

Criminal use of handguns in Australia

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Over the past 10–15 years, although the overall use of firearms in violent crime has declined, handguns have increasingly become the firearm of choice in both Australia and other English-speaking countries. Handguns are often used as a means of protection, particularly among people involved in gangs and the drugs market, and their concealable nature, high firepower and large calibre are often cited as features prompting their acquisition by the criminal community. This paper describes the use of handguns to commit lethal and non-lethal crime in Australia; and in light of recent legislative restrictions on handgun ownership and use, the legal status of handguns used in these crimes. Overall there appear to be low ownership rates among offenders in Australia. However, handguns currently account for around half of all firearm-related homicides and are distinguishable from other homicides, particularly with regard to location (non-residential), relationship between victim and offender (known but not related), and alleged motive (money or drugs). Handgun-perpetrated armed robberies are also found to be distinct from robberies committed with other weapons, with a higher proportion targeting organisations and netting greater monetary yields. The majority of handguns used in crime appear to be illegal. Available data suggest many are acquired from friends or family, and diversion, including theft from legal sources, may represent an important source of handguns (and other firearms) into the illegal market and their subsequent use in crime.

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Introduction

A study of firearm possession and use among organised crime gangs in the United Kingdom noted that 'criminals at all levels favour handguns' (SOCA 2006). Weapon use data from the United States, United Kingdom, Canada and Australia (New South Wales) also suggest a preference for handguns, with firearm homicide, attempted murder and robbery largely committed with handguns, rather than rifles or shotguns (Dauvergne & Li 2006; FBI 2007; Kaiza, Coleman & Reed 2007; Williams & Poynton 2006). While the overall use of firearms in violent crime has declined in these countries, the proportional use of handguns has increased. Factors prompting weapon choice and use have received some attention in the literature, but rarely those that specifically influence firearm choice, although cost, ease of procurement and concealment, need for protection, and status are possible determinants. For example, US prisoners stated a preference for firearms that are easily concealable and of a large calibre (e.g. handguns – Wright & Rossi 1994). Handgun ownership and use among young men, particularly those in gangs or involved in the drug trade, has become commonplace in the United States and United Kingdom due to increased access and need for concealable

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protection, and as a status symbol (Blumstein 1995; Hales, Lewis & Silverstone 2006). In New Zealand, prisoners incarcerated for armed robbery related a tendency to use sawn-off shotguns rather than handguns (Newbold 1999). Handguns, in contrast to sawn-off shotguns, were expensive and much more difficult to procure in New Zealand, and were acquired primarily for prestige, self-defence and security purposes rather than as a weapon for use in crime.

Firearm-related crime is relatively low in Australia. However, high-profile violent incidents involving handguns renew debate about handgun violence in Australia and, in the context of recent legislated restrictions on handgun ownership, whether legally or illegally owned handguns are used to commit most handgun crime in Australia. Using data from four Australian Institute of Criminology (AIC) monitoring programs – National Homicide Monitoring Program (NHMP), National Armed Robbery Monitoring Program (NARMP), Drug Use Monitoring in Australia (DUMA) and National Firearms Theft Monitoring Program (NFTMP) – this paper describes the use of handguns to commit lethal and non-lethal crime (specifically homicide and armed robbery), and estimates the level of illegal handgun use among criminals, as it applies to recorded data.

Handgun ownership in Australia

Since 1996, Australian state and territory governments have sought to strengthen regulations regarding the ownership, use and transfer of firearms in Australia through the enactment of legislation based on the National Firearms Agreement 1996, National Handgun Control Agreement 2002 and the National Firearms Trafficking Policy Agreement 2002. The legislation prohibits certain models of handguns (based on criteria regarding barrel length, firing capacity and calibre); restricts ownership and use primarily to sports shooters, firearm

collectors and security industry employees; and outlines specified storage arrangements. An amendment was also made to the Customs (Prohibited Imports) Regulations 2002, preventing the importation of handgun models and parts specified as prohibited.

Legal ownership

Based on data from Australian police firearms registries, a total of 172,422 handguns were registered in Australia at 30 June 2006, accounting for seven percent of all registered firearms. As a percentage of all firearms, handgun ownership varied across states and territories, from four percent in Western Australia to 12 percent in South Australia (Table 1).

Illegal ownership

Illegally owned handguns include those that meet one, some or all of these criteria:

- not registered
- held by an unlicensed owner
- possessed by a non-compliant license holder (e.g. improperly secured; moved across state/territory borders without notification)

- prohibited according to current legislation
- used for criminal purposes.

The number of illegal handguns (and firearms) in Australia is uncertain, and the difficulty in estimating its size precludes reliable estimates. Some indication of illegal ownership can be drawn from the DUMA survey. This survey interviews police detainees held in watch-houses and detention centres at key sites across Australia, about their drug use and issues such as weapon ownership. Around five percent (n=279) of detainees interviewed in 2005 and 2006 stated they had owned a handgun in the previous 12 months. Six percent of these detainees held a valid Category H firearm licence for their handgun, and eight percent had registered their handgun. In comparison, longarms were owned by four percent (n=268) of detainees, 22 percent (n=59) of whom had registered their firearm and 22 percent (n=59) of whom held a valid firearms licence. Similarly, low levels of legal firearm ownership have been found among prisoners in the United States (Wright & Rossi 1994), United Kingdom (Hales, Lewis & Silverstone 2006) and New Zealand (Newbold 1999).

Some of the difference in the levels of legal ownership between handgun and longarm users might be explained by the reason detainees owned their respective firearms. Four in 10 police detainees who owned a longarm did so primarily for hunting/recreational purposes, which is a legitimate reason for some longarm firearm ownership in Australia. In contrast, 55 percent of detainees who owned handguns did so mostly for protection and self-defence reasons, which is not a valid reason for firearm ownership. However, around three in 10 longarm owners cited protection as the main reason they owned a rifle or shotgun. Research from the United States and United Kingdom highlighted the acquisition of firearms – often handguns – for protection purposes,

Table 1: Registered handguns in Australia, 30 June 2006

	n	% of all registered firearms
NSW	34,663	5
Vic	36,655	7
Qld	40,314	8
WA	9,829	4
SA	41,519	12
Tas	3,560	11
ACT	1,215	8
NT ^a	4,667	11
Australia	172,422	7

a: Includes handguns held or used by police or government departments. Other state and territory totals do not.

Source: State and territory police firearms registries

particularly among people involved in the drug trade and similarly violent criminal associations (Hales, Lewis & Silverstone 2006; Lizotte et al. 2000).

A further 13 percent of police detainees who owned a handgun admitted use in criminal activity as the main reason they owned a handgun, compared with nine percent of longarm owners. Only two percent of both handgun and longarm owners possessed their chosen firearm for gang-related purposes.

Most detainees obtained their handguns illegally; only eight percent bought their handgun from a legal retail outlet. Almost two in five (37%) detainees acquired their handgun from a family member or friend, although it cannot be ascertained from the data whether the family member or friend was in legal possession of the handgun at the time of the sale. Around one in five detainees purchased their handgun through a 'private sale' (19%) or from a source on 'the street' (18%), and another eight percent obtained their handgun through a drug dealer or drug-related transaction. No detainee admitted acquiring their handgun directly through theft.

Handguns used in homicide

Firearms are used in around 20 percent of homicides committed each year in Australia (Davies & Mouzos 2007). In 2005–06, firearm homicides fell to their lowest level in 13 years: 14 percent of all homicide victims. Since 1992–93, firearm homicide as a proportion of all homicides has halved (Figure 1), continuing a general downward trend in firearm homicide that began in the early 1980s.

International data show that despite differential rates of firearm homicide between countries (Dauvergne & Li 2006; FBI 2007; Kaiza, Coleman & Reed 2007), handguns tend to be the predominant firearm used. This has also increasingly become the case in Australia. During the early to mid-1990s, handguns accounted

for less than 20 percent of all firearm homicides, but over the following 10 years this percentage increased to around 50 percent (Figure 1). This increase immediately followed the National Firearms Agreement in 1996, and it has been proposed that restrictions in the availability and access to certain firearms, and who can own a firearm, led to greater use of illegitimate means to acquire firearms, particularly those that are easily concealed such as handguns (Mouzos 2000).

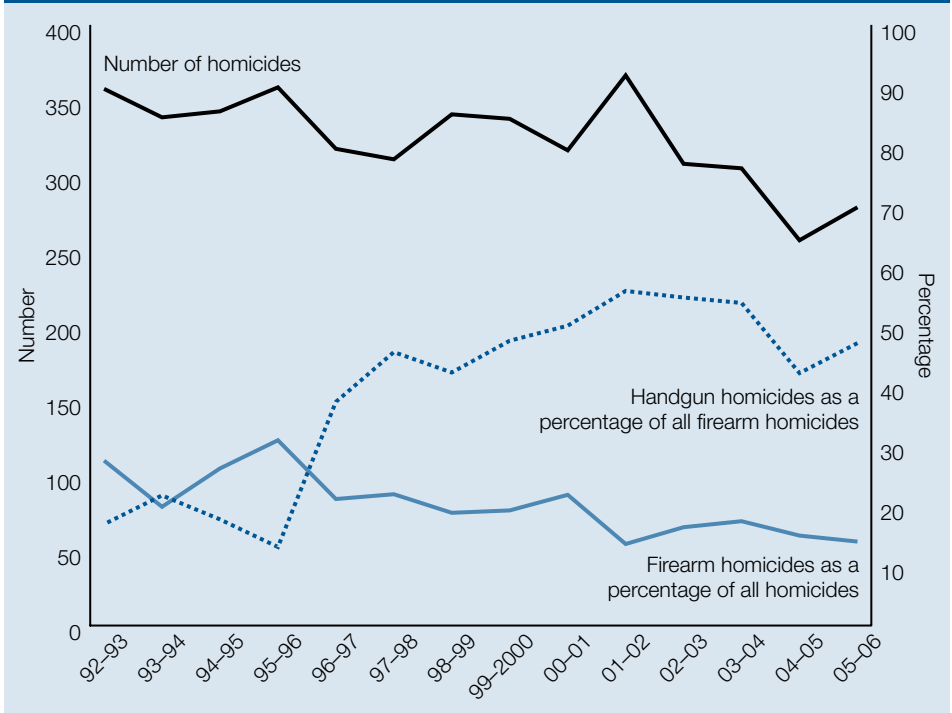
In the following analysis, characteristics of victims and offenders involved in a handgun homicide and the circumstances of the homicide are compared with firearm homicides and homicides in general. Data are drawn from the AIC's NHMP for the years 1989–90 to 2005–06 (Table 2). Homicide is defined as including murder and manslaughter.

Between 1989–90 and 2005–06, there were 5,223 homicides committed in Australia, of which 1,024 (20%) were firearm-related. One-third of the firearm-related homicides (n=292) were

committed with a handgun. Handgun homicides occur more commonly between friends and acquaintances, and less commonly between intimate partners and family members. Since homicidal encounters between friends and acquaintances predominantly involve a male victim, the percentage of male victims from handgun homicides was correspondingly greater (77%) than other homicide scenarios (69% for firearm homicides and 68% for all homicides respectively).

Arguments over money or drugs represented the primary alleged motive behind handgun homicides, and accounted for almost three in 10 homicides committed with a handgun. Domestic altercations also contributed to a sizeable proportion of handgun homicides (almost one-quarter) but much less so than for firearm and other homicides, where it was the most important identified motive. Correspondingly, handgun homicides did not occur as often in residential locations as firearm and other homicides

Figure 1: Trend in homicide incidents, firearm-related homicide and handgun homicide, 1992–93 to 2005–06



Source: AIC, NHMP 1992–93 to 2005–06 [computer file]

(46% compared with 58% and 60% respectively).

Details on victim/offender characteristics are available for 6,160 people (due to multiple victims/offenders per homicide). Twenty percent (n=1,216) of these people were involved in firearm-related homicide, of whom 26 percent (n=318) were specifically handgun-related.

The majority of homicides, regardless of the method used to kill the victim, were ‘single victim/single offender’ incidents. Homicides committed by an individual using a handgun were more likely to result in multiple victims than homicides in general (11% compared with 5%), but only slightly more so when compared with all firearm homicides (9%).

Homicides in Australia generally do not occur during the course of another crime, accounting for less than 20 percent of all homicides since 1989–90. Of those homicides that do, most occur during a violent offence, primarily a robbery. This is particularly so for homicides committed with either a handgun or another firearm. Homicides arising from property offences are less common but somewhat more likely to involve a handgun than another weapon.

Around seven in 10 (69%) offenders who killed their victim(s) with a handgun had a criminal history, compared with around six in 10 (58%) of all firearm-related and all homicide offenders (61%) (Table 2). Three in 10 offenders who had committed a handgun homicide had at least one known drugs offence, and another 29 percent at least one property offence. In contrast, assault was the most common previous offence among firearm homicide offenders (39%), followed by property offences (22%). Two in five had a previous drug offence. A similar pattern was found for all homicide offenders, with assault (53%) and property offences (24%) the most common previous offence. Drug offences comprised only 12 percent of previous known criminal activity.

Legal status of handguns used in homicide

The majority of firearms used to commit homicide in Australia since 1989–90 were held unlawfully at the time. Of the 150 offenders known to have used a handgun to commit homicide, 12 percent were licensed firearms owners and two percent had used a registered handgun. Considering all firearms (n=313), 15 percent of offenders held a firearms licence and 11 percent of firearms used were registered.

Handguns used in armed robbery

Twenty-two percent of armed robberies in 2003 were committed with a firearm, while this was 13 percent each in 2004

Table 2: Characteristics of handgun, firearm and all homicides, 1989–90 to 2005–06

	Handgun %	Any firearm %	All %
Incident characteristics			
Number of victim(s)/offender(s)			
Single victim/single offender	68	76	80
Single victim/multiple offender	20	13	14
Multiple victims/single offender	11	9	5
Multiple victims/multiple offenders	1	2	1
Homicide committed during course of another crime	18	13	15
Type of crime			
Violent crime	65	70	71
Property crime	19	15	14
Drug-related crime	9	9	5
Other crime	7	6	10
Homicide not solved	25	16	12
Total number of incidents	292	1,024	5,223
Victim/offender characteristics			
Gender of victim and offender			
Male victim	77	69	68
Female victim	23	31	32
Male offender	94	94	87
Female offender	6	6	13
Relationship between victim and offender			
Intimate partners	16	21	22
Family	8	13	17
Friend/acquaintances	45	35	36
Strangers	22	22	17
Other	9	9	8
Alleged motive			
Domestic	23	36	34
Revenge	17	15	9
Money/drugs	28	20	12
Alcohol-related argument	3	5	14
Other argument	14	13	13
Other motive	1	1	3
No apparent motive	14	10	15
Offender has criminal history	69	58	61
Total number of victims	318	1,216	6,160

Source: AIC, NHMP 1989–90 to 2005–06 [computer file]

and 2005. The use of handguns in armed robbery was 10 percent or less over the same period. However, similar to homicide, handguns were the predominant firearm used, with between half and almost two-thirds of firearm-perpetrated armed robberies involving a handgun.

Data from the NARMP for 2004 and 2005 show that licensed premises (e.g. bars, clubs, bottle shops) and (unspecified) retail locations were the most common sites for armed robberies committed with a handgun, each accounting for 20 percent of all such incidents. While retail locations similarly figured prominently as a location for armed robberies in general, only five percent targeted licensed premises.

Individual people comprised the majority of victims in armed robberies, regardless of weapon used (between 60% and 70%). However, armed robbers who used handguns more commonly targeted organisations (41%) than those involved in more general armed robbery scenarios (30%). This greater focus on organisational targets, particularly the type of establishments where handgun armed robberies occur often (e.g. licensed premises, retail outlets), suggests that the proceeds from handgun-perpetrated robberies are potentially more lucrative than other armed robberies. Analysis of NARMP data on the estimated value of stolen property supports this. The mean estimated value of property acquired during a handgun armed robbery in 2004 and 2005 was \$4,410, which was five and seven times respectively the proceeds from an armed robbery committed with a knife (\$870) or syringe (\$623).

Other crime

Detail on the use of handguns in other crimes, such as attempted murder or kidnapping, is not available. However,

the DUMA survey provides additional information on the propensity to use handguns for criminal purposes. A higher percentage of police detainees who owned a handgun at the time of interview (in 2005 or 2006) admitted to having used the handgun to commit a crime in the previous 12 months (30%), than those detainees who owned a longarm or knife (20% each).

Source of handguns for criminal use

If the majority of handgun crimes – and for that matter all firearm crimes – committed in Australia is perpetrated with an illegally obtained weapon (defined in section ‘Illegal ownership’), where are these firearms sourced? Firearms diverted into the criminal community are likely to come from both the legal and illegal markets, but it is difficult to quantify these proportions.

Illegally sourced firearms come from a combination of illegal importation of complete firearms or their parts, illegal domestic manufacture and the reactivation of firearms. The main supply route of firearms from the legal to illegal sphere is through diversion (Kerlatec 2007; Qld CMC 2004). The black market in firearms does not appear to be dominated by organised crime, but rather by a looser system of criminal gangs who acquire firearms when and where they are needed (Mouzos 1999), and by people with otherwise legitimate access to firearms who coordinate small-scale transfer of firearms out of the legal pool (Qld CMC 2003, cited in Qld CMC 2004).

Illegal firearms sourced via diversion are supplemented by firearms stolen from private dealers and owners, the security industry, police, and the military. Firearm theft data from between 1 July 2004 and 30 June 2006 found that 162 handguns were reported stolen to police, representing six percent of all reported

stolen firearms in that period. Two of the 162 stolen handguns were subsequently known to have been used to commit a crime – a murder and an armed robbery respectively. Both handguns had been stolen from security guards – one outside a club and the other outside a bank. In the former incident, the security guard was subsequently murdered by the assailant.

Handgun theft as a percentage of all firearm theft has fallen since the mid-1990s, when an estimated 14 percent of firearms stolen between 1994–95 and 1999–2000 were handguns (Mouzos 2002). The exact factors driving this decline are currently unclear.

Discussion

An examination of two categories of violent crime – homicide and armed robbery – reveals distinctive characteristics when committed with a handgun. Homicides in Australia tend to involve related or known players, occur in residential locations and are often prompted by some form of domestic altercation. Handgun homicides tend not to: they take place more often in non-residential settings, between a known but unrelated victim and offender, and are often motivated by money or drugs. Offenders who commit handgun homicides are also more likely to have a criminal history, and are somewhat more likely to kill their victim(s) during the course of another crime than other persons who perpetrate homicide. In the United Kingdom, and particularly the United States, there is a known association between handgun ownership (and use), and involvement in the illegal drugs market and/or gangs. Handguns are used as badges of respect and status, and also as a means of protection, and the inherent violence that permeates these two worlds promotes handgun use during episodes of conflict, sometimes with lethal consequences. While the

dynamics of criminal associations operating in Australia do not reflect those in the United States or United Kingdom, elements of these – such as the use of firearms (particularly handguns) as protection – are likely to have been adopted. It is feasible then that the pattern of handgun homicide described in this paper is in part a consequence of disputes and other provocation occurring between players involved in particular criminal activities, such as motorcycle gangs and people involved in the illegal drugs trade.

Armed robberies committed with a handgun are similarly distinct from armed robberies in general. Individuals remain the primary victim, but organisations are more commonly targeted – particularly establishments (such as licensed premises) where higher proceeds are more likely. Handgun armed robberies in recent years generated an estimated net taking of more than three times the average value obtained in armed robberies overall. The robbery of organisations, particularly ones with potentially high-value takings, arguably necessitates more sophisticated means by which to control the process of the theft.

Conclusion

Despite apparently low ownership rates among the criminal community, handguns appear to be the firearm of choice for use

in firearm-related crime in Australia. The combination of a concealable weapon with high firepower and large calibre has been cited in overseas research as influential factors for criminal handgun acquisition and use, and it can be assumed that these also attract local offenders.

From the available data, it can be surmised that handguns used to perpetrate crimes in Australia are usually illegal at the time of the crime. Surveys with police detainees also suggest that relatively informal transactions involving a family member or friend characterise the most common method of illegal handgun acquisition, with private sales and 'the street' as additional important sources. The origins of these handguns are less clear, although diversion and theft from legal owners may be primary avenues.

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