

Firearm Homicide in New Zealand: victims, perpetrators and their weapons 1992-94

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Abstract *Aim:* To determine the firearms licensing status and mental and criminal history of perpetrators in firearm homicide, plus the legal status of the firearms used. The location of the shooting, its motivation and the relationship between perpetrator and victim were determined, as well as the type, ownership, origin and security storage of the firearms involved.

Method: All New Zealand firearm homicides in the three-year period 1992-1994 were identified. Case summaries were obtained from the New Zealand Police under the provisions of the Official Information Act. A standardised questionnaire was then used to obtain additional data from the case file. All the questionnaires were completed.

Results: Most victims were killed by a licensed gun-owner, while 62.5% (and ten out of eleven female

victims) were killed with a legal firearm from the collection of a licensed gun-owner. Almost all victims (95%) were killed by a familiar person. Half were shot by their partner, an estranged partner or a member of their own family. Of all the dead, 63% were shot during family violence, 91% of these with a legal firearm. Of the perpetrators, 82% had no predictive history of violent crime, while none had a history of mental illness.

Conclusion: These results contradict the suggestion that efforts to reduce firearm violence should be directed only at "criminals and the mentally ill", rather than "law-abiding gun-owners".

Background

In New Zealand, 300,000¹ licensed sporting shooters² own an estimated 1.1 million firearms,³ enough for one in each occupied dwelling⁴ and sufficient to outnumber the combined arsenals of the police⁵ and armed forces⁶ by a ratio of 30 to 1. We own 16 times as many guns per capita as the English and the Welsh,⁷ 60% more than the Australians⁸ but less than half as many as the residents of the United States.⁹ An additional 13,700 long guns alone (shotguns and rifles) are imported to New Zealand in a typical year.¹⁰ Each day an average of seven firearm offences involving danger to life are reported to the police,¹¹ while one in five homicides are committed with a firearm.¹² Despite a common certainty that firearms are increasingly misused, there has been little local research. Although critical data on the misuse of firearms are collected, they are not made available.¹³

A common theme in the firearm injury prevention debate in New Zealand has been stated as follows: "It is clear that to spend a disproportionate amount of time on the firearms owned by registered owners is a waste of public resources when almost all offending with firearms occurs with those which are in the possession of unauthorised users,"¹⁴ and: "In New Zealand just about all crimes with firearms are carried out by drug dealers, gang members and the like -- all of whom do not possess firearm licences."¹⁵ These and other assertions¹⁶ echo the views of United States pro-gun groups whose stated intention is to divert efforts at firearm injury prevention away from legal gun owners and towards "the criminals."¹⁷

In similar vein it has been stated that a large proportion of perpetrators in multiple firearm homicides "have a long history of violent sociopathic behaviour,"¹⁸ that "very few homicides are committed by people who have no prior history of violence,"¹⁹ and that "firearms are being blamed when the real cause is mental health disorders."²⁰ Suggested solutions include incarcerating career criminals and the mentally suspect, while opposing any firearm legislation inconvenient to gun owners.²¹

This study tests the hypotheses that firearm homicide in New Zealand is most commonly committed:

- by individuals without firearms licences
- by violent criminals and the mentally ill
- with illegal weapons

Methods

Details of all firearm homicides²² which occurred during the years 1992-1994 were obtained from New Zealand Police records.²³ Extracted from this study were one justifiable law enforcement shooting, one where the firearm was used to bludgeon, not to shoot, and one in which a firearm was used to wound a third party while the only person killed was knifed. In another case, two of six homicide victims killed during a multiple shooting event were excluded as they died by other means. Under the provisions of the Official Information Act (1982), a standardised multiple-choice questionnaire was completed and returned by police involved in each shooting. Follow-up correspondence achieved a completion rate of 100% of questions answered.²⁴

Results

During the study period, 29 homicidal shooting events left 40 victims and nine perpetrators dead by gunfire, an average of 13 victims and 16 total deaths per year.

Of the 40 victims, 29 (72.5%) were male, and 11 (27.5%) female. The age range of victims was from 14 to 83 years with an average age of 38. Four (10%) of the victims were killed during the commission of another felony, in each case a robbery. One of these victims was shot in the course of a drug-related robbery. One other victim was determined at trial to have been shot in self defence during an argument.

Of the 34 perpetrators, 33 (97%) were men, while one was a woman. Their ages ranged from 19 to 66. The average victim was shot by a 31 year-old perpetrator.

Relationship of Perpetrator to Victim

Thirty-eight victims (95%) were killed by a person familiar to them. Twelve (30%) were shot by a family member; two by their partner; six (15%) by an estranged partner; twelve (30%) by a friend or acquaintance; and three by a known sexual rival. Another three were killed by a known gang rival, while only two were killed by a stranger.²⁵

Location of Shooting

Of all victims, 22 (55%) were shot in their own home, while six (15%) were shot at their place of work. Five (12.5%) were killed at the perpetrator's home or workplace, six (15%) in a public place,²⁶ and one on licensed premises.²⁷ Thus 28 (70%) of victims were shot at home or at work.

Previous Criminal Convictions and Mental Illness

Thirty three (82.5%) of victims were shot by a perpetrator with no previous conviction for violent crime.²⁸ None of the victims were killed by a perpetrator who had been diagnosed or reported as being mentally ill prior to the event.²⁹ For this survey, police also reported that none of the victims were killed by a perpetrator subsequently found to have a mental or violent history which, had it been known in advance, could have permitted authorities to prevent the shooting.³⁰

Firearms Licensing and the Use of Legal Firearms

Of all 40 victims, 21 (52.5%) were shot and killed by a licensed sporting shooter. Of these, thirteen (62%) were shot by a close family member or a current partner who held a licence. All (100%) of the licensed perpetrators in these 21 killings were males, every one of them well known to the victim.³¹

However the remaining 19 (47.5%) of victims were not all shot by unlicensed individuals with stolen, sawn-off, or otherwise "illegal" firearms. Police report that several of the victims were killed by perpetrators

who, though not holders of a current firearms licence, nevertheless had easy access to a category of weapon referred to in this study as a "legal firearm". This is the most common type of gun in New Zealand.

Take for example a perpetrator who borrows a gun from his licensed brother, to kill his landlord. Or a young man with no licence who takes his father's lawfully held shotgun to shoot his partner. Neither firearm is "illegal" in the sense that, like most firearms kept at home, both were lawfully held for a non-criminal, sporting purpose. Such is the apparent free movement of such firearms from licensed to unlicensed New Zealanders, particularly in rural areas, that our survey used a flowchart (Figure 2) to recognise this common category of firearm. The result is that 25 victims (62.5%) were shot with a legal firearm from the collection of a licensed sporting shooter.

Ten (91%) of eleven female victims were shot with a legal firearm. All (100%) of 25 victims of legal firearms were shot by a family member, partner, estranged partner, known sexual rival, friend or acquaintance.

Firearm Type, Origin and Storage

Nineteen (47.5%) of 40 victims were killed with a sporting rifle, thirteen (32.5%) with a sporting shotgun, four (10%) with a sawn-off firearm and five (12.5%) with a handgun (revolver or pistol).³² Thus, 32 (80%) of victims were shot with a common sporting long gun.

Police reported no suggestion that any of the firearms involved had been illegally imported.

Four (10%) of 40 victims were shot with a firearm previously reported to police as stolen. Five (12.5%) were killed with a firearm which had been taken or temporarily "converted" without permission from its lawful owner, while two were shot with a firearm borrowed with the permission of its owner.

In nine of 40 cases (22.5%), police reported that the method of storage used by the licensed owner of a stolen or converted firearm was a factor in its availability to the perpetrator. In eight of these nine cases (89%) police reported that the firearm was taken without permission from insecure storage which breached the Arms Regulations at the time. Only one firearm stolen for a killing was securely stored according to the law when taken.

Family Violence Shootings

Where the victim was killed by a family member, a current or estranged partner or a known rival in a family sexual triangle, the shooting was classified as family violence.

Twenty-two (55%) of all 40 victims were killed in the course of family violence. Thirty-one (63%) of the 49

total shooting deaths occurred as a result of family violence (22 victims, plus 9 perpetrators). The average number of shooting deaths per family violence event was 2.2.

Twenty-one (95%) of the 22 victims were shot at home or at work, while 16 (73%) were killed by a licensed sporting shooter and 20 (91%) were shot with a legal firearm.

Murder/Suicide Shootings

Thirteen (32.5%) of all 40 victims were killed by a perpetrator who committed suicide shortly after. All 13 victims of murder/suicide (100%) were shot by a family member, a former partner or a known sexual rival (all of whom were male), with an average age of 42 years. Twenty-two (45%) of all 49 deaths in this survey were due to murder/suicide, while the average number of deaths per murder/suicide was 2.4.

Twelve (92%) of 13 victims of murder/suicide were shot at home or at work, while ten (77%) were killed by a licensed sporting shooter and 12 (92%) were shot with a legal firearm.

Discussion³³

The findings of this study contradict the hypothesis that firearm homicide is most commonly committed by unlicensed perpetrators with illegal weapons.

Most gun homicide victims were shot with a legal firearm held by a licensed sporting shooter. The findings reported here are consistent with those reported elsewhere.

In Canada, 77% of murders in a limited sample were committed with lawfully held firearms.³⁴ Another study found that 78.3% of firearm-related domestic homicides in Canada were committed with firearms in the legal possession of licensed owners.³⁵ Even in New South Wales, where licensing non-compliance by gun-owners is even more common than in New Zealand, 62% of firearms seized in domestic-violence incidents were legally owned.³⁶

Legal guns are also implicated in forms of firearm misuse more common than homicide. Research in New South Wales indicates that firearm suicide is most often committed with a lawfully held firearm.³⁷ As in Australia, three quarters of firearm-related fatalities in New Zealand are the result of suicide.³⁸

Although data were not made available for this study,³⁹ it seems reasonable to assume that the majority of unintentional firearm-related injuries and deaths in New Zealand (hunting, farming or play-related accidents) also occur with lawfully held firearms. In addition, a recent survey of non-fatal firearm misuse in this country showed that nearly half the firearms involved were reported by police to be legal, while half the perpetrators in firearm-related domestic disputes were licensed sporting shooters.⁴⁰

It seems clear that legal firearms and their owners are also common culprits in the wider misuse of guns in New Zealand.

Given the very small proportion of victims who died during the commission of another felony (10%) or in a drug-related killing (2.5%), the claim that firearm homicide is the province of addicts, dope-pushers and career criminals is clearly not supported by the facts.

Likewise, the argument that firearms are useful for self defence must be balanced against the finding that only one firearm homicide victim in forty was found to be justifiably shot.⁴¹ A survey of 587 firearm deaths in Brisbane, Queensland found only one homicide by a civilian killing a felon. The authors commented that in a house with a firearm "statistics also suggest that it is more likely that all family members will shoot each other dead before any external aggressor is killed."⁴² In the United States, studies show that a firearm in the home is rarely used for self defence, but much more commonly to injure and to kill kith and kin.⁴³

As in rape and assault, "stranger danger", "home invasion" and "dark alley" encounters are extreme rarities in the real world of firearm homicide in both New Zealand and Australia.⁴⁴ Instead, 95% of victims in this study were killed by familiar people, usually by intimates and family, usually in the safest place they know. Firearm homicide is a crime among friends.

Predictions of Dangerousness

In recent submissions to Parliament a pro-gun lobby group claimed that in New Zealand in 1993 "50% of all homicides were committed by persons with a psychiatric history of violence."⁴⁵ A request for the source of this information remains unanswered.⁴⁶ The present study shows that in firearm homicide at least, such assertions are not supported by the facts.

None of the perpetrators in this survey are known to have been diagnosed, described to authorities or even seriously suspected by others of being mentally ill before the shooting. Given the wide variety of definitions of "dangerousness" we attempted to uncover any suggestion of mental abnormality. One perpetrator was said *after the event* to be depressed at his financial situation. In another case a terminally ill man who killed his wife and then himself was known by family and friends to be depressed due to his illness. In four other cases the perpetrator was later said to seem upset, angry or despondent following a breakup with a partner. Again in hindsight, one trial witness thought it "strange" that the accused dozed off at a concert nine days before he killed.

Yet none of these moods proved serious enough to report to authorities before the event. Certainly, none would have justified an arrest or the confiscation of firearms. Perhaps most importantly, in no case were friends or family sufficiently concerned to remove, secure or disable the many guns which these men had at their disposal.

Predictions of emotional dangerousness are notoriously unreliable. As one authority put it: "the vast majority of homicides are carried out by people who are psychologically indistinguishable from the general population prior to the event."⁴⁷ Even counting all offenders who at some time had been in contact with professional helpers, including drug & alcohol counselling, the most comprehensive homicide study in Australasia found that only 16% of offenders qualified as having a previous "mental disorder". This was less than the percentage of the general adult population who have had measurable psychiatric problems.⁴⁸

The same seems true of predictors based on aggressive criminal behaviour. In this study less than one in five perpetrators had a previous conviction for violent crime. This is the same proportion reported among homicide offenders (all weapons) in New South Wales.⁴⁹ In Canada, 72% of suspects in firearm crimes had no previous record of criminal violence.⁵⁰ In the United States, the only national survey to reveal prior criminality in firearm homicide shows that 76% of suspects in shootings of law enforcement officers had no previous arrests, let alone convictions, for crimes of violence.⁵¹

Multiple Shootings

In the past eight years, Australia and New Zealand have suffered twelve multiple shootings in which five or more people died. In these alone, 85 people were killed. Of the perpetrators, more than 80% were licensed sporting shooters. A substantial majority of them also had no previous criminal or mental history.⁵²

Although many people are tempted to say of the killer "he must have been mad to do what he did," although some reassure themselves that gun killers are insane or criminal men unlike anyone they know, the truth is much more mundane. As the cartoon character Pogo once said: "We have found the enemy, and he is us."

Firearm Type

The distribution of long guns (shotguns and rifles) identified in this survey roughly parallels their ratios in legal ownership. However the proportion of victims shot with pistols and revolvers (13%) is surprisingly high, given that the suspected population of registered handguns in New Zealand is 15,000 to 20,000,⁵³ or less than 2% of all firearms.⁵⁴ That said, the sample in this study was small: five victims killed with four handguns over three years.

Storage And Theft

This study highlights a need for the enforcement of current laws relating to the safe storage of firearms. Police report that two victims were shot with firearms taken from an unlocked farm vehicle. Seven were killed with weapons easily taken from owners who kept them insecurely stored. Another was borrowed

by an unlicensed perpetrator from a licensed relative. In all ten cases, the licensed gun-owners appear to have neglected their legal duty, yet none suffered any sanction at the hands of police.

In a recent survey of New Zealand farmers and farm workers, 43% reported firearms stored in unlocked areas.⁵⁵ This implies that 34,000 farming families are currently in breach of the security provisions of the Arms Regulations.

No custodial or financial penalties exist for breaching the storage requirements of a firearms licence. The only sanction is to revoke the gun-owner's licence. Yet despite many hundreds of such cases coming to the notice of authorities each year, police report that "the requirement for security and storage is merely a requirement... not an offence," and that no gun-owner's licence has been revoked for this reason.⁵⁶

When asked how many firearms are taken in thefts each year, Police Headquarters report they have no way of knowing and cannot provide an estimate.⁵⁷ In the absence of universal firearm registration, little can be done to trace long guns in New Zealand.

Firearms in Family Violence and Murder/Suicide

Nearly two thirds of the total deaths in this study occurred as a result of family violence. Almost three quarters of family violence victims were shot by a licensed sporting shooter, while nine out of ten were killed with a legal firearm.

Each of the murder/suicides also occurred in the context of family violence. In this category of killing, even higher proportions of victims were shot by licensed shooters or with legal guns.

It seems clear that legally held sporting firearms kept in private homes should remain an important target of violence prevention strategies.

Conclusions

This study suggests that injury prevention initiatives aimed at reducing firearm-related violence should continue to target those people who most commonly claim to be uninvolved.

As licensed sporting shooters and their firearms are the main culprits in such killings, so they should be encouraged to lead the way, taking responsibility for firearm security initiatives and violence reduction. Attempts to focus attention instead on "criminals and the mentally ill" should be recognised as diversions with little basis in fact.

One area deserving of further research is the non-enforcement of the only penalty available for insecure firearm storage. In addition, the lack of accessible data on firearm-related crime is surprising. Although a large quantity of information is collected and computerised, much of this is not made available.

No.	Hom	M/S	Fam	Loc	Rel	Viol	Psyc	Lic	Rif	S/G	S/O	H/G	Leg	Illeg	Stol	Con	Bor	Sec
1	Mur			VW	Acq	Yes				Yes				Yes	Yes			Yes
2	Mur			PP	Acq							Yes		Yes				
3		Yes	Yes	PH	EstP			Yes	Yes				Yes					
4		Yes	Yes	VH	EstP			Yes	Yes				Yes					
5		Yes	Yes	VH	Fam			Yes		Yes			Yes					Yes
6	Man			PP	Acq			Yes	Yes				Yes					
7		Yes	Yes	VH	EstP							Yes	Yes			Yes		
8		Yes	Yes	VH	Fam			Yes		Yes			Yes					Yes
9	Mur		Yes	VH	Fam			Yes	Yes				Yes					
10	Mur			VH	Acq				Yes				Yes				Yes	
11	Mur			PP	Acq				Yes				Yes			Yes		Yes
12	Mur			VW	Acq			Yes				Yes		Yes				
13	Man			PH	Acq				Yes				Yes					
14	Mur			PH	Acq				Yes				Yes					
15	Mur		Yes	VH	EstP				Yes	Yes			Yes			Yes		Yes
16	Mur		Yes	VH	Fam			Yes	Yes				Yes					
17	Mur			VW	Acq						Yes			Yes				
18	Mur			PW	Acq			Yes		Yes			Yes					
19	Mur		Yes	VH	Fam	Yes					Yes		Yes					
20		Yes	Yes	VH	Fam			Yes		Yes			Yes					Yes
21		Yes	Yes	VH	Fam			Yes		Yes			Yes					Yes
22	Mur			Pub	Acq	Yes				Yes			Yes	Yes				Yes
23		Yes	Yes	VH	SexR						Yes		Yes					
24	Man			PH	Fam			Yes		Yes			Yes					
25	Mur		Yes	VW	Fam			Yes	Yes				Yes					
26	Mur		Yes	VH	Fam			Yes	Yes				Yes					
27	Mur		Yes	VH	Fam			Yes	Yes				Yes					
28		Yes	Yes	VH	EstP	Yes				Yes			Yes			Yes		Yes
29	Mur		Yes	VH	Fam			Yes	Yes				Yes					
30	Mur			PP	Gan							Yes		Yes				
31	Mur			VH	Stgr				Yes				Yes	Yes				Yes
32	Mur			PP	Gan						Yes		Yes					
33		Yes	Yes	VH	EstP			Yes	Yes				Yes				Yes	
34		Yes	Yes	VH	Ptnr		Yes	Yes		Yes			Yes					Yes
35		Yes	Yes	VH	Ptnr			Yes		Yes			Yes					
36	Mur		Yes	VH	SexR	Yes			Yes				Yes			Yes		Yes
37	Mur			PP	Gan	Yes				Yes			Yes					
38		Yes	Yes	VW	SexR			Yes	Yes				Yes					
39	Mur			VW	Acq			Yes				Yes	Yes					
40	Mur			VH	Stgr	Yes			Yes				Yes	Yes				Yes

Figure 1: Results

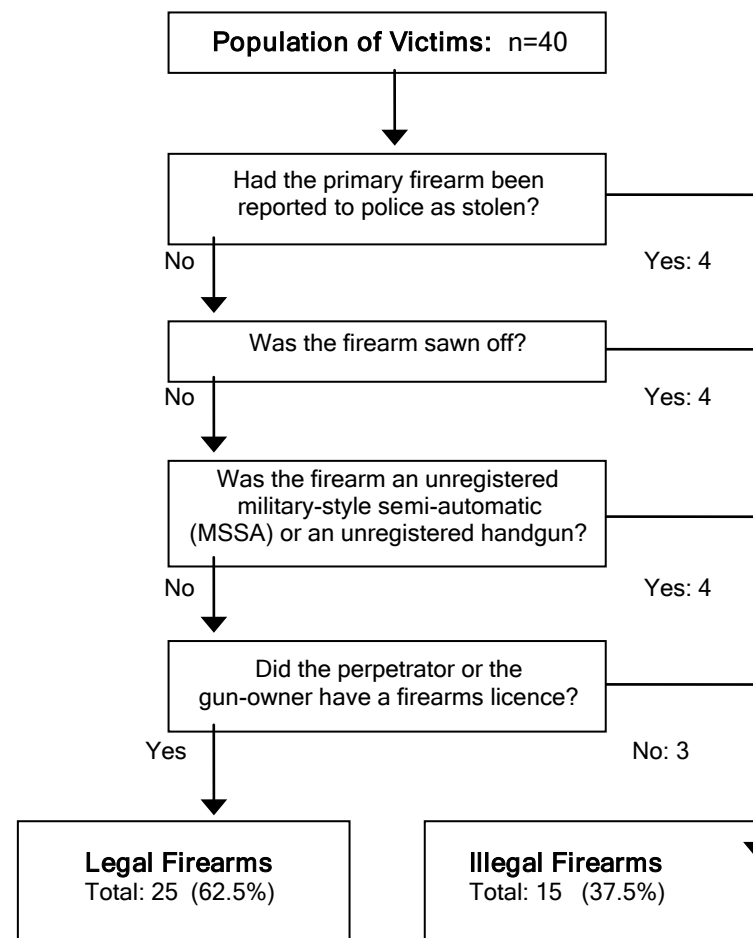
Firearm Homicide in New Zealand: victims, perpetrators and their weapons 1992-94. Philip Alpers, 28 June 1995.

Figure 2: Flowchart

Homicide Charge or Type:
Homicide Location:
Relationship of
Perpetrator to Victim:
Previous History:
Licensing & Firearm:

Mur = murder Man = manslaughter M/S = murder/suicide Fam = Family violence
V = victim's P = perpetrator's H = home W = work PP = public place Pub = licensed premises
Ptnr = current partner EstP = estranged partner Fam = family member Acq = friend or acquaintance SexR = sexual rival well known to victim
Gan = member of a rival gang Stgr = stranger
Viol = police report previous conviction(s) for violent crime Psyc = perpetrator had a previous history of psychiatric disturbance sufficient to warn of the event
Lic = perpetrator held a current firearms licence Rif = primary weapon was a sporting rifle S/G = sporting shotgun S/O = sawn-off sporting rifle or shotgun
H/G = handgun Leg = firearm was 'legal' Illeg = firearm was an illegal weapon kept for non-sporting purposes Stol = firearm was reported to police as stolen prior to the event
Con = firearm was taken without its owner's consent, or "converted" Bor = firearm was borrowed with its owners' consent
Sec = police report the firearm was insecurely stored, contrary to the Arms Regulations current at the time

Legality of Primary Firearm, by Victim



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Notes and References

¹ Coote, Inspector John. Firearms Licensing Coordinator, New Zealand Police National Headquarters, Wellington. As the necessary data have not been extracted from the Wanganui computer for some time, police estimate the number of current firearms licences to be "in the region of 300,000." Personal interview, 19 Jun 1995.

² Self defence is not an acceptable reason for firearm ownership in New Zealand, so the great majority of private firearms are held for sporting purposes. For this reason gun-owners commonly refer to themselves as "licensed sporting shooters." Every civilian in possession of a powder firearm must possess a current firearms licence. Sporting long guns (shotguns and rifles) are not registered, while military-style semi-automatic rifles, handguns (pistols & revolvers), and restricted weapons (mainly fully automatic firearms) are individually registered and more carefully controlled. As a result, crime with registered firearms in this country is rare.

³ New Zealand abandoned the registration of individual long guns (shotguns & rifles) in 1983, so nobody can be certain how many we own. Estimates range from a low of 777,000 legal firearms (Nugent, G. *Hunting in New Zealand in 1988*. Forest Research Institute, Nov 1989 p6) through 950,000* (Forsyth, C I H. *Firearms in New Zealand*. NZ Mountain Safety Council Manual #19, Jul 1985 p116-117), to a high of "at least" 1.25 million,* (Badland, R. Firearms Programme Manager, NZ Mountain Safety Council. *New Zealand Firearms Control*. Proceedings of the Conference of the Sporting Shooters Assn of Australia. Melbourne, 1988 p52). Adding illegal firearms, plus imports in the years since, results in a commonly accepted estimate of 1.1 million in 1995.* (*250,000 airguns excluded).

⁴ *New Zealand Official Yearbook 1994*. Statistics NZ, p417.

⁵ Jones, Chief Inspector G P (Taff). Coordinator: Firearms and Tactical Groups, NZ Police National HQ, Wellington. NZ Police hold approximately 2,000 firearms. Personal interview, 1 Dec 1993.

⁶ McNamara, M J. HQ NZ Defence Force. NZDF small arms: 31,461. Personal correspondence, 13 May 1994.

⁷ Forsyth (1985) p23. Per capita ownership of firearms, England & Wales: 0.02 (2 per 100 population)

⁸ Herlihy, J. *The Firearms Debate: a progress report*. Australian Institute of Criminology, Nov 1993 p11. Estimate: 2.5 to 4 million private firearms in Australia. Harding, R. *Everything You Need To Know About Gun Control in Australia*. Briefing paper prepared for the Australian Bankers' Association, Jan 1988 p2. Estimate: 3.5 to 3.75 million. The mid-point chosen from these two estimates is

3.5m. Population of Australia (1993 est): 17.9 million. *Encarta '95*.

⁹ "Number of guns in the US: Approx 200 million firearms." *Firearms Facts Card, 1995*. National Rifle Association of America. US Population: 1995 projection @ 9.8% growth pa: 264.4 million. *Encarta '95*.

¹⁰ *Imports Firearms (Units)*. 1988-1994 average: 13,743. NZ Customs, Statistics NZ, J P B Furley & Co, 14 Mar 1995.

¹¹ *Summary of Firearm Offence Statistics, 1983-1994*. NZ Police table, 27 Mar 1995 item 6 p2. Five-year average, 1990-1994: 2,533 "danger to life" firearm offences per annum.

¹² Fanslow J, Chalmers D & Langley J. *Injury from Assault: a public health problem*. Injury Prevention Research Unit, University of Otago School of Medicine, 1991 p8.

¹³ Frontline police routinely record data on the licensing status of perpetrators and the origin and legality of the firearm involved in case files. Every offence report is also coded in the field according to seven different firearm types*, then entered in the GCS Wanganui computer. There it all remains, as "Police have no requirement" to extract these data. (Durville, C. O/C Research & Statistics, Police National HQ. Personal correspondence, 14 May 1995). *Military-style semi-automatic rifles have not been added to the list of choices since the category was created in 1992, nor is there a useful separation between powder handguns and the gas-powered handguns increasingly used in crime in New Zealand.

¹⁴ Badland, R (Bob). Firearms Programme Manager, NZ Mountain Safety Council. *New Zealand Firearms Control*, 1988 p53. This unattributed passage first appeared in Forsyth, C I H. *Firearms in New Zealand*, 1985 p98. When asked for supporting data Mr Forsyth replied that he was "under the belief that firearm possession becomes unlawful when the intent is formed to commit some unlawful act with a firearm. Additionally, it seemed clear that most violent offences with firearms involved people who would be unlikely to be licensed because of a record of previous offending. However, the Police were not able, a decade ago, to confirm this" (personal correspondence, 16 Jun 1995). Mr Badland replied to the same question: "Police stats -- cannot locate them now" (annotation to the author, 13 March 1995). Colin Durville, O/C Research & Statistics, NZ Police National HQ, Wellington, told us: "We do not collect those figures" (personal interview, 27 May 1993).

¹⁵ Hayes, F. Firearms Instructor, NZ Mountain Safety Council and arms dealer, Carterton. Letter to Snr Const Paul McLellan, then NZ Police Arms Officer, Auckland, 10 Jul 1989.

¹⁶ "What we're hoping to do is to get the gun laws back on track where they actually target people who misuse guns -- they target the criminals." Dyer, J. President, Sporting Shooters Assn of New Zealand/SSANZ. *Radio Pacific Talking Business*, 25 Jul 1994.

¹⁷ "...the National Rifle Association [of America] is aiming to remake its image from a pro-gun lobby to a law-and-order advocate. 'We want to turn NRA into the No1 crimefighting organisation in the United States,' says Wayne Lapierre, the executive vice-president, outlining a strategy he hopes will deflect new gun-control efforts..." Gun Lobby Seeks New Image. *NZ Herald/AP*, 7 Sep 1993.

¹⁸ *Summer Newsletter*. Sporting Shooters Association of New Zealand (SSANZ), Feb 1995 p5.

- ¹⁹ Beltowski, Dr L. Vice President, Sporting Shooters Assn of New Zealand (SSANZ), *NZ Herald*, 2 Sep 1993.
- ²⁰ Beltowski, Dr L. Vice President, Sporting Shooters Assn of NZ (SSANZ), *Radio New Zealand News*, 27 Jun 1994.
- ²¹ "That, says Beesley, is the real point of the firearms issue: keep the scumbags, the crazies, off the streets... What does it prove to put in place stricter controls that will only affect 'fit and proper' shooters?" Braunias S, quoting Beesley G, past Vice President, NZ Shooters' Rights Assn. *The Listener*, 22 Aug 1994 p22.
- ²² Initial charge of murder or manslaughter (including one self-defence acquittal and two convicted of lesser charges) where the primary cause of death was by powder firearm.
- ²³ Watson, T. *Homicides - Analysis of Weapon/Method, 1992-1994*. National Homicide Monitoring Programme, NZ Police National HQ. Also personal correspondence, 6 Sep 1994 to 19 May 1995. The National Homicide Monitoring Programme list was cross-checked with all 28 Police District Commanders.
- ²⁴ At the time of writing, three cases remain *sub judice*. Our sources here include court records, court reporters and representatives for both the defence and the prosecution of the accused.
- ²⁵ Even of the four victims of robbery, only two were killed by strangers. Of the remaining two, one was robbed and killed by a friend and colleague, the other by an acquaintance and business partner.
- ²⁶ Includes street, hunting cabin and forest road.
- ²⁷ One other, a publican shot in his own bar, is counted as being killed at his place of work.
- ²⁸ Although in a small number of current cases police were reluctant to divulge "priors", it was possible through court documents, court reporters, prosecutors, defence lawyers and police to be sure of almost all previous criminal histories. In one case, a relative of a perpetrator with convictions for violence had asked authorities to take action before he committed more violence. The man had no psychiatric history.
- ²⁹ Even in open-and-shut homicides, New Zealand Police rarely seem to omit inquiries into the perpetrator's medical history. In addition to a question which specifically asked about the perpetrator's psychiatric history, we requested the motivation for the shooting and a narrative of the lead-up to the event. In none of these did police report that a perpetrator had been diagnosed, described to authorities or even seriously suspected by others of being mentally ill before the shooting (see Discussion).
- ³⁰ Given sufficient evidence, possible preventive measures include: arrest, committal, removal of firearms and/or revocation of firearms licence. In the absence of universal firearm registration, the last two can be ineffective as police have no record of the number of sporting long guns owned by the suspect.
- ³¹ Estranged partner, friend, business partner or employee
- ³² As one victim was shot with both a shotgun and a rifle, these figures total 41 victims and 102.5%.
- ³³ Where overseas comparisons are available we attempt first to compare like with like. Data from nearby and Commonwealth nations are preferred to those from the United States, which are often distorted by the effects of that country's high level of handgun violence.
- ³⁴ Hung, K. Statistics Section, Department of Justice, Canada. Letter to Heidi Rathjen, Canadian Coalition for Gun Control, 31 May 1994.
- ³⁵ Dansys Consultants Inc. *Domestic Homicides Involving the Use of Firearms*. Department of Justice, Canada, March 1992 p26.
- ³⁶ Bradley D, Nolan T & Sutton J. *The Police Response to Violence in the Private Domain*. Australian Institute of Criminology, 16 Jun 1993, Annexure 1, p14-15.
- ³⁷ Vinson, T. *Intentional Shootings*. NSW Bureau of Crime Statistics & Research, May 1975 p1-3. In NSW as in New Zealand, three-quarters of firearm fatalities are due to suicide.
- ³⁸ Norton, R & Langley, J. *Firearm Related Deaths in New Zealand 1978-87*. *NZ Med J* 1993;106:463-5.
- ³⁹ Under Section 58 of the Arms Act (1983) every injury or death by firearm or airgun must be reported to police, yet "Police do not keep a statistical record" of these compulsory notifications (Jones, Chf Insp G P. NZ Police National HQ. Personal correspondence, 17 Mar 1995). The NZ Mountain Safety Council attempts to collect the same data from press reports. When asked if their files contain any indication of the perpetrator's licensing status, neither the Council's Firearms Programme Manager nor its Executive Director replied.
- ⁴⁰ Gardiner J, Norton R & Alpers, P. *Firearm Misuse in New Zealand: Licence Status of Perpetrators and Legality of Firearms*. Paper presented to the Public Health Association of NZ conference, 28 June 1995.
- ⁴¹ In the ten years from 1985-1994 a similar ratio was maintained, with only four of 154 non-law-enforcement firearm homicides ruled to be self defence shootings. NZ Police National Homicide Monitoring Programme & Greg Newbold, personal correspondence.
- ⁴² Cantor C, Brodie J & McMillen J. *Firearm Victims: Who Were They?* *Med J Aust* 1991;155:442-46.
- ⁴³ Kellermann A, Westphal W, et al. *Weapon Involvement in Home Invasion Crimes*. *JAMA* 1995;273:1759-62; Sugarmann, J & Rand, K. *Cease Fire*. Violence Policy Centre, Washington DC, 10 Mar 1994 p66-67; Kellermann A, Rivara F, Rushforth N, et al. *Gun Ownership as a Risk Factor for Homicide in the Home*. *N Engl J Med* 1993;329:1084-91; Kellermann A, Rivara F, Somes G, et al. *Suicide in the Home in Relation to Gun Ownership*. *N Engl J Med* 1992;327:467-72; Brent D, Perper J, et al. *The Presence and Accessibility of Firearms in the Homes of Adolescent Suicides*. *JAMA* 1991;266:2989-95; Lee R, Waxweiler R, et al. *Incidence rates of firearm injuries in Galveston, Texas, 1979-1981*. *Am J Epidemiol* 1991;134:511-21; Kellermann, A & Reay, D. *Protection or Peril? An analysis of firearm-related deaths in the home*. *N Engl J Med* 1986;314:1557-60; Rushforth N, Hirsch C, et al. *Accidental Firearm Fatalities in a Metropolitan County (1958-1973)*. *Am J Epidemiol* 1975;100:499-505.
- ⁴⁴ Strang, H. *Homicides in Australia 1991-92*. Australian Institute of Criminology, 1993 p37: where the relationship was recorded, 12% of homicides were committed by strangers. In 1990-91 the equivalent figure was 6%.
- ⁴⁵ Beltowski, Dr L. Vice President, Sporting Shooters Association of New Zealand. *Submission in support of the Mental Health (Compulsory Assessment and Treatment) Amendment Bill*. Social Services Select Committee, 3 May 1994 item 19 p3.

⁴⁶ Beltowski, Dr L. Personal correspondence, 5 Sep 1994. It appears that Dr Beltowski may have accepted this figure from the Caring Communities mental health lobby group. They have stated that in 1993 "37 of more than 70 violent crimes, mainly murders, were carried out by severely disturbed people." *NZ Herald/NZPA*, 13 Jun 1995. Two years after first making this claim, and despite several requests, Caring Communities has yet to publish evidence in support.

⁴⁷ Andrew, Dr W. Chairman, NSW branch, Royal Australian and New Zealand College of Psychiatrists. *Sydney Morning Herald*, 4 Sep 1991.

⁴⁸ Wallace, A. *Homicide: The Social Reality. A study of all homicides in NSW in the 14 years 1968 to 1981*. NSW Bureau of Crime Statistics & Research, 1986 p48-49 & 51.

⁴⁹ Wallace, A (1986) p51.

⁵⁰ Scarff, E. *Evaluation of the Canadian Gun Control Legislation, Final Report*. Ministry of the Solicitor General, Canada, 1993 pxvii & 26. Includes all suspects whether charged, convicted or neither.

⁵¹ *Law Enforcement Officers Killed and Assaulted, 1993*. Federal Bureau of Investigation, Uniform Crime Reports, p3 & 36.

⁵² Alpers, P & Peters, R. *Multiple Shootings, Australia and New Zealand 1987-1994*. Work in progress; contributions welcome.

⁵³ A 1976 report estimated 10,000 handguns in New Zealand (Forsyth, 1985). Although the latest police figures show 23,679 handguns registered, many of these are suspected to be non-firing antiques and heirlooms. Asked for an estimate of registered, working handguns, police say they "don't know". Coote, Insp J. Firearms Licensing Coordinator, NZ Police National HQ. Personal interview, 19 Jun 1995.

⁵⁴ Gardiner, Norton & Alpers (1995) also found that 13% of the firearms identified in press-reported non-fatal misuse of firearms in New Zealand were handguns.

⁵⁵ Houghton D, Wilson G, et al. *The Prevention of Injury Among Farmers, Farm Workers, and Their Families*. University of Otago Consulting Group. Summary report, Feb 1995 p20. "There are over 80,000 farms in New Zealand": p10.

⁵⁶ Coote, Insp J. Personal correspondence, 9 Aug 1994 & 20 Mar 1995.

⁵⁷ Coote, Insp J. Personal correspondence, 21 Apr 1995.

Firearm Homicide in New Zealand: victims, perpetrators and their weapons 1992-94

Figure 1: Table of Results

	A	B	C	D	E	F	G	H	I	J	K
Case No	Hom	Fam	Loc	Rel	Viol	Men	Lic	Wea	Leg	Orig	Insec
1	Mur	No	VW	Acq	Yes	No	No	S/G	No	Stol	Yes
2	Mur	No	PP	Acq	No	No	No	H/G	No	Own	No
3	M/S	Yes	PH	EstP	No	No	Yes	Rifle	Yes	Own	No
4	M/S	Yes	VH	EstP	No	No	Yes	Rifle	Yes	Own	No
5	M/S	Yes	VH	Fam	No	No	Yes	S/G	Yes	Own	Yes
6	Man	No	PP	Acq	No	No	Yes	Rifle	Yes	Own	No
7	M/S	Yes	VH	EstP	No	No	No	H/G	Yes	Con	No
8	M/S	Yes	VH	Fam	No	No	Yes	S/G	Yes	Own	Yes
9	Mur	Yes	VH	Fam	No	No	Yes	Rifle	Yes	Own	No
10	Mur	No	VH	Acq	No	No	No	Rifle	Yes	Bor	No
11	Mur	No	PP	Acq	No	No	No	Rifle	Yes	Con	Yes
12	Mur	No	VW	Acq	No	No	Yes	H/G	No	Own	No
13	Man	No	PH	Acq	No	No	No	Rifle	No	Own	No
14	Mur	No	PH	Acq	No	No	No	Rifle	No	Own	No
15	Mur	Yes	VH	EstP	No	No	No	Rifle*	Yes	Con	Yes
16	Mur	Yes	VH	Fam	No	No	Yes	Rifle	Yes	Own	No
17	Mur	No	VW	Acq	No	No	No	S/O	No	Own	No
18	Mur	No	PW	Acq	No	No	Yes	S/G	Yes	Own	No
19	Mur	Yes	VH	Fam	Yes	No	No	S/O	No	Own	No
20	M/S	Yes	VH	Fam	No	No	Yes	S/G	Yes	Own	Yes
21	M/S	Yes	VH	Fam	No	No	Yes	S/G	Yes	Own	Yes
22	Mur	No	Pub	Acq	Yes	No	No	S/G	No	Stol	Yes
23	M/S	Yes	VH	SexR	No	No	No	S/O	No	Own	No
24	Man	No	PH	Fam	No	No	Yes	S/G	Yes	Own	No
25	Mur	Yes	VW	Fam	No	No	Yes	Rifle	Yes	Own	No
26	Mur	Yes	VH	Fam	No	No	Yes	Rifle	Yes	Own	No
27	Mur	Yes	VH	Fam	No	No	Yes	Rifle	Yes	Own	No
28	M/S	Yes	VH	EstP	Yes	No	No	S/G	Yes	Con	Yes
29	Mur	Yes	VH	Fam	No	No	Yes	Rifle	Yes	Own	No
30	Mur	No	PP	Gan	No	No	No	H/G	No	Own	No
31	Mur	No	VH	Stgr	No	No	No	Rifle	No	Stol	Yes
32	Mur	No	PP	Gan	No	No	No	S/O	No	Own	No
33	M/S	Yes	VH	EstP	No	No	Yes	Rifle	Yes	Bor	No
34	M/S	Yes	VH	Ptnr	No	No	Yes	S/G	Yes	Own	Yes
35	M/S	Yes	VH	Ptnr	No	No	Yes	S/G	Yes	Own	No
36	Mur	Yes	VH	SexR	Yes	No	No	Rifle	Yes	Con	Yes
37	Mur	No	PP	Gan	Yes	No	No	S/G	No	Own	No
38	M/S	Yes	VW	SexR	No	No	Yes	Rifle	Yes	Own	No
39	Mur	No	VW	Acq	No	No	Yes	H/G	No	Own	No
40	Mur	No	VH	Stgr	Yes	No	No	Rifle	No	Stol	Yes

Firearm Homicide in New Zealand: Key to Figure 1**Column A: Homicide Charge or Type**

Mur: murder **Man:** manslaughter **M/S:** murder/suicide

Column B: Homicide was an Event of Family Violence

Yes/No

Column C: Location of Homicide

V: victim's **P:** perpetrator's
H: home **W:** work
PP: public place **Pub:** licensed premises

Column D: Relationship of Perpetrator to Victim

Ptnr: current partner **EstP:** estranged partner
Fam: family member
Acq: friend or acquaintance
SexR: sexual rival well known to the victim
Gan: rival gang member well known to the victim
Stgr: stranger

Column E: Perpetrator had a Previous Conviction for Violent Crime

Yes/No

Column F: Perpetrator had a Previous History of Mental Illness

Yes/No

Column G: Perpetrator Held a Current Firearms Licence

Yes/No

Column H: Primary Weapon Used

Rifle: sporting rifle *Case 15: see Notes & References No. 32
S/G: sporting shotgun
S/O: sawn-off sporting rifle or shotgun
H/G: handgun

Column I: Weapon was a Legal Firearm kept for Sporting Purposes

Yes/No

Column J: Origin of Primary Firearm

Stol: firearm was reported to police as stolen prior to the event
Con: firearm was taken without its owner's consent, or "converted"
Bor: firearm was borrowed with its owner's consent
Own: firearm was normally in the ownership of the perpetrator

Column K: Firearm was Insecurely Stored Contrary to the Law

Yes/No

Firearm Homicide in New Zealand: victims, perpetrators and their weapons 1992-94

Figure 2: Flow Chart

Legality of Primary Firearm, by Victim

