CRIME AND JUSTICE
Bulletin

NSW Bureau of Crime
Statistics and Research

Contemporary Issues in Crime and Justice *Number 57*

May 2001

Firearms and Violent Crime in New South Wales

Jacqueline Fitzgerald, Suzanne Briscoe and Don Weatherburn

Following several tragic deaths involving firearms in New South Wales, there has been much public speculation about whether offences involving firearms and particularly handguns are increasing. This bulletin discusses evidence bearing on this issue. It shows that the number of murders involving firearms in New South Wales actually fell between 1995 and 2000, as did the incidence of robbery with a firearm between 1997 and 2000. However the number of shooting offences rose between 1995 and 2000, particularly in parts of South Western Sydney. Police data show that young adult males are especially prone to involvement in firearm offences. United States data on homicides committed by youths using handguns are used to highlight the importance of limiting the acquisition of handguns by young people. Strategies to reduce the spread of handguns are discussed.

INTRODUCTION

Australia has always had fairly stringent firearm regulations, especially when compared with the United States. Restrictions on the possession of firearms have recently been strengthened through the introduction of the National Firearms Agreement. This agreement is designed to ensure that all States and Territories enact laws which minimise the legal acquisition of firearms by unsuitable persons. Over the last three years, however, New South Wales (NSW) has experienced a number of shootings and murders involving firearms which have been widely reported in the press. In the last six months, for example, a woman was shot dead walking home in the afternoon after alighting from a train in Normanhurst, a 16 year old boy died after being shot after school at a bus stop in Bankstown and an 18 year old man was killed when shot with a handgun on a Canterbury street at midnight.

Incidents like these have prompted suggestions that firearm offences, particularly those involving handguns, are becoming more common (Miranda 2001; Mercer & Gibbs 2001). The purpose of this bulletin is to provide statistical evidence bearing on the extent to which handguns and other kinds of firearms are being used in violent crime in NSW and to describe strategies which can or are being taken to deal with the problem. The data on which the bulletin is based are drawn from the NSW Computerised Operational Policing System (COPS). It should be noted that, while the vast majority of offences involving firearms are probably reported to the police, this may not always occur. Police also sometimes fail to record the involvement of firearms in offences where they are present. The data presented below may therefore underestimate the true incidence of firearm offences. This is unlikely to affect the conclusions drawn in the bulletin about trends in firearms offences.

THE INCIDENCE OF FIREARM OFFENCES

Table 1 shows the frequency with which weapons were used in murder, attempted murder, robbery and assault in NSW in 2000 as recorded in COPS.[1] From this table it can be seen that about half (49.5%) the murders which occurred last year did not have a weapon of any type recorded. Of murders that did involve a weapon, knives were the most common instrument recorded (27.7%), followed by firearms (16.8%). Attempted murders were more likely than actual murders to have the involvement of a weapon recorded, with only 38 per cent occurring unarmed. Firearms were the most common weapon used in attempted murder offences (31.1%), followed by knives (27.0%).

In NSW three out of ten robberies in 2000 were committed with a weapon of some sort. Knives were used in nearly twenty per cent (18.5%) of all robbery incidents, with the next most popular weapons being firearms (5.8%) and syringes (4.0%). In contrast, only a small percentage (7.2%) of assault offences involved a weapon. In assaults where a weapon was used, that weapon was a knife in 37.3 per cent of incidents, an iron bar in 27.4 per cent of incidents, glass in 13.3 per cent of incidents and firearms in 6.7 per cent of incidents.

Table 1: Weapons[1] used in recorded criminal incidents of murder, attempted murder, robbery and assault in NSW, 2000.

	Murder incidents		*Attempted murder incidents*		*Robbery incidents*		*Assault incidents*	
Type of weapon	***No.***	***%***	***No.***	***%***	***No.***	***%***	***No.***	***%***
Firearm[2]	17	16.8	38	31.1	655	5.8	294	0.5
Knife[3]	28	27.7	33	27.0	2,089	18.5	1,639	2.7
Rock[4]	2	2.0	-	-	5	0.0	230	0.4
Iron bar[5]	1	1.0	1	0.8	166	1.5	1,201	2.0
Hammer[6]	2	2.0	2	1.6	33	0.3	98	0.2
Syringe	-	-	-	-	446	4.0	88	0.1
Glass	-	-	-	-	33	0.3	582	0.9
Other weapon	1	1.0	2	1.6	33	0.3	259	0.4
No weapon stated	50	49.5	46	37.7	7,827	69.3	56,947	92.8
Total	**101**	**100.0**	**122**	**100.0**	**11,287**	**100.0**	**61,338**	**100.0**

[1] Only one weapon is shown per incident (the first listed in the record).
[2] The weapon category *firearm* includes fixing guns/ramset guns, handguns, machine guns, revolvers, rifles, shotguns, spear guns and other firearms.
[3] The weapon category *knife* includes knives, swords, scissors and screwdrivers.
[4] The weapon category *rock* includes rocks, bricks, stones and missiles.
[5] The weapon category *iron bar* includes iron bars, clubs and pipes.
[6] The weapon category *hammer* includes hammers, spanners, and wrenches.

Overall, knives were the most common weapon in murder, robbery and assault incidents in NSW in 2000, and were second only to firearms in attempted murder incidents. Firearms were the next most common weapon, although, as already indicated, their use in assaults was uncommon.

These figures suggest that weapons used in offences against the person vary considerably depending on the offence type. For instance, syringes play a substantial role in the commission of robberies but do not figure greatly in any of the other offences considered. The pattern of weapon choice probably reflects the opportunistic nature of many armed offences. Many robbery offenders are heroin users and therefore have ready access to syringes. Assaults involving glass are often committed by males on or near licensed premises where glass is easily obtained.

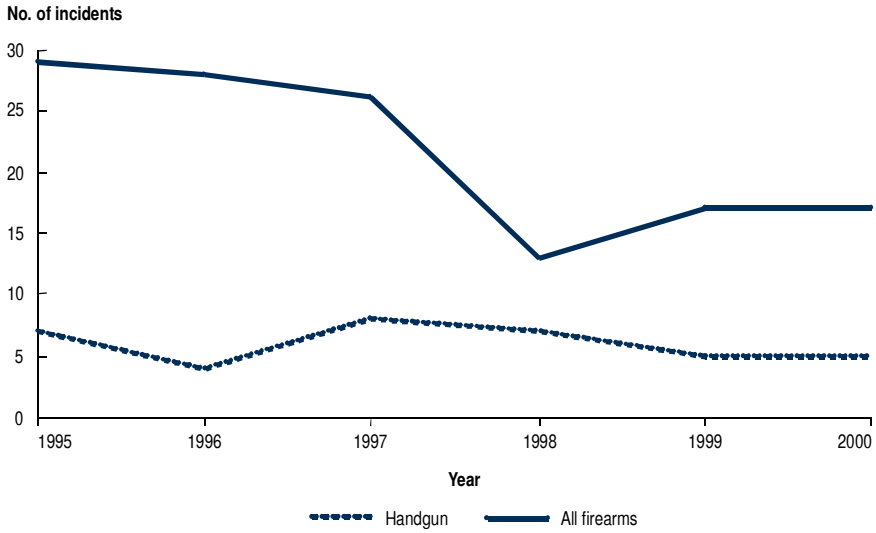
Next we examine trends in incidents involving firearms as weapons between 1995 and 2000. For this purpose we will examine the incidence of three offences recorded in COPS. These are 'murder involving a firearm', 'shoot with intent' offences (including, for example, malicious wounding, shoot with intent to murder, shoot with intent to do grievous bodily harm), and 'robbery involving a firearm'. The category 'shoot with intent' is used instead of 'assault involving a firearm' because we wish to exclude incidents in which a gun is present but not employed as a weapon. While we look at general trends in firearm offences, separate attention is given to trends in offences involving handguns. Note that throughout the next section we graph annual changes in crime but test for trends in monthly numbers of recorded offences using a Kendall's rank correlation coefficient (see, for example, Siegel, 1956, p. 213).

TRENDS IN THE INCIDENCE OF FIREARM OFFENCES

HOMICIDE INVOLVING A FIREARM

While the number of murders in NSW remained stable between 1995 and 2000 there was a significant reduction in the number of murders with firearms in NSW over that time period (p = 0.04). In 1995 there were 29 murders where the weapon used was a firearm, whereas in both 1999 and 2000 there were 17 such offences. It should be noted that the number of murders fluctuate from year to year given the relatively small incidence of murder in NSW. Nevertheless a downward trend in the number of murders with a firearm can clearly be seen in Figure 1.

Figure 1: Recorded criminal incidents of murder with a firearm, and with a handgun, NSW, 1995 to 2000



The trend in the number of firearm murders involving handguns is also shown in Figure 1. Unlike the trends in murder with a firearm, the number of murders with handguns has remained stable from 1995 to 2000.[2] Of the 17 murders with a firearm in NSW in 2000, five were recorded as having occurred with a handgun. Thus, in 2000, handguns were used in 29 per cent of murders with a firearm.

ROBBERY WITH A FIREARM

Firearms are used in robberies more often than they are used in any other offence. Not surprisingly, therefore, most crimes involving the use of a handgun as a weapon in NSW are robberies. In 2000 there were 655 robberies involving firearms in NSW. Sixty-seven per cent (438) of these incidents involved a handgun.

The incidence of robbery with a firearm fluctuated between 1995 and 2000. In recent years the trend has been downward, but prior to 1998, the reverse was true. From Figure 2 it can be seen that, over the six-year period from 1995 to 2000, robbery with a firearm rose steadily, peaking in 1997 and then showed a substantial decline in subsequent years. In 1997 there were 1,139 robberies with a firearm in NSW, an increase of 68 per cent from 1995. However, since 1997 the number of recorded incidents has steadily declined. In 2000 the number of recorded incidents is similar to the 1995 figure (655 incidents in 2000 versus 677 incidents in 1995). Both the rise in robbery with a firearm between 1995 and 1997 and the subsequent fall in the offence from 1998 to 2000 were statistically significant ($p < 0.01$ in both cases).

As can be seen from Figure 2, the number of robberies involving handguns has followed a similar pattern to the total number of robberies with a firearm. Robbery with a handgun rose 102 per cent between 1995 and 1997, increasing from 291 incidents in 1995 to 588 incidents in 1997. This increase is considerably higher than the increase for all robberies involving firearms, which rose 68 per cent over the same time period. The decrease in robbery with a handgun, however, has not been quite 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). Consequently, 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.

Figure 2: Recorded criminal incidents of robbery with a firearm, and with a handgun, NSW, 1995 to 2000

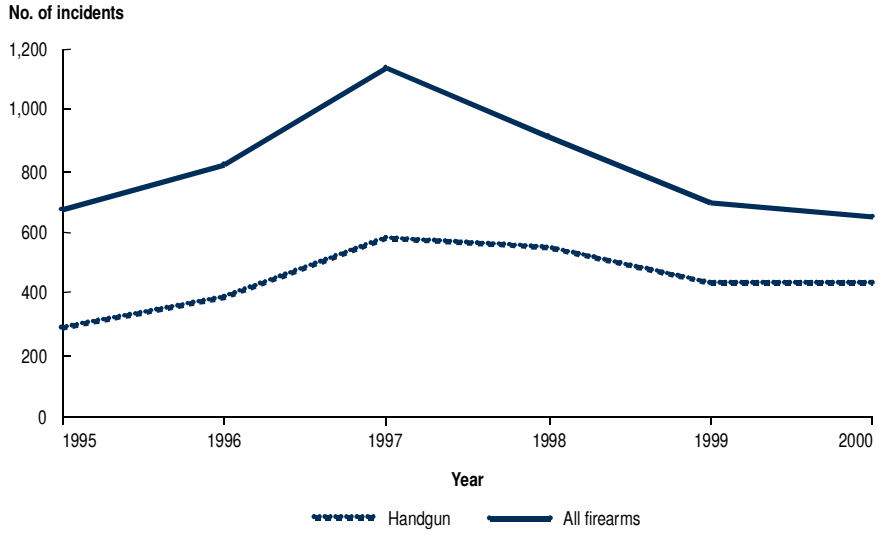
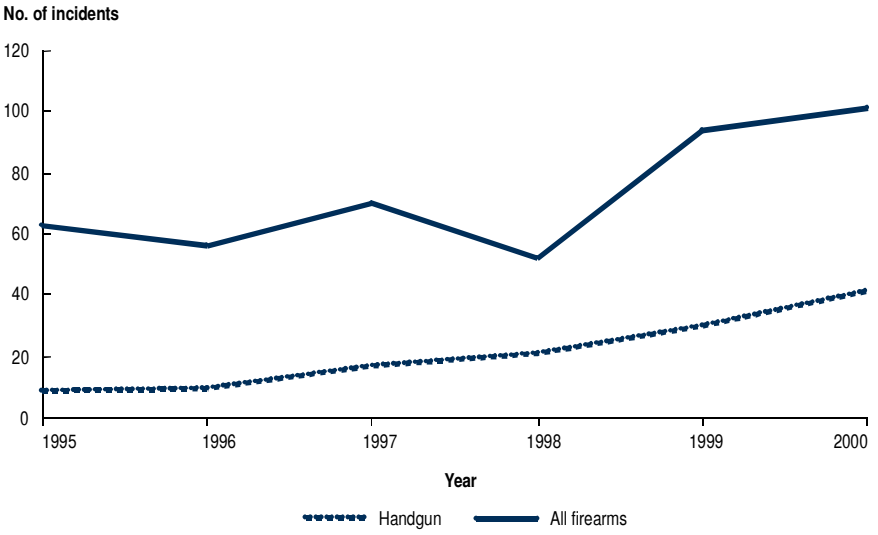


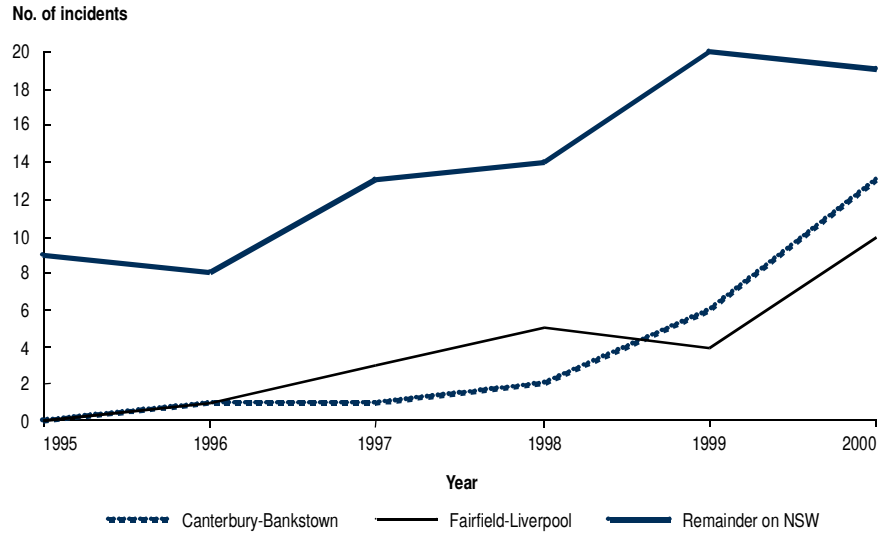
Figure 3: Recorded criminal incidents of shoot with intent, total, and with a handgun, NSW, 1995 to 2000



SHOOT WITH INTENT

Shoot with intent incidents are either assault or attempted murder offences in which the victims are shot but not killed. The number of shoot with intent incidents in NSW increased significantly from 1995 to 2000 ($p = 0.01$). From Figure 3 it can be seen that the number of 'shoot with intent' incidents remained relatively stable between 1995 and 1998 but increased substantially in 1999 and again the following year. The

Figure 4: Trends in shootings with handguns, Fairfield-Liverpool, Canterbury-Bankstown, Remainder of NSW, 1995 to 2000



number of 'shoot with intent' incidents specifically involving handguns rose steadily between 1995 and 2000 ($p <$ 0.01). In 1995 a handgun was implicated in nine 'shoot with intent' incidents recorded by the police. Every year since 1995 the number of 'shoot with intent' offences involving handguns has risen, peaking at 42 offences in 2000.

The State-wide increase in handgun shootings has been particularly pronounced in the Canterbury-Bankstown and Fairfield-Liverpool Statistical Subdivisions. Figure 4 shows separate trends in shootings with handguns in these two Subdivisions compared with handgun shootings elsewhere throughout the State.

It is evident from Figure 4 that the rise in handgun shootings in the Canterbury-Bankstown and Fairfield-Liverpool Subdivisions has been more pronounced than the increase across the rest of the State between 1995 and 2000. It is also evident that a large proportion of handgun shootings originate from these two Subdivisions. In fact shootings in these areas account for more than half (55 per cent) of all handgun shootings which occurred across NSW during the year 2000. While there is no direct evidence that the increase in shootings is drug-related, Canterbury-Bankstown and Fairfield-Liverpool are Subdivisions known to have significant drug trafficking problems. This is an important point we will return to later.

THE PREVALENCE OF FIREARM OFFENCES

In the last section we saw that the incidence of certain kinds of firearm offences is increasing in NSW. It is worth remembering, however, that the overall prevalence of firearm offences in Australia and NSW remains very low.

Between July 1998 and June 1999 there were 64 firearm-related homicides recorded in Australia. This equates to 3 firearm homicides per one million persons (Mouzos 2000a). By comparison, the United States recorded 10,973 known firearm homicides in 1998 or 41 per one million population (Fox & Zawitz 2001).

Even robberies involving firearms are much less prevalent in NSW than they are in the United States. This is despite NSW having the highest per capita robbery rate in Australia. As we saw earlier, last year there were 655 robberies involving firearms in NSW. Sixty-seven per cent (438) of these incidents involved a handgun. On a per capita basis this gives an annual firearm robbery rate in NSW of 10.1 incidents per 100,000 population and a handgun robbery rate of 6.8 incidents per 100,000 population. The rates of 'shoot with intent' incidents are even lower than the rates for robbery with a firearm incidents, being 1.6 per 100,000 population in the case of 'shoot with intent' incidents involving any kind of firearm and 0.7 per 100,000 population in the case of 'shoot with intent' incidents involving a handgun.

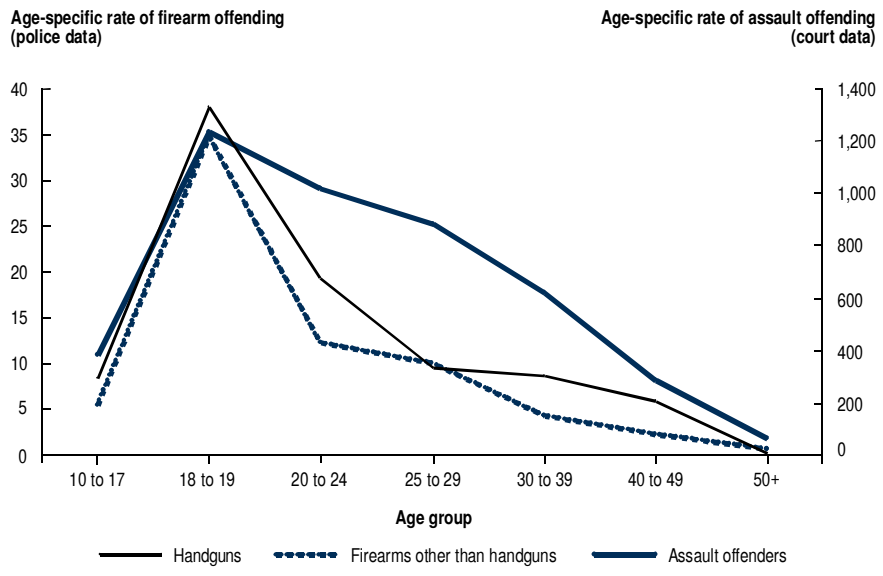
For comparison, the rate of firearm robbery in the United States is 58.7 crimes per 100,000 population (Federal Bureau of Investigation 2000), while the current rate of driving fatality or serious injury in NSW is 87.3 per 100,000 population (Roads and Traffic Authority 1999). Thus the rate of robbery with a firearm in NSW is about one-sixth of that in the United States and the risk of being killed or injured in a road accident is about 8 times higher than falling victim to armed robbery.

AGE AND FIREARM OFFENDING

The vast majority (over 90 per cent) of those involved in firearm offences at any age are male. Figure 5 shows the age-specific rate of alleged male firearm offenders during the year 2000, separated according to whether the offence involved a handgun or some other type of firearm. Note that this rate is calculated from police person of interest records and may not necessarily be representative of all firearm offenders.[3] In Figure 5 'firearm offences' include robberies, murders and shootings with firearms. By way of comparison, Figure 5 also shows the age-specific rate of males convicted of assault offences in the NSW Criminal Courts (Children's, Local and District).[4]

There is clearly little difference in the proclivity of males of different ages to use a handgun as opposed to any other kind of firearm. It is apparent, however, that males aged 18 to 19 are far more likely to use a firearm in an offence than males in any other age group. Between the age of 18 and 19 the age-specific rate of firearm offending is 35 per

Figure 5: Age-specific rate of offending per 100,000 population of male alleged offenders in firearm incidents, 2000,[1] and males convicted of assault, 1999,[2] NSW



[1] *Combines person of interest records for murder, robbery and shooting incidents involving handguns and other firearms as recorded by the NSW Police (2000).*

[2] *Males convicted of assault in the NSW Children's Court (1998/99), Local Court (1999) and District Court (1999).*

100,000 population for non-handgun-specific firearm offences and 38 per 100,000 population for handgun offences. Male youths aged 20 to 24 are less than half as likely as 18 to 19 year old males to be involved in a firearm offence (50 per cent less likely for a non-handgun firearm offence and 65 per cent less likely to be involved in a firearm offence with a handgun). The more gradual decline in the age-specific rate of conviction for assault offences suggests that older males who commit violent offences are much less likely to use firearms in these incidents.

LOCATION OF FIREARM OFFENCES

The location of firearm offences varies depending on the type of offence. Table 2 shows the location of firearm offences occurring as recorded by the police in 2000. Murder offences have been excluded because of the small number of cases involved.

Fifty per cent of robberies with a handgun and 44% of robberies with other types of firearms take place in businesses and other commercial locations. A sizeable proportion (21% of robberies with a handgun and 14% of robberies with other types of firearms) also occur outdoors or in other public places. Licensed premises are the next most common location for robbery with a firearm, accounting for 13% of robberies with a handgun and 25% of robberies with other types of firearms. Robberies with handguns are slightly more likely to occur in businesses and outdoors and less likely to occur in licensed premises than robberies with other types of firearms.

Half of the 'shoot with intent' offences occurred in public places, a considerably higher proportion than robbery incidents. Locations categorised as public places include streets, parks, footpaths, bus shelters and other locations which are outdoors and communal. The other location type which accounted for a large proportion of 'shoot with intent' offences was residential premises, where one in three shootings occurred. Shootings involving handguns occurred in much the same locations as shootings with all firearms.

PREVENTING FIREARM OFFENCES

Summarising the NSW situation, then:

- Murders involving firearms have declined over the last five years.

Table 2: Recorded criminal incidents of robbery and shoot with intent by premise type, NSW, 2000.

	Robbery incidents		*Shoot with intent incidents*	
	Handguns	*Firearms other than handguns*	*Handguns*	*Firearms other than handguns*
Type of location	*N = 438 (%)*	*N = 217 (%)*	*N = 42 (%)*	*N = 59 (%)*
Transport/vehicle	2.1	0.9	0.0	1.7
Business/commercial	50.2	44.2	2.4	3.4
Outdoor/public place	20.5	14.3	50.0	52.5
Recreation	3.0	3.2	0.0	3.4
Residential	5.3	7.4	35.7	30.5
Carpark	4.3	4.1	4.8	3.4
Education	0.2	0.5	2.4	0.0
Licensed premises	13.0	24.9	4.8	5.1
No weapon stated	1.4	0.5	0.0	0.0
Total	**100.0**	**100.0**	**100.0**	**100.0**

- Robberies involving firearms have declined over the last three years.
- 'Shoot with intent' incidents have risen over the last five years.
- 'Shoot with intent' incidents involving handguns have risen over the last five years.
- About half of all 'shoot with intent' offences involving handguns and other firearms occur in a public place.
- The increase in firearm offences has been most pronounced in areas of Sydney where drug trafficking is a problem.
- Young males aged 18-19 are much more prone to involvement in shooting incidents than older males.
- The prevalence of firearm offences, in general, and handgun offences, in particular, remains low.

To what extent should Australian and NSW authorities be concerned about this situation and what can or is being done about it? If the United States experience is anything to go by, the increasing incidence of 'shoot with intent' offences is a cause for concern. In the six years between 1985 and 1991 the United States homicide rate rose from about 8 per 100,000 in 1985 to nearly 10 per 100,000 in 1991, an increase of about 25 per cent. All of this increase was attributable to handgun homicides committed by young adult and juvenile males (Blumstein & Rosenfeld 1998). The increase in homicides involving youths and handguns is thought to have been caused primarily by the development of the 'crack' market, the recruitment of young people to sell drugs on the street, increased arming of drug sellers, the carrying of guns for protection and status, and irresponsible and casual use by young people (Blumstein & Rosenfeld 1998).

There is no indication at present that NSW or Australia is about to experience an increase in gun homicide rates comparable to that which occurred in the United States between 1985 and 1991. As we have already observed, our gun homicide rate is far lower than that in the United States. Guns are also far easier to obtain in the United States than in Australia. Weatherburn (1995) has shown, however, that if the willingness to use a firearm increases with the number of available firearms, the homicide rate can rise much faster than the spread of guns into the community. The fact that many of the 'shoot with intent' offences occurring in NSW are occurring in areas notable for drug trafficking parallels the situation which prevailed in the United States prior to the growth in homicide which occurred in that country between 1985 and 1991. At the present time NSW firearm offences appear not to be exclusively linked with the narcotics trade. The United States experience, however, suggests that early action to stem the upward trend in firearm offending is highly desirable.

Cook and Moore (1995) suggest that worthwhile policy responses to gun crime can be classified into three categories, depending upon their objective. These are:

1. those designed to affect the supply and overall availability of guns
2. those designed to influence who has these weapons
3. those designed to affect how guns are used by people who have them.

It is fair to say that traditional approaches to the problem of firearm crime have focused on the last of these three objectives rather than the first two. The criminal law contains strong sanctions for using a firearm in the commission of an offence. The attraction of such laws is that they do not impinge upon those who wish to possess a firearm but have no intention of using it to commit an offence (e.g. sporting shooters). There are two problems, however, with efforts to reduce gun crime focused solely on sanctioning those who use firearms in the commission of an offence. Firstly, many offences involving firearms are not premeditated or are committed by people indifferent to the prospect of apprehension and punishment. Secondly, the larger the supply of legally owned firearms in the community, the easier it is for firearms to fall into the hands of those willing to use them in the commission of crime.

Recognising this, Australian Governments have sought to reduce the supply and availability of firearms through prohibitions on the importation and possession of certain kinds of weapon and through the Commonwealth-funded national gun buy-back. The prohibitions agreed to by all States and Territories were those covered in the National Firearms Agreement. This Agreement resulted in a total ban on military style automatic and semi-automatic firearms. It also restricted the importation of non-military centrefire self-loading firearms to those with a maximum magazine capacity of five rounds. The national gun buy-back in NSW resulted in the surrender of 192,263 firearms, 155,774 of which were prohibited under the new laws and 36,489 of which were surrendered voluntarily because their owners no longer wished to retain them (Tree 2001).

The principal means by which Australian Governments have sought to influence who gets access to firearms is through the National Firearms Agreement. This agreement commits all States and Territories to a system of firearm licensing and registration.[5] Because the licensing system imposes financial costs on firearms dealers, which are passed on to consumers in the form of higher firearm prices, it probably has the effect of limiting the number of new firearms in circulation. Its main function, however, is to ensure that firearms are only possessed by people who have a bona fide reason for having one, and to restrict firearms from lawfully coming into the possession of unsuitable people (e.g. persons with a previous conviction for a violent, firearm or weapons offence; and persons subject to certain court orders such as an Apprehended Violence Order).

As with all legislation, its efficacy depends critically upon the level of enforcement which underpins it. Enforcement action to increase the risk of detection for illegal possession, sale or use of a firearm has been given a very high priority by the NSW Police Service. The Service established the Firearms Trafficking Unit in 1999 specifically to investigate the supply of illegal firearms in this State. Since

commencing operations, the Unit has seized 216 firearms, confiscated 211 firearms, arrested 28 people on firearms charges and laid 473 charges (Begg, H. 2001, Firearms Trafficking Unit, pers. comm., 9 April). It is impossible to say how significant an effect this has had on the supply of illegal firearms in NSW. However, the value of weapons confiscation in reducing gun crime has been clearly demonstrated in several United States cities (Greenbaum 1997; Kennedy 1998; Sherman, Shaw & Rogan 1995).

The benefits of active firearm law enforcement can easily be lost through lack of uniformity in firearm licensing and registrations laws. One important difference in State and Territory firearms legislation is the registration of deactivated firearms. In line with the National Firearms Agreement, firearms which are otherwise prohibited can be owned legitimately if they have been deactivated.[6] However deactivation standards vary across Australia, with some jurisdictions requiring as little as welding the trigger so that the firearm cannot be discharged. The deactivation standards in NSW are described in clause 31(3) of the Firearms General Regulation 1997, and are set to ensure that re-activation cannot occur.[7] In Queensland, at present, a firearm ceases to be classified as such when it is deactivated, and therefore does not have to be registered or held under licence. Furthermore, licensed dealers can themselves certify that the weapon is inoperable. In other States an independent examination of the firearm is required, or a deactivated firearm is treated the same as if it were a fully functional firearm (that is subject to licensing, registration and safe storage requirements).

The high value placed on unregistered firearms by offenders creates a strong temptation to exploit these inter-jurisdictional differences in legislation. The retail price of a Glock handgun, for example, is approximately AUS$1,000 but it can be sold for up to AUS$5,000 on the black market (Begg, H. 2001, Firearms Trafficking Unit, pers. comm., 9 April). Perhaps not surprisingly, there is evidence that some licensed firearm dealers in Queensland have been exploiting differences in firearm legislation between States by importing large numbers of firearms into the country and immediately deactivating all the stock so that no registration of the firearms would be required. In some cases these weapons had never actually been deactivated or had been modified in such a way that they could easily be reactivated by anyone with adequate knowledge.[8] By this means the firearms can be sold at substantial profit without details of the sale coming to the attention of police.

The legislative requirements for the registration of firearm parts also lack consistency across Australian jurisdictions. In NSW, only additional gun barrels have to be registered but the frame of the firearm does not, while Queensland legislation requires frames to be registered but not barrels. Thus, a criminal can legally buy a firearm frame in NSW without having to meet the requirements for registration. It has recently become clear that, by purchasing a 'conversion kit', consisting of other essential firearm parts (i.e. trigger, barrel, slide) from another State, an offender can build the gun from scratch. The result is a fully functional weapon which has no registration or record of ownership. Although the extent to which this facility has been exploited is unknown, it is, in principle, another avenue through which offenders can obtain firearms without detection by police.

It is obviously crucial to block these opportunities for obtaining weapons as soon as possible. Under proposed amendments to the *NSW Firearms Act* (1996) it will become necessary to register firearm frames (which are not already part of a registered firearm) as well as spare barrels. It will also become an offence to sell or purchase firearm parts without a licence or to supply firearms to persons not authorised to possess or use firearms. The character of a firearm licence will also restrict the kinds of firearm parts which a firearm owner can buy or sell. It is not yet clear how the Queensland government proposes to deal with the problem of deactivated firearms. It is to be hoped, however, that it will soon follow the approach taken by other State and Territory governments, requiring both registration of a deactivated firearm and an independent examination of firearms to certify that they have been successfully deactivated or continuing to treat a deactivated firearm as if it were fully operational and requiring that it be subject to both the licence and registration requirements.

Just as the efficacy of firearm laws in preventing gun crime depends upon effective firearm law enforcement, so firearm law enforcement depends for its efficacy on the imposition of sanctions capable of exerting a deterrent effect.

At present, sanctions for breaches of some firearm laws are well below the maximum penalty which can be imposed. In 1999, for example, the NSW Local Court convicted 284 people for whom possessing a firearm without a licence was their principal offence. Conviction in a Local Court for this offence carries a maximum penalty of two years imprisonment. Eleven of the 284 convicted (approximately four per cent) received a prison sentence but the majority (approximately 56 per cent) received a fine. Twenty-three per cent received a section 556A bond (i.e. no conviction recorded). The average fine imposed was $439 dollars.

It is impossible to say on the basis of these data whether current sentencing practice acts as a sufficient deterrent to the illegal possession or use of firearms. Some breaches of firearm laws probably occur through negligence rather than through any carefully planned intention to breach the law. It remains important, nonetheless, to maximise compliance with the law if the flow of guns into the wrong hands is to be minimised. Under proposed amendments to the NSW Firearms Act (1996), therefore, penalties for illegal possession or use of a firearm will be increased. The maximum prison term for possession of a prohibited firearm or handgun will rise to 14 years. This increase in maximum penalties may help further discourage illegal firearm possession. Limiting the flow of weapons into the hands of motivated offenders is just as important as discouraging motivated offenders who obtain firearms from using them in the commission of serious crime.

ACKNOWLEDGEMENTS

The authors would like to thank Jenny Mouzos of the Australian Institute of Criminology, Pauline Ross of the NSW Ministry of Police and Bronwyn Lind of the NSW Bureau of Crime Statistics and Research for their comments on earlier drafts of this bulletin. Thanks are also extended to Helen Begg of the Firearms Trafficking Unit, NSW Police for her advice on various aspects of firearms offending in NSW.

REFERENCES

Blumstein, A. & Rosenfeld, R. 1998, 'Explaining recent trends in U.S. homicide rates', *The Journal of Criminal Law and Criminology*, vol. 88, pp. 1175-1216.

Cook, P.J. & Moore, M.H. 1995, 'Gun Control', in *Crime*, eds J.Q. Wilson & J. Petersilia, ICS Press, San Francisco.

Federal Bureau of Investigation 2000, *Uniform Crime Reports: Crime in the United States 1999*, website <http://www.fbi.gov/ucr/99cius.htm> accessed 7 May 2001.

Fox, J.A. & Zawitz, Z.W. 2001, *Homicide Trends in the United States*, Bureau of Justice Statistics, U.S. Department of Justice, Washington D.C.

Greenbaum, S. 1997, 'Kids and guns: From playgrounds to battlegrounds', *Juvenile Justice Journal*, vol. 3, pp. 2-10.

Kennedy, D. 1998, 'Pulling levers: Getting the deterrence right', *National Institute of Justice Journal*, vol. 236, pp. 2-8.

Mercer, N. & Gibbs, S. 2001, Gun play, News Review, *The Sydney Morning Herald*, Saturday March 31 2001.

Miranda, C. 2001, How hand guns are 'run' into Sydney, *The Daily Telegraph*, Thursday March 15 2001.

Mouzos, J. 2000a, *The licensing and registration status of firearms used in homicide*, Trends and Issues in Crime and Criminal Justice, No. 151, Australian Institute of Criminology, Canberra.

Mouzos, J. 2000b, *Firearm-related deaths in Australia 1998*, Trends and Issues in Crime and Criminal Justice, No. 161, Australian Institute of Criminology, Canberra.

Mouzos, J. 2001, *Homicide in Australia 1999-2000*, Trends and Issues in Crime and Criminal Justice, No. 187, Australian Institute of Criminology, Canberra.

Roads and Traffic Authority 1999, *Road Traffic Accidents in New South Wales 1997*, Roads and Traffic Authority, Sydney.

Sherman, L.W., Shaw, J.W. & Rogan, D.P. 1995, *The Kansas city gun experiment*, National Institute of Justice, U.S. Department of Justice.

Siegel, S. 1956, *Nonparametric Statistics for the Behavioural Sciences*, McGraw Hill Kogakusha, Pennsylvania.

Tree, L. 2001, *Report of the review of the Firearms Act 1996 - Discussion Draft*, Report for the Minister for Police by Mr L Tree, Director General of the Ministry of Police.

Weatherburn, D. 1995, 'Theoretical note : gun control and homicide', *Australian and New Zealand Journal of Criminology*, vol. 28, pp. 116-120.

NOTES

1 Using information from the National Homicide Monitoring Program, Mouzos (2001) describes weapons used in homicide in each State in Australia.

2 Note that this situation does not prevail across Australia. Mouzos (2000b) recently noted an increase over the last few years in the proportion of homicides in Australia committed with handguns.

3 It is possible, for example, that younger people are more likely to be detected for firearm offences.

4 Note that the assault data come from a different source to the firearm offence data. While the absolute values are not comparable, the relative shapes of the distributions are.

5 The licensing and registration scheme is also supported by measures designed to ensure that legitimate owners of firearms securely store them in order to prevent theft or use by unauthorised persons.

6 This procedure is typically used by collectors or establishments like the Returned Serviceman League (RSL), who generally seek to display their guns rather than use them.

7 Wherever possible the internal components of the firearm must be welded closed including the trigger, the firing pin must be removed and the firing hole welded closed, the barrel welded to the receiver to prevent its removal and a steel rod inserted into the barrel and welded in.

8 Two licensed dealers who were major players in these types of illegal operations are currently before Queensland courts charged on various counts of fraud.