



# No.10 Firearms and Violence in Australia

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*A number of recent multiple murders have focused renewed attention on violence and firearms in Australian society. In light of the concern expressed by Commonwealth and State Governments, the following pages provide some basic information and policy options regarding the availability of firearms.*

*First, we provide a number of facts and figures relating to the availability of firearms in Australia and their use in crime of violence.*

*Secondly, we point to some contemporary and comparative experience with the introduction of gun control measures in Canada; a federal nation which shares many common bonds and traditions with Australia.*

*Thirdly, we consider the role of law enforcement in the regulation and use of firearms.*

*Fourthly, we comment on several specific proposals for gun control including customs interdiction, security measures, limits on media portrayals of the use of weapons, and penalties for gun-related offences.*

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Director

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## Statistics

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**T**here is an unfortunate lack of accurate, reliable, uniform and timely statistical data on the availability of firearms in Australia and their use in crime. In part, this reflects the priorities of those agencies which have been responsible for collecting such information, the police forces of Australia and the Australian Bureau of Statistics. It is nonetheless apparent that firearms are widely available in Australia and they used to threaten, injure and kill citizens. More specifically:

- *Gun Ownership.* There are *at least* 3.5 million guns of all types—registered, unregistered, licensed and unlicensed, in the hands of private citizens—in Australia. In 1979 there was one gun to every five or six people in the nation. Today there is one gun to every four people.
- *Armed Households.* More than one-quarter of all Australia households possess a gun. Queensland and Tasmania have the highest percentage of armed households.
- *Fear of crime.* In Queensland one in three gun owners claim to possess a weapon because they fear crime - the highest proportion in the country.

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*Table 1 Numbers of murders reported to police in New South Wales by weapon used*

Weapon used	No.	1986		1987	
		No.	%	No.	%
Firearms	42	44.2	41	36.9	36.9
Knives	18	18.9	36	32.4	32.4
Bashings	18	18.9	23	20.7	20.7
Stranglings	10	10.5	7	6.3	6.3
Other	7	7.4	4	3.6	3.6
<b>Total</b>	<b>95</b>	<b>99.9</b>	<b>111</b>	<b>99.9</b>	<b>99.9</b>

Source: Unpublished Statistics, NSW Police Department

- **Homicides.** More than one-third of all murders reported to police are committed with firearms. Gunshot wounds are the single most common cause of death among homicide victims. The following table presents the number of murders reported to police in New South Wales, by the weapon used, for 1986 and 1987.
- **Death Rates: Guns Versus Other Weapons:** Research in a number of jurisdictions, including NSW, has indicated that the death rate for victims assaulted by guns is several times that of those assaulted by knives or other weapons. Such research strongly and consistently indicates that guns substantially increase the probability that death, rather than injury, will be the end result of a firearm attack (Zimring and Hawkins, 1987).
- **Bank Hold-Ups:** Previously unpublished figures supplied to the AIC by the Australian Bankers' Association reveal striking increases in the number of armed hold-ups of Australian banks. In Queensland, for example, there were eight armed hold-ups of private banks in 1980. In 1987 this figure had risen to 45.

Nearly one third of bank hold-ups in recent years have been

*Table 2 Weapons used in bank hold-ups, Australia, April 1985 to September 1987*

Weapon	No.	%
Shotgun	240	26.3
Sawn-off Shotgun	166	18.2
Rifle	114	12.5
Sawn-off Rifle	79	8.6
Knife	16	1.7
Pistol	287	31.4
Bomb	11	1.2
<b>Total</b>	<b>913</b>	<b>99.9</b>

Source: Australian Banker's Association.

committed with pistols, as the following table indicates:

- **Robberies:** Over the last two years for which figures are available, the proportion of robberies, using firearms, reported to the police in New South Wales and Victoria has ranged from 23 per cent to 31 per cent. The relevant statistics are presented in Table 3.
- **Suicide:** Between 1968 and 1981 almost 6000 Australians took their own lives by using guns or explosives — the most common method of suicide.
- **Murder of Police Officers:** Between 1976 and 1985 nearly all of the 65 murders of on-duty Australian police officers were

committed through the use of firearms or bombs. The majority of shootings were carried out with rifles.

## The Impact of Gun Control: The Canadian Experience

Much debate and research regarding the relative merits of gun control measures tends to originate from the United States. But valuable though knowledge of the US experience in this field may be, the nature and dimension of the US gun problem is far removed from that currently confronting Australia.

A much more relevant and immediate appraisal of the likely impact of introducing uniform gun control laws in this country can be obtained from a review of Canadian experience. In 1978 (Bill C-15) Canada introduced comprehensive gun control reforms providing for new national licensing and screening procedures; registration of firearms; prohibition orders on

**Figure 1 Homicide in Canada, 1972-86**

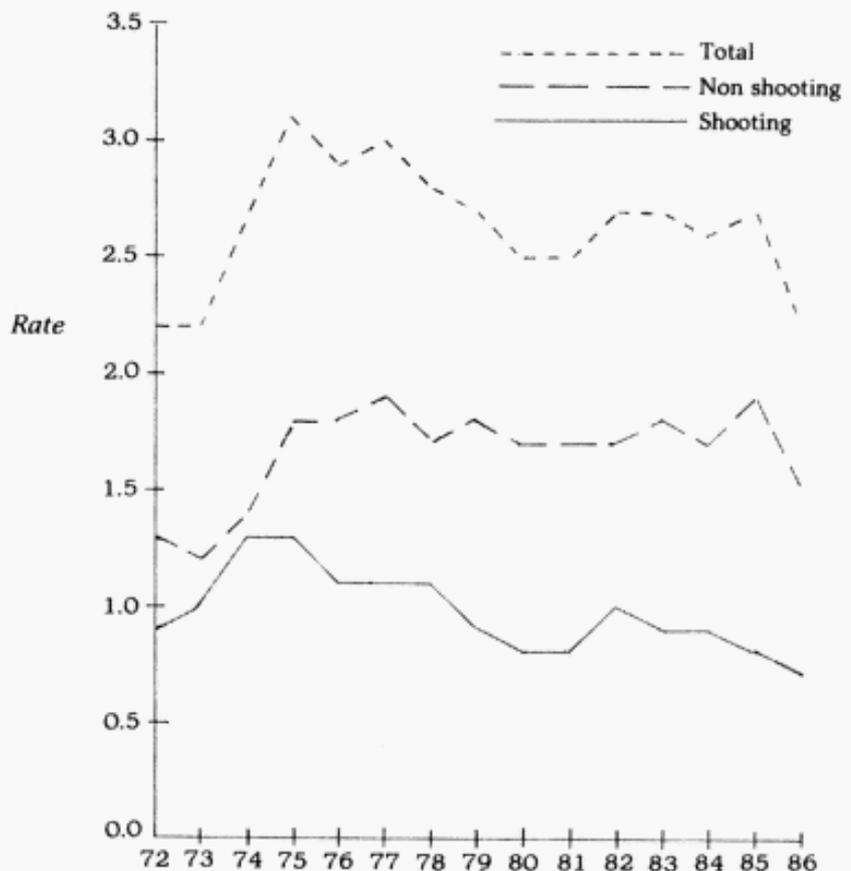


Table 3 **Robberies reported to police in New South Wales and Victoria by weapon used**

Weapon	New South Wales				Victoria			
	1985-6		1986-7		1985-86		1986-87	
	No.	%	No.	%	No.	%	No.	%
firearms	850	25.4	903	23.2	479	28.7	655	31.3
Other weapon	846	25.3	927	23.8	314	18.8	362	17.3
No weapon	1654	49.4	2067	53.0	873	52.4	1073	51.3
Totals	2350	100.1	3897	100.0	1666	99.9	2090	99.9

Source: Annual reports of Police Departments of New South Wales and Victoria, 1985-86 and 1986-87.

certain types of gun ownership and possession; increased penalties for firearm offences; the promotion of safe firearm handling and storage measures; and the regulation of firearm businesses.

In 1983 the Canadian Ministry of the Solicitor-General published the result of a three year evaluation of these new firearm control measures (Canada, 1983). The evaluation included the following findings:

- The proportion of violent crimes committed with firearms declined in the post legislation period
- Where firearms were used in violent crimes there was an increase trend for the firearm to be a hand gun
- There was a displacement of firearms by other weapons in robberies
- Accidents with firearms showed a downward trend
- Suicides with firearms declined.

Figure 1 shows the decreasing rate of homicides committed with firearms in Canada following the introduction of firearms control laws. The interesting point about the data is that the total homicide rate also shows a slightly declining trend, homicides by other than firearms remain fairly constant. It would appear that the total homicide rate declined because homicides by shooting declined.

These Canadian research findings are in general supportive of the merits of adopting a national gun control strategy. However, the findings also point to some of the dilemmas associated with such a strategy, including weapons displacement, the continuing access gained by criminals to prohibited guns, and the need for vigorous, consistent and continuing enforcement

of new gun laws by criminal justice agencies.

### **Law Enforcement and Gun Control**

Central to any successful implementation of new gun control laws is the provision of an effective system of enforcement. Current Australian research suggests that the present enforcement system is seriously deficient. Thus it has been observed that:

*...the eight police forces that administer the firearms laws throughout Australia have adopted markedly different patterns of rule making in this field....[M]any¼ perhaps every ¼ Australian police firearms branch has adopted more or less regular procedures that are directly at variance with the clear language of the firearms statute enacted by the respective Parliament (Fine, 1987).*

Standard operating procedures for all Australian police forces would enhance the possibility of an effective enforcement system.

Effective changes in the Australian system of enforcing firearms legislation presents a challenge which is probably much more formidable than reaching agreement about the need for uniform gun laws. This challenge could be met, in part, by providing detailed enforcement guidelines to the nation's police forces regarding any new gun laws. These could be developed by the Australian Police Ministers' Conference. Provision should be made for the regular monitoring of the level of compliance with such guidelines, and evaluating the implement-

ation of any new laws by the entire criminal justice system.

Firearms control should not be regarded as a panacea for all ills facing Australian society. As has been noted, nearly two-thirds of homicides in Australia are committed with means *other than* firearms. The complete disappearance of guns from Australia would not eliminate violence. But a reduction in the number of firearms in Australia, and further restriction on their availability, would undoubtedly prevent considerable death and injury.

It should be noted, moreover, that the vast majority of Australian gun owners are responsible individuals who pose little or no risk to themselves or to their fellow citizens. The challenge facing public officials in Australia is to minimise the availability of firearms to criminal or otherwise irresponsible persons. This will inevitably necessitate some inconvenience to responsible gun owners. This may not be an excessive price to pay for increased public safety.

### **Specific Gun Control Proposals**

Comparative research and experience suggests that a national gun control strategy aimed at minimising death and injury arising from the accidental or intentional use of firearms should have two main thrusts:

1. Reducing the number of weapons in Australian society
2. Preventing access to those weapons by persons with a propensity for violent crime, or who are suffering psychiatric disorders, or who are otherwise irresponsible.

Uniformity is essential. In 1987, a weapon purchased legally in Queensland was used to kill people in the Northern Territory and Western Australia. Recent news accounts suggest that in the aftermath of proposals to ban possession of semi-automatic weapons in New South Wales and Victoria, large numbers of

such weapons are being offered for sale in southern Queensland. Lack of co-operation by one state can neutralise the constructive efforts of others.

- *Prohibition of Certain Firearms and Ammunition:* Certain classes of firearms such as automatic and semi-automatic weapons can be fired rapidly, without reloading. As such, they carry an even greater potential for inflicting harm than do single-shot weapons. Moreover, aside from use in limited circumstances by special groups such as farmers, they have no legitimate sporting or other purpose; nor does such ammunition as 'dum dum' bullets or bullets capable of piercing body armour: their possession and use should be prohibited altogether.
- *Registration of Firearms:* All legitimate firearms should be registered in a computerised national firearms registry, jointly maintained by Federal, state and territory police forces.
- *Licensing of Gun Owners and Shooters:* Ownership or possession of a firearm should be restricted to those persons possessing a valid licence. Eligibility for licences should be restricted to persons over the age of 18 who have been deemed fit and proper by the police department of the jurisdiction in which they reside. There should be a 'cooling off' period of at least four weeks between the time an application is made and the granting of a licence. Some requirement of training in firearms safety and maintenance should also exist for first-time licence applicants. Hand gun licences should be available only to authorised security agents and to members of gun clubs, with weapons stored on the premises.
- *Private Sale:* Private sale of firearms should not be allowed. All sales should be made through licensed gun dealers.
- *Border Controls:* Customs officials represent the first line of

defence against the importation of prohibited weapons into Australia. Any increase in the range of prohibitions placed on gun imports will be accompanied by new incentives for gun smuggling and the need for enhanced vigilance by customs officials. Trafficking between the states and territories of Australia will also be encouraged if there is a failure to reach agreement on uniform gun laws and associated enforcement guidelines.

- *Military Weapons:* The sale of surplus military weapons is believed to account for a significant proportion of the automatic and semi-automatic guns becoming available on the Australian market. All such weapons should be destroyed, rather than sold, to prevent them being used in this country or elsewhere.
- *Security of Weapons:* Guidelines to ensure the safe handling and storage of firearms by both individuals and firearms businesses should form part of any new gun control initiative. These too could be developed by the Australian Police Ministers' Conference in consultation with gun clubs, shooting organisations, and firearms dealers. Poorly secured guns in private homes currently present a major hazard, increasing the likelihood of accidents or illegal use. Guns are also an increasingly attractive target for burglars.
- *Media Portrayals of Gun Use:* The impact of media portrayals of violence, including the use of guns, is discussed in the AIC's recently released *Trends and Issues* No. 9, 'Sexually Explicit and Violent Media Material: Research and Policy Implications'. The media themselves through their respective professional and trade associations, should develop guidelines, on the portrayal of guns and violence.

- *Mail-order Firearms:* If the Commonwealth has the constitutional power to prohibit mail-order firearms sales, it should do so. This might be expected to produce a reliance on private courier services, however.
- *Weapons 'buyback':* Combined with appropriate prohibitions on importation and manufacture, the Commonwealth could, alone or through subsidises to state governments undertake to purchase specified weapons. Such a program would be expensive; would tend to elicit cheap weapons and those which are seldom used; and could not be expected to recover all weapons in targeted categories.
- *Tort liability for negligence in the licensing of individuals or in the sale of weapons:* Commonwealth and state governments could facilitate actions in tort by victims of shootings, or by their surviving relatives, against individuals or organisations, whether private or public sector, whose negligence leads to death or injury. Not only would this prove compensation to some victims of violent crime, it could serve to deter irresponsible conduct in the sale and possession of weapons.
- *Penalties:* Increased penalties and in some instances mandatory penalties, have been a common feature of many overseas gun control initiatives including Canada's. By themselves, more severe penalties are unlikely to have a lasting deterrent effect. Mandatory penalties possess additional liabilities including provoking avoidance behaviour on the part of enforcement officials. Judicial officers also tend to view mandatory penalties with particular disfavour since they limit sentencing discretion.

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## Conclusion

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Australia is poised on the brink of change with regard to its firearms policies. Further debate on the most appropriate course of action will inevitably occur. Existing evidence suggests that a national gun control strategy would lead to a significant reduction in the incidence of gun-related accidents, gun suicides, and some of the more deadly consequences of criminal activity. The ultimate resolution of these issues rests with the elected representatives of the Australian people.

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