.5%) of the firearms used by a student to commit suicide came from the home of the student, and 48 (51.0%) of the firearms used in homicide events came from the home or from a friend or relative of the homicide perpetrator.

*Table 3: Number and percentage of firearms used by student perpetrators*

**TABLE 1. Number and percentage of firearms used by student perpetrators in all school-associated, firearm-related events and firearm-related suicide and homicide events, by source of firearm — United States, 1992–1999\***

Source	Firearms used in suicide events		Firearms used in homicide events		Total	
	No.	(%)	No.	(%)	No.	(%)
Home of perpetrator	26	(76.5)	22	(23.4)	48	(37.5)
Friend/relative of perpetrator	4	(11.8)	26	(27.6)	30	(23.4)
Purchased	0	(0.0)	9	(9.6)	9	(7.0)
Stolen	2	(5.9)	5	(5.3)	7	(5.5)
Victim	—	—	2	(2.1)	2	(1.6)
Other	0	(0.0)	3	(3.2)	3	(2.3)
Unknown	2	(5.9)	27	(28.7)	29	(22.7)
<b>Total</b>	<b>34</b>		<b>94</b>		<b>128</b>	

\*Firearms used by perpetrators who committed a homicide and then killed themselves as part of a homicide-suicide event were included in analyses of firearms used by homicide perpetrators.

(Source: Centre for Disease Control. March 7, 2003, 'Source of Firearms Used by Students in School - Associated Violent Deaths, United States, 1992 -1999.)

## 6.5 Handguns and the “stranger danger” myth

In 2002 in the United States, firearm suicides accounted for 56.6 per cent of firearm-related deaths in the United States and homicides accounted for 39.1 per cent.<sup>60</sup>

However, contrary to popular belief, the majority of these deaths were not the result of criminal behaviour or gangland warfare. They were the result of a person; mainly male between the ages of 15-24, taking a handgun that was in easy reach, and pointing it at themselves.<sup>61</sup>

More than half of all suicides among Americans of any age group are committed with a firearm.<sup>62</sup> Handguns are the most popular type of firearm used in suicide.

The same is also true for the second largest category of firearm deaths, that being homicides. The majority of homicides are not a result of “stranger danger”, but rather the result of intimate partner violence or an argument between people who know each other. The majority of homicides were committed with a handgun (76.6 per cent).

60 Federal Bureau of Investigation, Crime in the United States 2002: Uniform Crime Reports. Washington, D.C: U.S Department of Justice 2003, pp 21-22.

61 34 per cent of all firearm suicides are committed individuals aged 55 and older. Centres for Disease Control and Prevention. National Vital Statistics Report, Vol, 50, No. 15, September 2002.

62 McIntosh, J.L. USA Suicide: 1999 Official Final Statistics Prepared for the American Association of Suicidology.

In 2000, the number of females shot and killed by their husband or intimate acquaintance was nearly 4 times higher than the number murdered by male strangers using all weapons combined.<sup>63</sup>

Studies conducted in the United States have found that the availability of a handgun, or any firearm for that matter, in the home, is associated with an increased risk of suicide or homicide. In 2002, Matthew Miller, Deborah Azrael and David Hemenway, to determine whether measures of firearm availability are related to rates of suicide, homicide and unintentional firearm deaths among women in the United States, conducted a study. They found that between 1998 and 1997, the suicide, homicide, and unintentional firearm death rates among women were disproportionately higher in states where guns were more prevalent. Unintentional firearm death rates were also increased in states with more guns.<sup>64</sup>

Similarly, another study conducted by Linda Dahlberg and Robin Ikeda found that regardless of storage practice, type of gun, or number of firearms in the home, having a gun in the home was associated with an increased risk of firearm homicide and firearm suicide in the home.<sup>65</sup>

A Harvard School of Public Health study published by the Journal of Trauma analyzing gun death among American children recently confirmed another direct link between firearm availability and gun deaths.<sup>66</sup> The study found that children living in the five states with the highest levels of gun ownership were 16 times more likely to die from unintentional firearm injury, seven times more likely to die from firearm suicide, and three times more likely to die from firearm homicide than children in the five states with the lowest levels of gun ownership. Additionally, children in the top five gun ownership states were twice as likely to die from firearm homicide than children in the five states with the lowest levels of gun ownership states.

---

<sup>63</sup> Violence Policy Centre. When Men Murder Women: an Analysis of 2000 Homicide Data 2002.

<sup>64</sup> Miller, M & Hemenway, D. 2002 March, 'Firearm Availability and Suicide, Homicide and Unintentional Firearm Deaths Among Women', Department of Health Policy and Management, Boston, Urban Health.

<sup>65</sup> Linda, L. Dahlberg, Robin M. Ikeda and Marcie-jo Kresnow. 2004, 'Guns in the Home and Risk of a Violent Death in the Home: Findings from a National Study', American Journal of Epidemiology, 160: 926-936.

<sup>66</sup> Miller, Matthew, M.D., ScD. Feb 2002, 'Firearm Availability and Unintentional Firearm Deaths, Suicide and Homicide among 5 -14 Year Olds', The Journal of Trauma, Vol 52, No2.

## 6.6 The need to control replica, converted and imitation handguns.

In response to the 1997 Dunblane massacre in Scotland where 16 school children were shot dead along with their teacher, the incoming Labour Government legislated to ban all handguns.

By the end of the surrender and compensation program 162,353 handguns and 700 tonnes of ammunition had been surrendered at an expected cost of £95 million.<sup>67</sup> Anyone now caught in possession of a handgun is liable to a jail term of up to 10 years. The ban extended to Olympic and Commonwealth handgun shooting sports, which means that anyone wanting to participate in these sports must do so outside the United Kingdom.

The United Kingdom model has been closely watched and monitored equally by the pro-gun lobby and anti-gun advocates. The former wanting the ban to prove that strict laws do not reduce handgun crime and criminals are not affected by gun control strategies, and the latter wanting the model to symbolise the way forward in firearm legislation. So what is the current UK situation?

The United Kingdom Home Office publishes statistics for England and Wales relating to crimes recorded by the police concerning firearms reported to have been used in crime or stolen. The most recent statistics are for the year ending March 2002, and are included in the Home Office Statistical Bulletin 01/03 Crime in England and Wales 2001/2002. In this Bulletin it outlines that firearms were used in 22,314-recorded offences in England and Wales. This is an increase of 27 per cent compared to 2000/01. Just over half (55%) of these offences involved air weapons, with handguns used in 5,871 recorded crimes, an increase of 46 per cent on the previous year. Seventy per cent of robberies in which a firearm was present involved a handgun. These statistics do not differentiate between a real or imitation firearm.

---

<sup>67</sup> United Kingdom National Audit Office. 26 February 1999. National Audit Office Press Notice, 'Handgun Surrender and Compensation'.

On the face of it, the statistics appear concerning. However, upon closer inspection other issues come to light. The Home Office statistics also reveal that a large percentage of the handguns recovered from crime are replicas and imitations. In 2001/02 the number of offences involving imitation weapons was up 55 per cent on the previous year.

The Gun Control Network in the United Kingdom, also claims that recent research suggests the majority of handgun crime is attributable to imitations and that this proportion may be growing given the easy availability of these, often realistic weapons.<sup>68</sup>

The Metropolitan Police at New Scotland Yard have noted a historical shift in the types of firearms turning up in crime since the 1997 ban came to fruition. Detective Superintendent Michael Hallowes has presented several papers on the dangers stemming from the shift towards converted firearms in the UK.

Superintendent Michael Hallowes, Head of a Joint Agency Task Force on Crime, claims that there was an immediate knock on affect after the handgun buyback. Criminals could no longer obtain live firing handguns so readily and thus were reaching for deactivated and replica handguns, as the 1997 ban did not extend to these types of "firearms". This, according to Mr. Hallowes, pushed the criminal market towards converting and reactivating imitation and deactivated handguns.

*"When you restrict the source of supply of a particular weapon, you begin to see criminals moving into new areas. In relation to handguns, we began to see a radical migration into reactivating deactivated firearms and converting imitation handguns to fire live ammunition".<sup>69</sup>*

---

<sup>68</sup> Gun Control Network. Jan 2002. Home Office Figures Show Violent Crime to be Falling Overall but Firearms Still Haunt the UK Crime Scene, <http://www.gun-control-network.org/A012.htm>

<sup>69</sup> From interview conducted with Mr Hallowes on 12 May 2004 at New Scotland Yard in London.

In the UK once a gun is deactivated it gets a certificate and is stamped by a proofing authority. Thereafter, the gun is no longer registered as a firearm, and ownership does not require a license. Mr Hallowes argues that one of the major problems in relation to handgun deactivation is that the current standard for deactivating handguns can render some models more prone to reactivation than others, in particular the Tokarev self-loading pistol.

The UK has two standards for deactivation. In relation to long arms (rifles, carbines, machine guns, etc.), the initial 1988 standard required the barrel to be cut through and the breech bolt cut at an angle. Whereas the 1995 standard requires all the workings inside of the firearm to be welded together so the trigger mechanism is disabled. Unlike the 1995 standard, the 1988 one does not fully prevent reactivation. However, the 1995 standard did not repeal the 1988. Hence, in the UK you are entitled to import deactivated firearms that meet either standard. There is also no requirement to bring 1988 deactivated firearms up to the 1995 standard. The law only requires that a firearm be deactivated to a British Standard upon import, and this could be either the 1988 or 1995 standard. The current UK deactivation standard for handguns has not been upgraded to the 1995 requirement for long arms and, thus the working parts are not welded together, which can lead to reactivation.

#### *6.6.1 Converting handguns*

There is two ways of making a deactivated or imitation handgun live firing: one is conversion the other reactivation. Converting is when the handgun was never intended to be a live firing weapon and reactivation is when it was a fully functioning live firing weapon that has been effectively decommissioned and for display purposes only.

One common method of criminally converting imitation firearms has involved replicas of the Berretta 92 self-loading pistol manufactured to fire 8mm blank cartridges. The barrel is made with a solid core and thus has to be replaced. Cutting it off at the breech does this. A new barrel is manufactured on a lathe with a smooth 8mm bore. A male thread is machined to one end and a matching new female thread machined into the existing breech. Filler such as that used for repairing car body parts is jammed into the existing hole in the top of the breech where the flash would escape when firing blank cartridges.

Standard 8mm ammunition will jam the weapon. To overcome this, 8mm bullets made from molten lead are then forced into the end of standard 8mm blank cartridges to create a live round. Loaded with this converted ammunition, the previously imitation firearm now becomes a fully functioning lethal barrelled pistol.

Police at New Scotland Yard have discovered that one of the most popular guns to be converted was the Brocock "air cartridge system" air pistol. This is more commonly a revolver (there are self-loading pistol models, but not so easy to convert) and designed to fire either a .177" or .22" air pellet from a cartridge filled with compressed air from a hand pump. The air cartridge loads just like a normal bullet in the chambers of a revolver cylinder.

Conversion has evolved as the weapons became more popular. Initially, the air cartridges were drilled out to load a .22" live bullet.

However, more recent conversions have included drilling out the existing .177" or .22" barrel to a smooth bore .38" calibre. The air cartridges and revolver chambers were already close to .38", so only minor machining was required to convert the revolver cylinder, and thus the airgun can be readily converted to a .38" calibre revolver. In instances, a fully functioning live firing and lethal barrelled handgun was easily created. However, this type of conversion has a limited life span because the handgun will eventually self-destruct. However, for a one off hit these are very effective weapons.

In January 2004, in response to the proliferation of converted and imitation firearms, the UK introduced the *Anti-Social Behaviour Act 2003*, which now prohibits the possession of air weapons and imitation firearms in a public place. It also bans the purchase, sale, import and ownership of "air cartridge system" airguns, such as the Brocock, without a license. However, the government still refuses to ban imitation firearms and any deactivated or replica handguns.

Commander Stephen James from New Scotland Yard suggests that even though handgun reactivation is a huge problem the situation would be much worse if handguns had not been banned back in 1997. He claims that criminals now have to regress to reactivated and converted handguns, because they are not getting access to fully functioning handguns. To Commander James this is a sign that the handgun ban has been successful. As he states,

*“Criminals have to revert to “second hand” firearms and very poor ammunition, which are not as reliable or long lasting as non-reactivated handguns”.*

Upon reflection of the 1997 ban and the recent criminal move to reactivated handguns, Commander James and Mr. Hallowes, advise that when looking at banning firearms governments’ must also consider complimentary measures. Mr Hallowes states,

*“learning from the UK’s experience, you can’t just ban firearms, you also have to close down the alternative markets criminals are likely to move into”.*

The UK’s 1997 handgun ban created two problems for criminals. On the one hand, it radically reduced the opportunity for limited elements within the legal trade to leak handguns to supply the criminal market and, on the other; it greatly reduced the availability of handgun calibre ammunition. This has led to an increase in the use of homemade “re-load” ammunition. Mr. Hallowes stated,

*“In 2002, the Forensic Science Service reported that homemade re-load ammunition represented somewhere close to 50% of ammunition submitted to the Laboratory from crime scenes”.*

According to Commander James, governments’ must take a holistic approach when looking at banning firearms, and need to address issues such as introducing licensing and registration to own equipment for making ammunition, such as the pre-requisite “Hand press”. In addition, the UK does not license the sale or ownership of any of the components for manufacturing ammunition at home; e.g. bullet heads or lead molds, spent cartridge cases, primer caps and smokeless powder (propellant).

Thus there is also a need for governments to tackle this opportunity for criminal exploitation, and the UK police are urging government to license the sale and ownership of the most common denominator in re-load ammunition: primer caps.

To sum up the main lesson learnt by the United Kingdom upon reflection of the 1997 ban on handguns, Michael Hallowes states,

*“You need to anticipate how you will squeeze the handgun criminal realms when you bring in new legislation, and how it may move to other areas. In relation to firearms, criminals will move into the maximum firepower that is available in the public arena. If you ban .45 calibre they will move to a .38 a .25 or a .22 and, in our case, quickly progress to reactivating or converting deactivated and imitation firearms”.*

He goes on to suggest that Australia should look at its partner Commonwealth country - the UK - and draw on its experience in relation to handguns. He wisely warns, “Why wait to have your own experience”.

## 6.7 The need to look beyond just the banning of handguns

Michael Taylor, Superintendent from the Specialist Crime Reduction Team at New Scotland Yard, expressed the need for a wholistic approach to gun control. Superintendent Taylor claims that when developing strategies to prevent handgun violence it is important to look beyond the banning, but also at strategies to enhance intelligence gathering, enforcement and resource distribution. He also points out that there are different levels of gun crime and each level requires strategies that are tailored to the problem at hand and must be intelligence lead. He argues that one of the major problems with tackling gun crime is that funding for strategies is often short term, even though gun crime is a long-term problem.

## 6.8 Changes to the **handgun industry, manufacturing and marketing.**

Monitoring and keeping track of the handgun industry can assist law enforcement agencies and policy analysts predict possible changes in the both the legal and criminal gun market. Some recent observations about the industry that may be of some interest to Australia include the following:

- The production of more powerful semiautomatic pistols, which are easier to use than previous models. There are the double-action-only pistols. They are designed to be operated without external safety devices and are promoted as “draw and shoot” weapons. They are marketed as quick draws. They reduce the “kickback” of very large caliber pistols, which makes them easier to use.<sup>70</sup>
- The shift in production by major gun companies like Davis Industries and Lorcin Engineering, to higher powered, but still small and easily conceal .380 and 9mm semi-automatic pistols such as the Raven and the Lorcin 38.<sup>71</sup>
- Almost all the growth in pistol production since the 1980’s has been in medium – and large –caliber guns. The domestic manufacture of 9mm semiautomatic weapons has increased more than tenfold over the last ten years.<sup>72</sup>
- Increases in the production of recoil compensators, which reduce the “kickback” of very large caliber pistols, thus increasing their ease of use and their appeal to some purchasers.<sup>73</sup>
- The slump in the handgun industry in the early 1980’s and the market saturation of guns among white males saw the gun industry move more aggressively into marketing their products to women.<sup>74</sup> The ads aimed at women play on the “stranger danger” fear and the need for women to protect themselves. Although, in Australia no one is allowed to own a gun for “self-protection”, this does not stop the firearms industry from playing on this fear.
- Total Titanium semi-automatic pistols are the next big firearm. Taurus International Firearms were the first manufacture to produce a semi-automatic with a titanium slide atop a polymer frame. The attraction is that titanium is light weight and stronger than steal. This reflects a recent trend in the manufacture of firearms in the use of materials and designs that allow for

---

70 Karlson, Trudy & Hargarten, Stephen. 1997, *Reducing Firearm Injury and Death, A Public Health Soucebook on Guns*, Rutgers University Press, pp 104-105

71 Note 12 at pg 102.

72 Not 52 at 103.

73 Note 52 at 105.

74 Note 12 at pp 100-101.

large-caliber handguns that are relatively small in size.<sup>75</sup> The shift away from heavy and hard steel frames also has implications in relation to gun tracing, as the illegal eradication of the serial number of a gun is made easier when the metal is softer.

- The hunting population has been declining over recent years, due to the aging population and a decrease in acceptance of this sport overtime. This will mean that fewer long arms will be produced, while handgun production will increase. It will also mean the gun industry will be more aggressively targetting urban population, in particular, youth that live in urban areas.<sup>76</sup>
- the shift towards greater use of laser sights on defense guns both semiautomatics and sixguns.<sup>77</sup> Laser sights increase the likelihood that an unskilled shooter can hit a target. A laser can help to place the gun's point of aim in the desired spot.
- The use of muzzle brakes is gaining popularity. A muzzle brake diverts gas from the propellant to the side or even the rear of the handgun, reducing recoil. It can make a large-caliber handgun considerable more manageable to shoot.<sup>78</sup>

## 7. CONCLUSION

In conclusion, there is so much Australia can learn from other countries not only about how to tackle handgun crime, but ways of understanding the handgun industry and the handgun culture. The United States has a vast range of information and expertise to offer Australia on issues such as; firearm statistics gathering and tracing, handgun preferred by the criminal market, the changing face of the handgun industry and culture, and the impact this will have on handgun crime and violence in the future.

---

<sup>75</sup> Taffin, John. Jan, 2000, Great Guns Of The 20th Century. American Handgunner.

<sup>76</sup> Diaz, T. Making a killing: The business of guns in America. New York: New York Press, 1999.

<sup>77</sup> Note 12.

<sup>78</sup> Karlson, Trudy & Hargarten, Stephen. 1997, Reducing Firearm Injury and Death, A Public Health Sourcebook on Guns', Rutgers University Press, pg 82.

Canada offers Australia an alternative to our State based laws, by the States handing over the power for firearms laws to the Federal government. A move that may guarantee greater consistency and commitment to public safety.

The United Kingdom provides Australia with insight into the benefits of banning handguns, and the dangers in not banning all handguns including replica, converted and imitation handguns. The UK also advocates for a wholistic approach to handgun violence prevention. An approach that looks beyond just banning these dangerous weapons, but also addresses social and cultural issues that may assist a handgun culture to flourish.

With handgun crime being relatively new phenomena to Australia, and with little expertise and research available in this area, it would be a wasted opportunity for Australia not draw upon the vast amount of knowledge that has been generated in other countries. Without such information Australia will be developing legislation that may appear to be improving public safety, but in fact may be detracting from it.

If Australia is going to help legislators, researchers, policy makers and law enforcement officials, plan and evaluate policies to prevent handgun violence, there must firstly be a genuine commitment to improving public safety. If this commitment does not exist there is little hope that handgun violence in this country will not get worse.

## 8. RECOMMENDATIONS

Recommendation 1	Australia to ban all semi-automatic handguns
Recommendation 2	Australia needs to develop and establish national standards for the collection, analysis and reporting on firearms, crime and violence
Recommendation 3	Australia should draw upon current research available in other countries like the United States and the United Kingdom when developing policies and legislation to prevent handgun crime and violence.
Recommendation 4	A referendum held in Australia to transfer power to develop and amend firearm legislation to the Commonwealth.
Recommendation 5	Further investigation to be made into the supply and availability of ammunition in Australia, with the aim of placing greater restrictions on the purchase on the amount and type of ammunition available to the civilian population.

## 9. APPENDIX

*Table 4: Number of handguns imported into Australia from 1997 - 2003*

Year of import	Quantity
1997	7,443
1998	12,774
1999	10,089
2000	18,943
2001	10,839
2002	10,647
2003	11,887
<b>Total</b>	<b>82,622</b>

*Table 5: State and Territory handguns imports from 1997- 2003*

	NSW	QLD	VIC	SA	ACT	WA	NT	TAS	Total
1997	5,058	1,283	131	596	11	111	8	245	7,443
1998	7,864	3,873	284	628	0	12	113	0	12,774
1999	4,132	3,764	758	712	500	26	86	111	10,089
2000	5,403	7,466	4,189	344	1,294	144	0	103	18,943
2001	4,229	2,572	3,065	426	401	135	10	1	10,839
2002	4,626	1,917	2,850	90	530	347	285	2	10,647
2003	1,183	6,219	3,274	218	65	837	91	0	11,887
<b>Total</b>	<b>32,495</b>	<b>27,094</b>	<b>14,551</b>	<b>3,014</b>	<b>2,801</b>	<b>1,612</b>	<b>593</b>	<b>462</b>	<b>82,622</b>

Source: Australian Bureau of Statistics

*Table 6: Top ten exporters of handguns to Australia*

	1997	1998	1999	2000	2001	2002	2003	Total
<b>Austria</b>	4,103	8,522	2,753	8,473	3,140	3,476	6,025	36,492
<b>USA</b>	2,207	2,531	4,193	4,011	2,444	1,701	1,339	18,426
<b>Italy</b>	522	184	451	84	2,068	1,356	3,010	7,675
<b>China</b>	100	800	1,291	3,750	295	0	0	6,206
<b>Germany</b>	42	262	798	1,377	924	1,482	573	5,458
<b>Belgium</b>	1	0	1	145	120	1,806	231	2,304
<b>Brazil</b>	42	0	0	0	342	392	473	1,249
<b>UK</b>	91	55	1	32	1014	20	13	1,226
<b>Czech Republic</b>	5	159	166	351	113	179	0	973
<b>Israel</b>	34	36	37	483	50	53	0	693

Source: Australian Bureau of Statistics

*Table 7: Number of firearm related deaths in Australia with a handgun.*

Year	Number of firearm related deaths
1991	29
1992	26
1993	17
1994	40
1995	30
1996	28
1997	41
1998	36
1999	31
2000	36
2001	49
<b>Total</b>	<b>363</b>

Source: Mouzos, J & Rushforth, C. November 2003, Firearm Related Deaths in Australia, 1991-2001, Australian Institute of Criminology, Trends & Issues in Crime and Criminal Justice.

*Table 8: Handgun homicides as a proportion of firearm homicides: Australia, 1 July 1992-30 June 2003*

Year	Percentage
1992/93	16.9
1993/94	21.7
1994/95	17.7
1995/96	13.1
1996/97	36.2
1997/98	45.6
1998/99	42.2
1999/00	47.5
2000/01	50.0
2001/02	55.8
2002/03	54.7

Source: Handgun homicides as a proportion of firearm homicides: Australia, 1992/93 - 2002/03, Homicide, Australian Institute of Criminology.

<http://www.aic.gov.au/research/homicide/stats/handgun.html>

Note: Excludes cases where the type of firearm was unknown (for example where the firearm was not recovered).

*Figure A: Most frequently traced crime guns in the United States*

**Figure A: Most Frequently Traced Crime Guns by Manufacturer, Caliber and Type for All Age Groups**



**1. SMITH & WESSON .38  
Revolver**



**2. STURM, RUGER & CO. 9mm  
Semiautomatic Pistol**



**3. LORCIN ENGINEERING. .380  
Semiautomatic Pistol**



**4. RAVEN ARMS .25  
Semiautomatic Pistol**



**5. MOSSBERG, O. F. & SONS 12 GA  
Shotgun**



**6. SMITH & WESSON 9mm  
Semiautomatic Pistol**



**7. SMITH & WESSON .357  
Revolver**



**8. BRYCO ARMS 9mm  
Semiautomatic Pistol**



**9. BRYCO ARMS .380  
Semiautomatic Pistol**



**10. DAVIS INDUSTRIES .380  
Semiautomatic Pistol**

Source: United States Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, 2004, 'Firearms Commerce in the United States 2001/2002',