

The Right to Keep Secret Guns

Registering Firearms to Reduce Gun Violence

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New Zealand Police Association (Inc.)

**Wellington
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Guns In New Zealand

A Brief Background

In New Zealand, 250,000¹ licensed shooters own an estimated 1.1 million firearms,² enough for one in each occupied dwelling³ and sufficient to outnumber the combined small-arms of the police⁴ and armed forces⁵ by a ratio of 30 to 1.

We own 11 times as many guns per capita as the English and the Welsh,⁶ 60% more than the Australians⁷ but less than half as many as the residents of the United States.⁸ An additional 14,000 guns are imported to New Zealand in a typical year.⁹

Each day an average of seven firearm offences involving danger to life are reported to the police,¹⁰ while one in five homicides are committed with a firearm.¹¹

In a typical year 99 New Zealanders are shot to death: one for every 88 hours.¹² Of these, 75% are suicides, 12% homicides, and 11% accidents.¹³ In an average year, 13 children and youths aged 19 or younger die from gunshot wounds¹⁴ and another 89 people are admitted to hospital with non-fatal wounds.¹⁵

Our gun death toll is 15% higher than the toll from cervical cancer. For every ten New Zealanders who die from HIV/AIDS, sixteen die by gunshot. Gun death is three times more common than death by fire.¹⁶

Of all victims of gun homicide in this country during 1992-94, most (52.5%) were shot by a licensed gun owner. Almost all victims (95%) were killed by a familiar male. Half were shot by their partner, an estranged partner or a member of their own family. Previously law-abiding, licensed gun owners shoot between four and ten times as many victims as do people with a previous history of mental illness.^{17, 18}

Self defence is not an acceptable reason for gun ownership in New Zealand. The great majority of private firearms are held for pest control, agricultural and sporting purposes. While most gun owners are *licensed* every ten years, 97% of their firearms (shotguns and rifles) have not been *registered* to their owners since 1984. The remaining 3% – military-style semi-automatic rifles (MSSAs), handguns (pistols & revolvers), and restricted weapons (mainly fully automatic “machine guns”) – are individually registered to each owner and much more carefully controlled.¹⁹ As a result, crime with registered firearms is rare.²⁰

Any person with an entry-level firearm licence may legally buy and keep any number of rifles and shotguns in any home without any official record of the guns being kept anywhere.²¹

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Table of Contents

Guns in New Zealand:	A Brief Background	2
Firearm Policy of the Police Federation of Australia and New Zealand		4
Summary of Findings		5
Introduction		7
Firearm Registries:	Our Chequered History	9
Gun Registration and Crime-Busting:		
	Catching Criminals in New Zealand	11
	Catching Criminals in Other Countries	16
Legal Guns Used in Crime:	The Myth of the Law-Abiding Gun Owner	18
Keeping Secret Guns:	Firearms in Family Violence	22
Private Gun Sales:	Keeping a Register Accurate	25
Success Stories:	Britain, Australia and Canada	27
What's The Cost?	Estimates of Expenditure and Return	30
Privatising the Register	Just Like Cars and Criminals	33
Quote, Unquote:	Selected Views in Print	34
Conspiracy Theories:	Strong Beliefs Fuel the Resistance	37
Conclusion:	A Call for Registration in New Zealand	39
Appendix 1:	Comparative Gun Laws in Similar Commonwealth Countries	41
Appendix 2:	Firearm Registration Around the World	42
List of Publications, Acknowledgements		43
Notes & References		45

Firearm Policy of the Police Federation of Australia and New Zealand

- That all firearms should be registered and recorded in a similar manner to pistols.
- That there be legislated control on the type and number of weapons which individuals may own or possess.
- That the registered owner of all firearms be required by law to provide the proper security of the weapons.
- That uniform legislation and penalties be enacted by the various State Governments to assist in the control of firearms.
- That the possession, sale and importation of automatic or semi-automatic firearms be prohibited except for Government Instrumentalities.

-- Amended policies of the Federation following the
Annual Conference, Rotorua, 9-13 Sept 1991

**“Registration isn’t about whether people should have guns or not have guns.
It’s about whether they should have guns and keep it secret.”**

Wendy Cukier, Coalition for Gun Control, Canada

Summary of Findings

Rank-and-file Police Favour Gun Registration

- Firearm registration can be remarkably successful in curbing gun proliferation and misuse.
- Where firearm registration is the law, police often use gun registers to solve crime.
- Where firearm registration is not the law, police say this makes gun crime harder to solve.
- In New Zealand, 67% of police who used the now-abandoned gun register in criminal cases said it helped them to catch offenders.
- Three-quarters had used the gun register to help catch criminals more than three times each.
- When asked, 94% of front-line police recommended that firearm registration be retained.
- Police management decided instead to abandon the registration of all common guns.

Firearms in Family Violence

- Gun registration could be most effective in family violence, where most homicides occur.
- Most gun homicide victims are shot by a licensed male gun owner during family violence.
- Without registration, police can’t be sure how many guns to seize in family violence.
- An accurate firearm register is essential if all guns are to be removed from the scene.
- A new firearm register would hold records of the very guns which are most likely to kill.

Minimising Danger to Police

- A firearm register would have warned police of David Gray's weapons well before Aramoana.
- Some police callouts could be made safer given accurate information from a gun register.
- Currently, police information on firearms at a callout scene is often years out of date.

Slowing the Illegal Trade in Guns

- Most guns are sold in private transactions exempt from any form of record keeping.
- Selling a gun unlawfully carries with it a low risk of detection, let alone prosecution.
- A firearm register would make gun owners personally accountable for each weapon.

Registration Helps Police in Many Countries

- Universal gun registration is seen as a successful measure in Britain, Australia and Canada.
- In Victoria, reported gun crime dropped 39% following the introduction of full registration.
- In Western Australia, low gun homicide and gun suicide rates are credited to registration.
- In Canada, gun laws helped reduce the homicide rate by up to 20% over the past two decades.

Costs and Benefits

- NZ Police estimate the cost of a gun register to be two to eleven times higher than their equivalents in New South Wales, Victoria and Canada. It doesn't need to cost that much.
- The cost could be reduced if guns were sold and transferred only through gun shops.
- Privatising firearm licensing and registration would free more police for crime prevention.
- The economic cost of gun death to the community is estimated at \$82 million per year.
- Even if gun owners were charged no fees, firearm registration would pay its way if it prevented three gun deaths each year.

This Country Lags Behind

- New Zealand now stands almost alone with the United States as one of the few Western countries which lacks this elementary system of gun control.

Introduction

The world's largest pro-gun lobby group often cites New Zealand's "failure" in firearm legislation. In its pocket-sized booklet *Ten Myths About Gun Control*, the National Rifle Association of America arms its three million members with essential key points to be used in letters to the editor and radio talkback debate on gun laws. In "Myth 4," which argues against any law designed to keep track of firearms by registration, the NRA says: "New Zealand authorities repealed registration in the 1980s after police acknowledged its worthlessness."²²

Around the world, in shooters' magazines and on a multitude of pro-gun Internet sites, this country's abandonment of firearm registration is cited as an argument-in-chief to discredit any state-run system of personal accountability for guns.

Explaining their recent decision to legislate for universal gun registration, Canada's Department of Justice felt obliged to answer the "New Zealand question" in its own Q&A booklet to all citizens. The Canadian response was slightly more informative: "The system tried in New Zealand pre-dated modern computer systems and involved hand-written documents. The system we will introduce will be based on state-of-the-art technology."²³

Both opposing statements are substantially true, yet neither mention the other side of the story. If related with any level of balance, the New Zealand and Australian experience both show that firearm registration can be an effective measure in reducing the availability of guns for family violence, suicide, mass killings and armed crime.

Recent laws to enforce registration of all firearms in Canada and Australia, plus the total ban on handguns in Britain, leave New Zealanders exposed to a new reality. After years of proudly proclaiming our legislation to be "at the cutting edge of gun laws"²⁴ it is now clear that we lag behind. Following the Port Arthur shootings, New Zealand has taken Tasmania's place as the jurisdiction with the most permissive gun control laws among similar Commonwealth nations (see Appendix 1).

In large part this is due to New Zealand's abandonment of all attempts to register 97% of the country's guns, a decision made at the behest of police management in 1983. As the law now stands, any person with a basic firearm licence may legally buy and keep any number of sporting rifles and shotguns in any home without any official record of the guns being kept anywhere. In the absence of firearm registration, police have no statutory authority to monitor the size and content of such a gun owner's collection.²⁵

Among a small, but vocal minority of shooters the universal registration of firearms is both the most ridiculed and the most feared of all measures to control guns. It is a fundamental belief of some gun owners that any register of firearms is merely the first step to eventual confiscation by a corrupt future government set on disarming the people. This report advances more realistic arguments, many of which support the universal registration of firearms.

Philip Alpers
Auckland
July 1997

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Firearm Registries

Our Chequered History

“It is hereby ordered, that a Return be made immediately to the Magistrates at Hawkesbury, Parramatta, and Sydney, of all Persons who have Arms of any description – distinguishing the different kinds of which they are in possession, and the quantity of Powder, Ball, or Shot, which is to be registered in a book to be kept by the Magistrate.”

Governor William Bligh, Sydney Gazette, 22 February 1807

Most Nations Register Guns

Keeping an individual record of every firearm is not a new idea. As with motor vehicles, a pair of complementary control regimes are kept for guns and their owners in at least 50 countries.²⁶ While drivers and shooters are both licensed as ‘fit and proper’ individuals, their cars and guns can also be individually registered to each owner. This second, parallel level of policing makes each of us personally responsible for a dangerous consumer product widely acknowledged as capable of becoming a lethal weapon in the wrong hands – or even just in the wrong mood.

Rifles and Shotguns

For seventy-five years, New Zealand law has provided for the individual registration of, at various times, all firearms. Following the joint failure of gun owners and police to keep these records up to date, the registration of shotguns was allowed to lapse in the 1930s. For the same acknowledged reason, the register of rifles was abandoned in 1983.²⁷ These sporting long guns (everyday shotguns and rifles) comprise 97% of privately held firearms in New Zealand.

Handguns and Restricted Weapons

During the same 75 years, two other categories of weapon remained consistently registered. These were the guns recognised as being most attractive to criminals due to their concealability or their faster rate of fire. Handguns (revolvers and pistols) and restricted weapons (mainly fully automatic “machine guns”) have been subject to stringent controls – the chief of which is registration – for the same decades in which rifles and shotguns have gone largely un-policed.

One Failed, the Other Worked

The results are striking. By registering each weapon and thereby allocating direct responsibility to the owner for any misuse, loss, or unauthorised sale, fireable handguns and machine guns have been restricted in number to less than 3% of all firearms. These are kept by a mere 2% of carefully vetted, often older gun owners. All such weapons must be kept in a steel safe, handguns may be fired only on approved ranges and fully automatic firearms (not to be confused with more common *semi-automatic* firearms) are supposedly kept disabled and not fired at all.

As a direct result of these restrictions, crime with registered firearms is less common.^{28, 29, 30, 31}

Less Control = More Misuse

By contrast, the remaining, unregistered 97% of firearms – common sporting long guns, both full-length and sawn-off – are the weapons most commonly used in gun homicide,³² in non-fatal misuse of guns including firearm-related domestic violence,³³ and in armed bank robbery.³⁴

In New Zealand, those guns which are subject to minimal restrictions have proliferated and become the most commonly misused.

“Assault Rifles” Still Unregistered

Following the Aramoana massacre the Arms Amendment Act (1992) added military-style semi-automatic weapons (MSSAs) to the list of high-risk firearms which must now be individually registered. Despite this, a loophole in the Act has allowed 57% of the estimated 15,000 MSSAs in New Zealand to escape registration, and police acknowledge they have no way of knowing who owns them.³⁵

New Zealand Out in the Cold

New Zealand now keeps company with the United States as one of the very few developed nations without universal gun registration. As closely related countries like Australia, Canada and Great Britain tighten their gun laws all around us, the 1983 decision by NZ Police management to scrap this country’s gun register becomes harder to justify by the day.

Summary

- NZ Police did allow a neglected, pre-computer-age hand-written firearm register to collapse.
- During the same years, consistent, well-enforced registration of chosen firearms proved remarkably successful in curbing their proliferation and misuse.
- At least 50 industrialised and developing countries register guns individually, in addition to licensing their owners. Many of them register all types of guns. In New Zealand only 3% of firearms are registered.
- Those guns which are subject to minimal restrictions have proliferated and become the most commonly misused.

Gun Registration and Crime-Busting (1)

Catching Criminals in New Zealand

“Registration, it is widely acknowledged, has never solved a single crime.”

John Dyer, Sporting Shooters Association. *NZ Herald*, 7 Aug 1993

Denying the Obvious

In firearm-related crime, tracing the record of a gun to convict the culprit is one of the most common plots of all. Yet there are some who deny that such tracing occurs in real life. At a 1980 shooting sports symposium in Wellington, Colin Greenwood, a former chief inspector in the West Yorkshire Constabulary (more recently editor of Guns Review magazine) declared: “I have never heard of a case where a crime was solved through firearms records, anywhere.”³⁶ A local police inspector on the same podium agreed that this was also the case in New Zealand.³⁷ In shooters’ circles, these and similar statements have been repeated ever since.

The McCallum Report

In the early 1980s, Police Headquarters undertook a review of firearm registration. Acknowledging that the system had broken down, they assembled a series of reports to establish what effect the complete abandonment of long-gun registration might have on day-to-day policing. The outcome seems to have hinged to a large degree on the crime-busting, or forensic value of firearm registration in gun-related crime.

The result was a winebox-sized collection of police documents named “The McCallum Report” after Inspector Alistair McCallum, the firearms coordinator who compiled it. A decade of internal police debate on the subject included the following summary of reservations:

“I can envisage the following problems arising from (abandoning registration): ... There will be no local record of firearms to assist in Homicide inquiries, Armed Offender Squad callouts and similar incidents requiring urgent information on whether or not a certain individual has registered firearms, or identifying the owner of a numbered firearm. Any computer programme should be geared to give this information quickly and irrespective of the time and source of the inquiry. This is vital.”³⁸

Nevertheless the McCallum Report concluded: “There is no evidence to suggest there is any relationship between the registration of firearms and their control.”³⁹

This flew in the face of evidence included in the report itself which indicated the opposite.

In April 1996, the author received a call from a police officer on the task force investigating the fatal shooting of Constable Glenn McKibbin. The detective was trying to locate records of gun thefts which might assist police to trace the firearms used by the killer, Terence Thompson, who was still on the loose. He was given reports of 41 potentially relevant thefts involving just a few of the estimated one million guns for which NZ Police have no readily accessible records of their own.

This is just one example of the relative helplessness of a police force without a central register of firearms. This lack of basic crime-fighting information is still lamented by police officers who remember making use of the pre-1983 firearm register.

Registration and Homicide

A key finding of the McCallum Report was that gun registration was of little use in convicting murderers. This was based on a one-page appendix – a police survey of nine homicides committed with a rifle in a single year, 1981. It showed that in none of the nine cases was the offender located because the firearm was registered. In all of the nine cases in that year the offender would still have been apprehended even if the gun had not been registered.⁴⁰

Registration Has Solved Gun Homicides

Yet during its last years of operation the rifle register did play a role in jailing killers in this country. The oft-quoted, one-page “Survey of Homicides” table in the McCallum Report is preceded by 14 pages of additional police research which seems to have escaped the attention of some writers. According to this, the firearm register helped convict offenders in four murders during the previous eight years, 1974-81.

The summary of one killing in Wanganui reads:

“Murder and attempted murder by shooting and clubbing with a rifle committed. Rifle left at scene. Registered owner traced and he had been burgled. Offender traced by items of prison clothing left at burglary scene.”⁴¹

And another in Rotorua:

“Murder of bank security officer in robbery attempt. [Firearm registration] Index used to trace offender.”⁴²

In addition, one police armourer remembers a late 1970s homicide in Napier where the gun was found and traced through the firearm register, resulting in a conviction.⁴³ This officer emphasised that it was the only such case he’d heard of in his 14 years on the job. In another interview an arms officer could not recall a single case in his 38 years on the force in which registration solved a crime of any sort. Yet despite such certainty, when a rifle register existed, such cases did occur. And as with all gun crime, most of the offences were not killings.

Why Consider Only Homicide?

Homicide commonly follows a very different pattern to other crimes. Gun murderers typically kill in the heat of the moment, usually during an argument with a familiar person, often under the influence of alcohol. Both premeditation and escape are relatively rare; instant remorse and surrender are common. For many years the police clearance rate for firearm-related murder has hovered between 97% and 100% – with or without gun registration. The clearance rate for other gun homicides, such as manslaughter involving a negligent shot while deerstalking, has been 100% for many years.

As almost all such crimes are destined to be solved anyway, it seems of little use to pretend that gun homicide in New Zealand is the best, let alone the only crime by which to judge the utility of a register of firearms.

Gun Register Often Used in Non-Fatal Crime

The same 1982 written survey of 172 staff found that, of the 73 police officers who had consulted the firearm register for a criminal offence, 67% found that it assisted in the apprehension of an offender. Three-quarters of these officers had used the register successfully to help catch criminals more than three times each, solving cases from illegal gun sales to armed robbery. The survey concluded:

“The [firearm registration] index was of great assistance in locating offenders.”⁴⁴

“Despite its shortcomings the present registration index is widely used and is of benefit to the police.”⁴⁵

Front-Line Police Wanted Registration Retained

Perhaps the most striking result of the 1982 police survey was the support for the rifle register among front-line staff. Of the 172 officers polled, 161 (94%) wanted to keep the existing system of firearm registration. Only six (3%) recommended its abandonment. Asked about unregistered shotguns, 154 officers (90%) said these weapons should be added to the register to allow all guns to be traced in the same manner.⁴⁶

A few months later, police management abandoned the registration of all sporting long guns. In announcing the new system of owner-licensing only, a police media release announced:

“A major piece of good news with the introduction of the new Arms Act is that there is to be no limit on numbers of firearms anyone may gather as his personal collection.”⁴⁷

In 14 Years, Little has Changed

Rank and file police, through the NZ Police Association, have since asked that a register of all firearms be re-established. Opposing this, a 1996 Police Headquarters report to the Minister said:

“There is little evidence that a registration system would be instrumental either in solving serious crime involving firearms or in preventing them.”⁴⁸

All Present and Past Owners of Ruger 10/22 Model Rifles

Your assistance is sought by the NSW Police Service. Police conducting the backpacker murder investigation are seeking to identify the whereabouts of all Ruger 10/22 Model rifles. If you now own such a Ruger, or formerly owned one and have disposed of it, please complete the following:

Name: _____
Address: _____
Contact phone numbers: _____
Serial Number of Ruger: _____
Previous owner (name): _____

To whom disposed of: _____
Date disposed of: _____
Reason disposed of: _____

Please send this completed Task Force Application Form to:

Level 6, Sydney Police Centre,
151 Goulburn Street, Surry Hills NSW 2010
or drop it into your local police station for free mailing.

Telephone inquiries can be made on (02) 285 3562.
Investigation is greatly appreciated.

C T Small,
Superintendent
Commander, Task Force 'Air'

disposed of it, please complete the following:

Name: _____
Address: _____

Contact phone numbers: _____

Serial No. of Ruger: _____

Previous owner: _____

To whom disposed: _____

Please send this completed Task Force 'Air' Application Form to:

Level 6, Sydney Police Centre
151 Goulburn Street
Surry Hills NSW 2010
Telephone inquiries can be made on (02) 285 3562.
Your assistance in this matter is highly appreciated.

Backpacker Murder Investigation

The New South Wales Police Service Task Force 'Air' is investigating the murder of seven hitch-hikers/backpackers throughout a two and a half-year period commencing in December 1989.

The victims' bodies were found in the Belanglo State Forest in the Southern Highlands. Undoubtedly, this serial killer crime has shocked the nation.

The Task Force is currently tracing the whereabouts of all Ruger 10/22 rimfire self-loading rifles, and since this is a critical part of the police investigation — plus being an enormous job ... *Sporting Shooter* has been kindly asked by the authorities to assist by featuring a questionnaire in this edition.

Sporting Shooter recognises the sensitivities of this investigation and certainly doesn't wish to alienate the legitimate owners (past or present) of Ruger 10/22s. Nevertheless, your assistance in this matter is highly appreciated.

ALL PRESENT AND PAST OWNERS OF RUGER 10/22 MODEL RIFLES

is sought by the NSW Police Service. Law enforcement agencies are investigating the Backpacker Murder Investigation are seeking the whereabouts of all Ruger 10/22 model rifles. If you have information concerning the whereabouts of any Ruger 10/22 model rifle, please contact the Wanniassa Police Station.

Prison gun prompts appeal

POLICE investigating the discovery of a sawnoff shotgun in Mt Eden Prison are appealing for information.

The older-style side-by-side shotgun carries the serial number 52116. Another serial number, name or inscription may have been filed off and the gun has been sent to scientists for examination.

Inspector Derek Davison said police finished interviews with staff and inmates at the prison yesterday. The gun was discovered on Monday but police did not know how or when it was taken into the prison.

"We are asking for anyone who has owned a BSA side-by-side shotgun to contact the police, particularly anyone whose shotgun has been stolen," Mr Davison said.

Records of firearms owners were kept under owners' names rather than by serial number, so an owner could not be traced by the number.

Mr Davison said the 60-centimetre shotgun was found in a staff cell occupant was unknown.



Mr Davison with the shotgun found in Mt Eden prison. The cell occupant was unknown.

Two hours



finish has been sanded down to the silver. The shotgun is a 12-gauge, double barrel hammerless LIG Elgoabar of Spanish manufacture, serial number LI 70186-13409.

Anyone with information about the weapon can contact Constable Sue O'Neill at the Wanniassa Police Station.

A Register Doesn't Have to be Perfect to be Useful

The argument is sometimes made that a firearm register would be useless because “criminals don’t register their guns.” Yet nobody suggests we stop keeping track of motor vehicles just because some people drive unregistered cars.

The Australian Institute of Criminology found that a gun register aids policing “even when it is administratively clumsy and reputedly operating at less than maximum efficiency.”⁴⁹ Another researcher summarised these findings:

“If a gun is lost or stolen, registration can assist in its recovery. If police know the gun (or even the type of gun) used in a crime, registration provides a starting point for tracing the owner and piecing together the chain of events surrounding the crime. Mason and Herlihy believe the knowledge that a gun is registered provides a disincentive to professional criminals who might consider stealing it, because registration could link them to a crime. Registration also discourages a criminal from acquiring a gun illegally from other criminals, because the gun could eventually link them to a crime they did not commit. Even when serial numbers have been ground off the gun in an attempt to avoid detection, forensic science techniques are often able to identify at least part of the original number.”⁵⁰

Police management know these advantages, and when “problem guns” emerge, Headquarters have recommended their registration for the same reasons front-line police want *all* firearms registered.

The Attempt to Locate Military-Style Semi-Automatics

By 1990, so-called “assault rifles” as used by David Gray at Aramoana had become the weapon of choice for mass killers around the world. To control these, government and police reached instinctively for registration – but with one fatal loophole which quickly turned to farce.

The Arms Amendment Act (1992) required that all owners of military-style semi-automatic weapons (MSSAs) follow one of two routes to keep them within the law. Owners could apply for an ‘E’ endorsement to their licence, which required that they either: a) register the gun with police, undergo more stringent vetting and buy a steel cabinet for security, or: b) “sporterise” their weapons by making cosmetic alterations which are easily reversed.

Because most MSSAs are still missing four years later, it is surmised that many owners opted to sporterise their weapons rather than attend a police station. Yet there was no evidence of this until police arms officers in Southland and Te Awamutu traced local MSSAs to gauge compliance.

In the absence of gun registration police had no suitable records of their own, so officers were reliant on those held by local arms dealers. These note the sale of new weapons, plus the minority of second hand sales which are conducted through a licensed gun store. Even after the extra efforts of police in these two districts, 20% of MSSAs in Southland and 41% in Te Awamutu⁵¹ remain unaccounted for. No count could be made of any MSSAs purchased and brought into the area from the 26 remaining police districts, either privately, from a dealer or by mail order. To uncover these would have required a national effort – and national firearm registration.

On many occasions, local experience has proved the value of universal gun registration. This is considerably reinforced by police forces overseas, as shown in the pages which follow.

Gun Registration and Crime-Busting (2)

Catching Criminals in Other Countries

Australian Examples: Handguns

As handguns have long been registered in this part of the world, police have a head start when tracing such weapons. Three recent Australian handgun-related crimes provide examples of the forensic use of a register for pistols and revolvers:

- When three people were found dead in a burnt-out Melbourne gun shop in 1993, police had no suspect. A man was later seen trying to toss a handgun off a bridge from his car. The pistol's serial number was quickly traced to the gun shop via the handgun register. As a motorist had noted the car's number plate, the driver was also easily traced via the motor vehicle register. He was arrested and convicted of murder.
- When heart surgeon Victor Chang was murdered in Sydney in 1991, police had instant access to a list of all legal owners of the type of gun used. Though NSW has no register of long guns, the state handgun register was used to locate the offender in this shooting.
- When a policewoman was killed and a judge and other police were injured in Melbourne's Russell Street bombing, Victoria's handgun register proved crucial in tracing the offenders. Evidence linking stolen firearms to this and other crimes resulted in convictions for murder, armed robbery, rape, and of wounding another police officer in a gunfight.

Australian Examples: Long Guns

For many years, five of the eight Australian states and territories have registered all types of firearm. Where such registers exist, police frequently use them to trace guns in crime. By contrast, in those jurisdictions where no register exists, police often say that criminal investigations can be hampered as a result. Two highly publicised examples:

- For months before they homed in on Ivan Milat, investigators knew the brand and model of rifle used to shoot two of the Belanglo Forest backpacker victims. As New South Wales has no register of rifles, police were reduced to advertising in gun magazines for past and present owners of such weapons to come forward.
- Just across the state line, the ACT has a long-established register of all guns. Supreme Court records show how the rifle used to kill Federal Police assistant commissioner Colin Winchester was traced to the accused, David Eastman. He was convicted after the weapon's serial number and its sale and transfer records were located through the ACT's gun register.

Australian Police Research

During a stint as Visiting Scholar at the Australian Institute of Criminology, Victoria Police Senior Sergeant Errol Mason studied the use of firearm registers in apprehending criminals. The AIC's 1994 report of Mason's results commented: "crime squad detectives and other police from several states and territories spoke highly of registration as an investigative tool and immediately cited examples."⁵² These included the following:

- A Canberra man was found shot with cartridge cases nearby. Ballistics and the ACT's firearm register were the crucial tools used to locate the rifle involved and to convict the offenders.
- Firearms found on an unattended South Australian cannabis plantation were registered to their owners. Easily traced, the guns ensured the conviction of several offenders who denied all knowledge of the crop.
- The body of a Victorian man shot by two hunters in the Northern Territory was burnt, then buried under an ant hill to destroy his identity. Police had no idea who he was, but when the dead man's guns were found in the firearm register of his home state, police identified him immediately. This allowed his murderers to be caught before they could escape.
- A gang of professional armed robbers arrested in Victoria in possession of several firearms refused to talk, but the guns were traced through that state's firearm register. The evidence obtained "was of paramount importance" in obtaining convictions against the men.
- When a Melbourne woman was shot in her home, ballistics identified the weapon type. The firearm register quickly showed all local owners of that model gun. "The fact that the murder weapon was registered was of great assistance to police" in gaining a conviction.

Once again, Mason's research concentrates on guns traced in homicide and major crime. As most firearm-related offences are less publicised and presumably less easily remembered by police officers asked for examples, these results are likely to reveal only a small proportion of crimes where a firearm register has ensured or helped to obtain a conviction.

Even in the United States...

Firearms are traced to solve crimes even in a nation where the gun lobby has arranged for most gun registers to be prohibited by law. By and large only machine guns are registered – again ensuring that these are the guns least used in crime. The Bureau of Alcohol, Tobacco & Firearms (ATF) traces 60,000 crime guns each year, and can detect even the most diligently erased serial number. The ATF routinely publishes cases in which firearm serial numbers have solved murders and other crimes.⁵³ The Bureau writes: "it is fair to say that ATF forensic services have been useful to police and prosecutors thousands of times."⁵⁴ Just one example:

- Mir Aimal Kansi was the gunman who killed two people and wounded three others with an AK-47 lookalike outside the Langley, Virginia headquarters of the CIA in 1993. Police and the ATF tracked Kansi by forensic identification of spent shells, followed by a trace through gun dealers of every similar weapon purchased in the district during the previous 12 months. He was arrested and convicted.

Needless to say, if a formal register of firearms had existed the job could have been completed more quickly, without having to raid the privately held records of scores of local gun dealers.

Summary

- Where firearm registration is the law, police often use gun registers to solve crime.
- Where firearm registration is not the law, police say this makes gun crime harder to solve.
- When NZ police used a gun register to solve crime, 67% said it helped them catch criminals.
- Three-quarters had used the register to help catch criminals more than three times each.
- When asked, 94% of front-line police recommended that firearm registration be retained.
- Police management decided instead to abandon the registration of all common guns.

Legal Guns Used in Crime

The Myth of the Law-Abiding Gun Owner

“The problem is to persuade the public that we obey laws, criminals don’t.”

Chaz Forsyth, NZ Deerstalkers’ Association. *The Bugle*, July 1996

Gun Owners Are Just Like Anyone Else

It is often argued that firearm registration is of little use in curbing the misuse of guns because a register “only keeps records of law-abiding gun owners.” Yet there is little evidence to suggest that the owners of lawfully held firearms are any more inherently law-abiding than the owners of registered motor vehicles, registered dogs – or indeed anyone who is not a convicted criminal.

Apart from their predominant maleness, gun owners are demographically, educationally and economically “mainstream.” Some research shows that gun owners are more likely to have a non-traffic arrest record than non-gun owners,^{55, 56} but most studies show the owners of legal firearms to be notable for their normality. And crime is often committed by normal people.

Crime by Licensed Gun Owners

Although there seems to be an intuitive certainty among many gun owners that licensed individuals rarely commit gun crimes, this turns out to be no more than shooters’ mythology.

We do know that some crimes, such as armed robbery and gang-related firearm misuse, are largely committed by unlicensed people, many of whom have a previous history of crime. However much they hog the headlines, these make up only a tiny proportion of firearm-related violence and misuse. Robberies are also rarely fatal, and in most cases no shots are fired. The usual purpose of a gun in a robbery is to guarantee a lack of fight, rather than to kill or to injure. Trial records suggest that some robbers use imitation or unloaded guns to allow a later plea in mitigation. Whatever the causes, there are far more deadly uses of guns in crime.

Licensed Gun Owners and Mass Shootings

Lawful owners of firearms are clearly responsible for the bulk of mass shootings in which five or more victims die. In these, 67% of the perpetrators are licensed gun owners.^{57, 58} Yet for every victim of a mass shooting, nine others are shot dead in less newsworthy homicides.

The great bulk of firearm misuse is to be found under much smaller headlines. These offences can be far less prominent in the public consciousness, and are often omitted from the popular gun debate which can focus – misleadingly – on issues of “street crime,” “stranger danger,” “home invasion” and hence “law and order.”

In fact, most gun killings occur during family violence.

Licensed Gun Owners and Firearm Homicide

A typical victim of firearm homicide is shot by a licensed male gun owner using a lawfully held firearm during family violence.^{59, 60} As one criminologist put it: “the statistically most common scenario for firearm homicide: a female victim killed in her home, with a legally owned gun, by a man she knows well.”⁶¹ A three-year survey of New Zealand police files⁶² shows that:

- Most victims of firearm homicide were killed by 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.

In a Canadian study, 77% of gun murders were committed with lawfully held firearms.⁶³

These results indicate that a full register of firearms lawfully held by licensed gun owners would, contrary to some protestations, assemble and hold records of precisely those guns which are most likely to be used in firearm homicide.

Gun Homicide, Criminals and the Mentally Suspect

Another suggestion is that most of those who kill with guns could have been disarmed in advance due to their criminal or psychiatric past. Instead, police files show that:

- A shooting victim is six to ten times more likely to be killed by a family member, partner or ex-partner than by a person with a history of mental illness or violent crime.^{64, 65, 66, 67}
- Previously law-abiding, licensed gun owners shoot between four and ten times as many victims as do people with a history of mental illness or violent crime.^{68, 69, 70}
- Alcohol is four times more likely to be a precipitating factor than mental illness.^{71, 72, 73}

The People Most Likely to Kill

Studies in Australia, New Zealand, Canada and Britain show the following characteristics to be the most reliable prior indicators in gun killings and homicide, listed in order of importance:

1. Availability of a gun (essential)
2. Maleness (90-97% of gun homicide victims are shot by men)^{74, 75, 76}
3. Familiarity (89-95% of gun homicide victims are shot by a person well known to them)^{77, 78}
4. Domestic discord (55% of gun homicide victims are shot during family violence)⁷⁹
5. Legal gun ownership (52% of gun homicide victims are shot by a licensed gun owner)^{80, 81, 82}
6. Alcohol impairment (studies suggest a range of 30-65%)^{83, 84}
7. Criminal record (18% are killed by a person with a previous record of violent crime)^{85, 86}
8. Mental illness (2-16% are killed by a person with a previous history of mental illness)^{87, 88, 89, 90, 91}

Targeting people with mental illness may be a popular notion, but it promises to be one of the least effective.

Again, the indications are that a register of those firearms held by so-far law-abiding, seemingly stable individuals could be relied upon to yield far more information on guns used in homicide than a system designed to monitor only violent criminals and the mentally suspect.

Licensed Gun Owners and Lesser Crime

In addition, research shows that a large proportion of *non-fatal* gun crime is also committed by the previously law-abiding. One Canadian government study showed that 72% of suspects in all types of firearm crime had no previous record of criminal violence.⁹²

In a recent New Zealand study, 20% of those responsible for non-fatal misuse of firearms were licensed gun owners. In addition, fully half of the perpetrators involved in non-fatal, firearm-related domestic disputes were licensed gun owners.⁹³

Many Gun Owners Ignore Storage and Licensing Laws

NZ Police files show that when guns are reported stolen, most owners are found to have been in breach of the secure storage provisions of the Arms Regulations.⁹⁴

Police Headquarters report that, of all gun owners required to relicense under the current scheme, only 40% comply with the law within six months of their call-in date. Eighteen months after each legal deadline, 50% of those called in are still missing.⁹⁵

Registered Guns Are Often Used in Crime

Some suggest that guns found in crime would rarely appear on a register – that registration keeps track of “the wrong weapons.” Again, research shows this to be a misrepresentation.

In New Zealand, of those gun homicides performed with a type of gun subject at the time to registration, 78% were committed with a weapon which did appear on the firearm register.⁹⁶

In Canada, of those homicides known to have been committed with a type of firearm subject to registration, 77% of the guns used in those killings did in fact appear on the register.⁹⁷ Of the handguns recovered in all types of crime, 56% were found to be registered.⁹⁸

Once more it seems apparent that a register of lawfully held firearms would record and track precisely those weapons which are most likely to be used in future killings and other gun crime.

“Restrict Anyone But Gun Owners”

In New Zealand some individuals with criminal convictions are routinely denied a firearm licence. For this reason it has been suggested that licensed gun owners are by definition “law-abiding” and are therefore less likely to commit crime in future. On occasion this argument extends to the suggestion that those who have been granted a firearm licence should be the last people to be inconvenienced by gun control measures such as a register of firearms – that restrictions should be targeted at someone else.

No exemption from public safety legislation is granted to licensed motorists, taxi drivers, security guards, police officers, judges or a multitude of others who have on one or more occasions in the past satisfied authorities as to their good character. On the well-accepted grounds that character can and does change with time and circumstances, no special treatment should be expected by gun owners.

Summary

- There is little evidence to suggest that the owners of lawfully held firearms are any more inherently law-abiding than the owners of registered motor vehicles or registered dogs.
- Licensed gun owners are responsible for two-thirds of mass shootings.
- A typical gun homicide is committed by a licensed male gun owner with no record of violent crime or mental illness, using a legal firearm to kill someone he knows well.
- Previously law-abiding, licensed gun owners shoot between four and ten times as many victims as do people with a history of mental illness or violent crime.
- Alcohol is four times more likely to be a precipitating factor than mental illness.
- Even if we could lock away all those individuals labelled as “criminals and the mentally ill,” the people still at large would include those who commit 80-90% of gun homicides.
- A register of lawfully held firearms would record and track precisely those weapons which are most likely to be used in future killings and other gun crime.

Keeping Secret Guns

Firearms in Family Violence

Under the Domestic Violence Act (1995), police must immediately remove any weapons to which the respondent in a domestic protection order has access. In the absence of firearm registration, police may have no way of knowing if guns are being withheld.

A similar law applies in New South Wales, where the need for a register of firearms has been recognised:

“The most obvious benefit of registration lies in its capacity to prevent domestic homicide, by alerting police to gun ownership by domestic violence offenders. As domestic homicides constitute the largest single category of homicides, the greatest potential to reduce homicides may lie in preventing domestic violence from escalating into domestic killings. Since the availability of a gun appears to be a major factor in this escalation, removing guns from violent individuals and households is a crucial homicide prevention measure. A system for recording the ownership and transfer of firearms is an essential prerequisite for such seizures to be achieved with any degree of confidence or effectiveness.”⁹⁹

Hidden Guns Pose a Danger to All

Police have every reason to be concerned at the risk to their own safety and to others when attending incidents of family violence. Following the inquest into the deaths of two police officers shot while attending a domestic dispute in 1995, evidence given to the New South Wales State Coroner also included the following example:

“The absence of firearm registration also proved fatal in another notorious incident of domestic violence, the Terrigal massacre. The events leading up to that tragedy fitted the typical pattern for domestic homicides.

“The offender, Malcolm Baker, was an ‘ordinary’ man with no criminal or psychiatric record, a law-abiding holder of a shooter’s licence. In early October 1992 his de facto wife, Kerry Anne Gannan, left him and obtained an Apprehended Violence Order against him. The issuing of the AVO obliged police to cancel his shooter’s licence, and they also searched his house for guns. While they found and confiscated five guns, they could not know he had one more gun which they did not find. This was the pump-action shotgun he used three weeks later to kill Gannan, her eight-months-pregnant sister, her father, Baker’s own son and two other people, and to severely disfigure another young man.

“At his trial, a friend revealed Baker had boasted that the police had failed to find one of his guns. In fact the police had used the full extent of their powers under the amended Act – yet the absence of crucial information severely undermined their effectiveness.”¹⁰⁰

David Gray's Secret Guns

David Gray's thirteen victims at Aramoana included children, neighbours and a police officer. His hidden cache of guns showed up the holes in a system which neglects to record individual weapons.

By mail order and lay-by deals through local gun dealers, Gray had purchased six rifles with more on order. Three of the rifles were semi-automatic, two of them MSSAs. Gray had held a valid firearm licence for eight years and all his guns were lawfully acquired and possessed. Yet police destroyed his gun registration details when they abandoned the firearm register in 1984.^{101, 102, 103}

Ten months before the killings, in an incident often distorted in the re-telling, Gray entered a Dunedin bookshop and put down a large white cardboard box with 15cm of a gun barrel protruding. Taunts were exchanged with a shop assistant, who laid a complaint with police. The shop staff themselves stated that the weapon was not pointed at anyone or even referred to. It turned out to be a \$10 airgun which Gray was taking home following its purchase a few minutes earlier. The complaint was withdrawn, and police reported: "at no time was the air rifle used to threaten any person."¹⁰⁴

Three weeks later a local Port Chalmers police officer paid a precautionary visit to Gray and reported: "I asked Gray if he had any firearms and he said he only had the airgun."¹⁰⁵ The constable searched Gray's home by consent, but found nothing. There was no gun register for him to check.

Nine months later, David Gray used his legal, but hidden guns to kill 13 people. In a major inquiry following the shootings, Sir Peter Quilliam found that Gray "had never committed any offence and the police have been unable to find anyone who thought him capable of any violent action... (he) had done nothing to draw attention to the possibility that his licence should be revoked." Aramoana residents had never seen Gray with a gun. Although one psychiatrist, who had never met him, later speculated that he "probably was" suffering from some symptoms of psychiatric disorder at the time, Gray had never in his life been diagnosed, recorded or even reported as being mentally ill.¹⁰⁶

No matter how police are criticised for their handling of these events, a register of firearms would have provided an extra early warning flag by revealing that Gray was in possession of a significant collection of semi-automatic centrefire weapons. It may also have caused police – in particular Sergeant Stu Guthrie, who was armed only with a .38 calibre revolver when he was shot by Gray – to approach the shooting scene in a different manner.

Police Approaching The Scene

Another obvious advantage offered by an accurate register of guns is to provide better quality information to police officers approaching the scene of a callout. Most motor vehicle queries requested by police patrols return reliable results from the central register within moments. Yet the same officers must know that any query of the firearm sub-system is likely to be years out of date. Even then, in most cases the only information returned is that the subject is licensed or not licensed to own firearms.

Unless the subject of the enquiry is among the 3% of gun owners with a specially endorsed licence, neither the size nor the content of a gun owner's collection will be revealed by any query of the police computer's firearm sub-system.

Some Callouts Would be Safer

No matter what the response to a firearm query, police must continue to approach with every possibility in mind. Even the most accurate firearm register would not reveal the presence of illegal guns or armed visitors at the address in question.

The argument for an accurate register of firearms is not that all police callouts would be made safe, but that some would be made a lot safer.

Summary

- Gun registration could be most effective in family violence, where most homicides occur.
- Without registration, police can't be sure how many guns to seize in family violence.
- An accurate firearm register is essential if all guns are to be removed from the scene.
- Such a register would have warned police of David Gray's weapons well before Aramoana.
- Some police callouts could be made safer given accurate information from a gun register.
- Police information on firearms at a callout scene is often years out of date.

Private Gun Sales

Keeping a Register Accurate

In New Zealand, private sales of common guns are exempt from any form of record keeping. The law requires merely that the seller be satisfied that the buyer has a current firearm licence. There is no requirement for the seller to keep any note of the licence number or of the buyer's purported identity, let alone to pass this information to police or anyone else.

No facilities are provided to check the validity of the licence presented to the seller, and several thousand licences have been reported stolen in past years. As the current relicensing scheme replaces the old licences with plastic cards bearing a photograph of the holder, this danger will be lessened. Yet without a register of sales and transfers, illegal gun purchases will remain undetectable unless they later come to police attention for some other reason.

Private Sales Make Tracing Difficult

At present, police confronted with a shotgun or rifle discovered in crime can only use it to follow a chain of evidence to the offender if certain conditions are met in full:

- The gun was stolen, *and* the owner reported it to the police at the time *and* was able to supply them with an accurate serial number *and* the gun's movements through criminal hands since the theft can be followed in full.
- The gun's original first-sale dealers' record can be found, *or* a subsequent second hand sale through another licensed dealer anywhere in the country is unearthed, *and* the chain of any subsequent private second hand buyers and sellers is both co-operative and unbroken.
- Investigating police must have both the time and resources to conduct an often lengthy trace, a luxury commonly accorded only to homicide inquiries.

The many variables in this chain combine to defeat the great majority of attempts to trace either sawn-off or full-length shotguns and rifles. Such weapons make up 97% of New Zealand's stock of firearms and a comparable percentage of guns found in crime.¹⁰⁷

NZ Police keep no count of stolen guns, nor can they estimate unreported gun thefts.¹⁰⁸ In Canada, only 5% of shotguns and rifles traced back to a theft had been reported missing by their owners.¹⁰⁹

Illegal Dealers Are Largely Undetectable

Selling a gun unlawfully carries with it a low risk of detection, let alone successful prosecution. A person who sells a gun which is later traced back by police need only describe an unidentified buyer and claim to have sighted a seemingly valid licence. No evidence of the latter precaution, such as a record of the licence number, is required.

In most cases police will have sufficient evidence to prove that reasonable care was not taken by the seller only if they can persuade the buyer or some other witness to testify to the seller's negligence or unlawful intent. Laws written in such a manner do little to encourage compliance. A recent Police Headquarters report seems to concur, noting that: "relying on owners to advise police when they sell or otherwise dispose of firearms does not provide for a robust system."¹¹⁰

Unrecorded Private Sales Are Common

A recent Police Headquarters report estimates that “between 50,000 and 100,000 firearms change hands permanently each year.”¹¹¹ An Australian study of how owners acquire their guns found that: “about 56% are purchased from dealers, 19% are purchased privately, 16% are received as gifts and 6% as bequests or are discovered in a deceased’s estate,” and concluded: “these figures serve to highlight that a registration or record-keeping system which concentrates principally on dealers’ transactions and neglects or inadequately monitors other modes of disposition is vulnerable to omission and error, so that firearms can quickly drop out of the tracking system.”¹¹²

When dealers’ sales of newly imported firearms (NZ: 14,000 p.a.)¹¹³ are deducted from these figures it seems that the majority of second hand gun transactions are conducted privately, with no records kept. By contrast, other Commonwealth registration systems require that all gun sales be conducted through dealers. In remote areas, transfers can be documented by police.

Personal Accountability for Sales

Police contend that almost every gun used in crime in New Zealand was lawfully imported and came from the collection of a licensed shooter.¹¹⁴ Although theft from insecure storage is a major source of crime guns, unlawful private sales, loans and gifts also undoubtedly contribute to the widespread “leakage” of lawfully held guns into criminal hands. Registration may be the best way to ensure that each licensed firearm owner can be held personally accountable for any guns deliberately or negligently passed to unlicensed people.

The following examples outline just two of many unlawful gun sales in the past few months. If the sellers had known that a firearm register obliged them to account for each individual gun in their possession, it is hard to imagine their being so negligent:

- An Auckland man placed a “For Sale” ad in a newspaper, then sold his SKK military-style semi-automatic carbine for \$350 to an unlicensed buyer working for the *Sunday News*.
- An unlicensed Auckland buyer answered an ad in the *Trade and Exchange* offering a gun for sale. The seller, a licensed gun collector, unlawfully sold him a shotgun. A short time later the shotgun was stolen from the buyer’s car, so he returned to the collector and bought a second one. The buyer later fired the second shotgun at a young woman who had been his lover.

Both cases are typical in that it was only a subsequent event (publication in the first, a shooting in the second) which alerted police to the illegal gun sales. In the continued absence of a register of firearms, it is not hard to imagine many more unlawful gun sales going undetected.

Summary

- Most gun sales are private transactions exempt from any form of record keeping.
- Selling a gun unlawfully carries with it a low risk of detection, let alone prosecution.
- A seller need only claim to have sighted a seemingly valid licence, no evidence required.
- Almost all guns used in crime came originally from the collection of a licensed shooter.
- A firearm register would make gun owners personally accountable for each weapon.

Success Stories

Britain, Australia & Canada

Since the 1920s, the registration of handguns and/or machine guns has been implemented consistently and successfully in dozens of countries, including New Zealand. In several countries registration has also been extended to all firearms. Where universal gun registration has been adequately resourced and enforced, those jurisdictions report it to be a successful measure which curbs the proliferation of firearms.

Comparisons of legislation and its effect in countries with dissimilar cultures can be fraught with confounding factors. For this reason, only similar English-speaking jurisdictions with Westminster-style legal systems and long-standing universal gun registration are cited here.

Great Britain

All firearms must be individually registered with local police forces.

“It is claimed that in Britain... police have worked with registration, but have not found it cost effective largely because gun owners don’t register. This is simply not true. Although there are always discussions on ways to improve gun licensing procedures, the police are strongly in favour of current legislation and the vast majority of gun owners do register.”

-- Dr Christopher Nuttall, UK Home Office. *Toronto Globe & Mail*, 28 Sep 1995

Western Australia

All eight Australian states and territories register handguns. Of these, five also register rifles and shotguns. Western Australia has had universal gun registration for 66 years. As the state with the tightest long-term gun controls, it also has the lowest proportion of firearm-related homicide, at only 53% of the Australian average.¹¹⁵

As in New Zealand, more than three-quarters of gun deaths in Western Australia are suicides. In terms of mortality, a more significant Health Department finding may be that: “firearm suicide rates are lower in Western Australia, attributed to the long-standing gun laws.”^{116, 117}

“I am very concerned about reports that registration has been tried and failed in Australia,” said Supt. Stephen Robbins of the Western Australian Police Service. “We believe that one factor contributing to our lower gun death is the fact that we have had registered rifles and shotguns since 1931.”¹¹⁸

Victoria

In the years 1984-86, Victoria introduced registration for all guns. In early 1987 the Registrar of Firearms, Chief Inspector Newgreen, wrote: “at the conclusion of the programme only 58.9% of Victorians had registered firearms... Public disobedience or ignorance of the law is by no means a small percentage.”¹¹⁹

The six-page ‘Newgreen Report,’ as it became known, revealed remarkable parallels with the collapse of registration in New Zealand in the early 1980s:

“From the beginning of the Registration programme, problems developed, primarily brought about by a huge influx of work, without sufficient staff to cope with the demand. This was further compounded by the failure to act quickly to rectify a situation that was reported on, and should have been foreseen. Continual embarrassment was caused, and the Registry and Government were subject to much criticism... It is charitable to say, that from the outset, the expedient recording of data, and issue of certificates was a disaster. This to a very large extent has now been overcome, but many difficulties still beset us. Primarily, caused by the processes used and an outmoded and absolutely unsatisfactory computer programme.”¹²⁰

“The registration programme drastically needs a complete overhaul and update. Both the processes and computer programme should be re-evaluated.”¹²¹

“It seems that the original aims and objectives [of registration] were side-stepped, and I find it difficult to reconcile as to what was sought to be achieved by the current concept of ‘registration’. It seems just to be an elaborate system of arithmetic with no tangible aim.”¹²²

Faced with the incomplete success of his system, which he attributed to non-compliance by gun owners and a lack of support from police management, the Firearms Registrar concluded not only that the register wasn’t working at all, but that the entire concept had no discernible benefit. Yet his statement that firearm registration is “costly, ineffective, and achieves little”¹²³ is often the only phrase quoted by those who claim Victoria’s gun register to be a failure.

Others Disagreed

Despite this criticism, the Victorian state government continued to register all firearms. Spurred on by Melbourne’s Hoddle St and Queen St mass shootings, both of which closely followed the Newgreen Report, public and police opinion continued to support stringent gun controls.

Police crime statistics for the years following the introduction of universal firearm registration show the number of gun crimes dropping rapidly in Victoria. Reported violent offences involving firearms fell from 850 in 1988/89 to 521 in 1993/94 – a decrease of 39%.¹²⁴

From 1988 to 1990, Victoria also recorded a 39% reduction in every category of reported firearm offence, violent or otherwise. Three years later in 1993, the level of all reported gun crime was still 30% less than it had been at the completion of the registration process and the surrender of 25,000 semi-automatic weapons to state police.¹²⁵ South Australia also declared registration a success.

In the year after the Port Arthur massacre in 1996, Victoria and South Australia forged ahead of other states, quickly passing new gun laws, then buying and destroying newly prohibited semi-automatic weapons. At the time of writing, 430,000 guns had been surrendered in the Australian gun buyback.

All eight Australian state and territorial governments have now legally committed themselves to universal gun registration. The Canadian federal government has made the same decision.

Canada

Canada tightened its gun controls in 1977, then introduced universal gun registration in 1995. Pro-gun lobby groups have tried to prevent the legislation succeeding ever since, but as the Canadian Association of Chiefs of Police noted:

“We need this legislation, the sooner the better, in our efforts to fight crime... much of this controversy is based on myths and misinformation. Gun control opponents keep repeating the same message, which is that [registration] will not significantly reduce gun use among criminals. The police, however, maintain that registration of all firearms is essential. When opponents pretend that controls on rifles and shotguns aren’t relevant in the fight against crime, they’re simply ignoring the facts.”¹²⁶

According to an exhaustive independent statistical study reviewed by three external evaluation experts for the Department of Justice, the facts in Canada are:

“The [1977 gun control] legislation has contributed to reducing the homicide rate by as much as 20 percent, or 55 lives per year, over the last two decades.”¹²⁷

Summary

- Universal gun registration is seen as a successful measure in Britain, Australia and Canada.
- In Victoria, reported gun crime dropped 39% following the introduction of full registration.
- In Western Australia, low gun homicide and gun suicide rates are credited to registration.
- In Canada, gun control legislation has helped reduce the homicide rate by up to 20% over the past two decades

What's The Cost?

Estimates of Expenditure & Return

Australia

In 1992 the New South Wales Police Commissioner told the Select Committee Upon Gun Law Reform that the cost of setting up a firearm register in NSW (population five million) would be approximately A\$2.5 million for the first year and A\$480,000 per annum thereafter.¹²⁸ This took no account of costs which could be recouped from gun owners on a user-pays basis.

A report from the Australian Institute of Criminology calculated that a registration fee of \$5 per firearm would pay all the costs of a register, while \$10 "would turn a handsome profit."¹²⁹

Victoria

The Victorian Firearms Consultative Committee reported that: "for the 1992-93 financial year, the *total* Firearms Registry operating costs were just under A\$1,082,000. This did not include on-costs for staff. A similar cost was quoted for the 23 District Firearms Officers, whose duties do incorporate some processing of information in the registration process." (emphasis in the original).¹³⁰

In 1995, Victoria's Police Minister reported that his government spent A\$2.5 million annually to run the state gun register, which is staffed by 25 police officers and public servants.¹³¹ The population of Victoria approaches five million.

Great Britain

No accurate figures seem to exist for the cost of firearm licensing and registration in Great Britain. A 1993 Home Office report did suggest that most, if not all regional police forces accept that their costs are not fully covered by fee revenue.¹³² These are costs which the British are happy to pay.

Canada

Recent federal legislation in Canada aims to cover all costs of a national firearm register from user-pays fees. The set-up cost is estimated at C\$85 million, to be spread over the first seven years of the scheme.^{133, 134} Canada's population approaches 30 million.

A Firearms Possession Certificate is to be compulsory for every gun owner, renewable every five years. Starting with an early-bird incentive offer of \$10 for the first five years (\$2 per annum), fees will rise gradually over the initial five years until they reach the highest rate of \$60 (\$12 per annum) for latecomers.¹³⁵

In addition, each individual firearm must be registered by 2003 at a cost of \$10 (which covers an unlimited number of sporting long guns for early-bird current owners), rising gradually over seven years to the maximum rate of \$10 per gun for new purchases and all subsequent transfers. The registration fee is to be charged only at the time of transfer of ownership.¹³⁶

New Zealand

Surprisingly, and without showing any basis for its calculations, a NZ Police Headquarters report to the Minister of Police in 1996 estimated that “the likely cost of implementing and maintaining universal registration would be high. It is estimated that a minimum of \$20 million would be required for implementation with a further \$10 million required each time a regular check was made.”¹³⁷ Regular checks were judged to be necessary “every 2-3 years.”¹³⁸

Why a firearm register should cost many times more per head of population to establish and maintain in this country than in Victoria, New South Wales and Canada was not explained.

Comparative Cost Estimates

(All sums in NZ Dollars)

Existing or Proposed Registry	Estimated Setup Cost	Per Head of Population	Estimated Annual Cost	Per Head of Population
Victoria	\$2.8 million	56 cents	\$2.8 million	56 cents
NSW	\$2.8 million	56 cents	\$0.54 million	11 cents
Canada	\$91 million	\$3.03	\$13 million	43 cents
New Zealand	\$20 million	\$5.55	\$4 million	\$1.11

As all jurisdictions either achieve or intend to achieve full cost recovery by charging gun owners small fees for registration, any actual cost to the taxpayer should be a fraction of the figures above.

In addition, if New Zealand was to join most other countries in prohibiting private gun sales and updating the register at each sale or transfer through a licensed arms dealer, the “regular checks” included in the NZ Police costings (above) would become unnecessary.

Cost, Computerisation and Gun Dealers

NZ Police Headquarters note that “current computer technology would enable a quick access, easy to use, decentralised system of universal registration to be implemented.”¹³⁹

In other countries, licensed arms dealers have been made the point of transfer for all but infrequent gun sales in remote areas. If this were to become the case in New Zealand, existing electronic point-of-sale technology could be harnessed to complete the transfer of gun ownership, fee collection and registration all in the same few moments. This is already the case with motor vehicle registration and broadcasting fee transactions handled at NZ Post and other outlets.

For many reasons, arms dealers would seem to be the best people to enlist in this process. They have an interest in encouraging gun owners to visit their premises to buy ammunition and accessories, and their survival in business is dependent on compliance with the law. Product knowledge would also be a considerable asset, with gun shop staff less likely to confuse a gun’s unique serial number with a manufacturer’s model or batch number or even the number on a telescopic sight. People carrying gun bags into sporting goods stores are less likely to cause anxiety amongst onlookers than if they are forced to wait in queues at NZ Post counters.

Police arms officers would also be freed from revenue collection and its swamping paperwork. This could enable them to return to core activities which they say are currently neglected.¹⁴⁰

The Cost of Gun Injury and Death

In 1988 the Law Reform Commission of Victoria put the cost to the community of a single homicide at A\$1 million, excluding any court costs.¹⁴¹ As an Australian Institute of Criminology report notes, on this basis the break-even point for a registration system in Victoria or NSW would be the prevention of two or three gun suicides or homicides in the first year, then one case every 2 years from then on.¹⁴²

In Canada, the economic costs of gunshot wounds shared by all taxpayers averaged C\$235 per head of population in Canada in 1991, compared with C\$595 in the United States in 1992.¹⁴³ Surgeons from the University of Seattle found that the average cost of a stab wound is US\$6,446 compared with US\$14,541 for a gunshot wound, concluding: “considerable savings to society would accrue from any effort that decreased firearm injuries, even if the same level of violence persisted using other weapons.”¹⁴⁴

New Zealand research has put the cost to the community of a single homicide at \$827,157.¹⁴⁵ In an average year, 99 New Zealanders die by gunshot.¹⁴⁶ Assuming an equal cost for firearm-related homicides, suicides, unintentional and legal intervention shootings, the economic cost of gun death to the community is likely to be in the region of \$82 million per year.

Gun Registration Could Save Money

Even if we accept the surprisingly high NZ Police estimate of an annual cost of \$4 million for a firearm register, the financial break-even point would be reached if only 5% of future gun deaths (five per year) could be prevented by improved gun control.

The economic cost of non-fatal gun injuries requiring hospitalisation would make the equation even more favourable. Such shootings occur on average 89 times a year, or once every four days.¹⁴⁷

Given the seemingly excessive cost estimates from Police Headquarters and additional savings if non-fatal injuries were to decrease along with fatal shootings, this study estimates that an economic break-even point could be reached if firearm registration were to prevent three gun deaths (3%) each year.

These figures include no provision for any portion of the cost of firearm registration to be recovered from gun owners by way of registration fees. For this reason alone they can be regarded as very conservative.

Summary

- NZ Police estimate the annual cost of a firearm register per capita to be between two and eleven times higher than the equivalent cost in New South Wales, Victoria and Canada.
- These costs could be reduced if guns were sold and transferred only through arms dealers.
- The economic cost of gun death to the community is estimated to be \$82 million per year.
- Even if gun owners were charged no fees at all, firearm registration would pay its way if three gun deaths could be prevented each year.

Privatising the Gun Register

Just Like Cars and Criminals

A Job Too Important to Neglect

Few police officers joined the force to become a licensing clerk. The resistance to such chores is natural and entrenched. Police management regard gun control as less than core business, and neglect it accordingly. As one Police Headquarters report says: “the policing of the [firearm] legislation has assumed a low priority in most Districts to the extent that Corporate Plan standards and even statutory requirements are simply not being met.”¹⁴⁸ Firearm licensing “is seen by staff as a minor regulatory process with little benefit to the wider policing role”¹⁴⁹

Police are the Wrong People

Police have considerable expertise in tracking and documenting *criminals*. Their staff and their computer systems have little need to keep constant tabs on people with no record of crime. Few of us would enjoy living in a country where they did. Yet licensed gun owners are by definition *non-criminals*. The skills and equipment to keep constant track of such a large number of people are not to be found in police stations.

There are many organisations in New Zealand whose task it is to enforce legislation which requires a register. All the obvious ones do a spectacularly better job of ensuring compliance than the NZ Police have managed to date with guns. While those who register cars, dogs and televisions achieve compliance rates of 88-98%, the five-year NZ Police firearm relicensing scheme currently coming to an end has located only 40% of gun owners.¹⁵⁰

Contracting the Professionals

A more effective alternative is to contract the job of maintaining a register to private-sector professionals with proven expertise and motivation. Just as motor vehicle registration is performed under contract, a similar central register could be established for guns. As shown in Australia and Canada, restricting all firearm transfers to licensed arms dealers provides a ready-made network of accessible outlets, with knowledgeable people at the interface.

Specialist police arms officers would be freed to concentrate on enforcing the law and locating offenders. Front-line police would have the same instant access to up-to-date information on guns as they currently have on motor vehicles and criminals. For years, both of these “police” databases have been held on private-sector computers with direct links to police desks and patrol cars.

Privacy

To prevent targeted gun thefts, a firearm register would have to be as secure, if not more so, than the existing police records kept on individual New Zealanders. With the added security of “footprinting” for all those who access it, such a database could be even more secure than the existing police system. Privacy would be a major concern if our police were corrupt. They are not.

Quote, Unquote

Selected Views in Print

“Most Marlborough gun owners want to see all firearms in New Zealand registered, says firearms officer Neill Dorset. ‘The impression I’m getting loud and clear from the public is that they want to see guns recorded,’ he said. ‘By not recording [rifles and shotguns] we have no way of knowing what type, and how many, firearms there are in Marlborough. I think that’s just absolutely crazy... Personally I just think it was a lack of willingness to monitor the system properly’ [which led to the abandonment of registration].”

-- Neill Dorset, Arms Officer, NZ Police. *Marlborough Express*, 9 Sep 1996

“The lack of a national firearms registry not only means that police are seriously handicapped in their attempts to cope with the increasing amount of gun-related crime, but also means that there is not even any source of reliable information about the number of guns in Australia... The present availability of firearms is a threat to the public safety, and it is impossible to be satisfied that an applicant can be trusted to have possession of firearms without danger to the public safety or to the peace.”

-- Commissioner Tony Lauer, NSW Police. Submission to the NSW Select Committee Upon Gun Law Reform, Sep 1991

“Without information about who owns guns, there is no effective gun control. Opponents of gun control argue that the registration of firearms will not reduce crime. In fact, it is the position of the Canadian Association of Chiefs of Police that cost effective registration is a key component of the new proposed gun control legislation. Registration will help ensure that gun owners are held accountable for their firearms and do not sell illegally or give them to individuals without appropriate authorisation. It will also help ensure that guns are safely stored. Claiming that gun registration will not prevent crime is akin to claiming that registering cars does not prevent accidents.”

-- Chief V J MacDonald, President, Canadian Association of Chiefs of Police.
Submission to the Canadian Senate Committee on Legal and Constitutional Affairs, 24 Feb 1995

“Information is the foundation of the problem solving approach we use in community based policing. It does not matter how many police officers you put on the street if you do not give them the tools that they need. Firearms registration is just such a tool.”

-- Deputy Chief David Cassells, Edmonton Police. Submission to the Canadian Senate Committee on Legal and Constitutional Affairs, 28 Sep 1995

“The Federal Government believes that a registration system encouraging safe storage will help reduce the theft of guns from private homes by instilling in owners a greater sense of accountability for their firearms. At the same time, it will also help keep owners aware of the requirements pertaining to gun storage.”

-- Russell MacLellan, MP. Parliamentary Secretary to the Minister of Justice, Canada. *Canadian Journal of Criminology*, Apr 1995

Local Arguments for the Status Quo:

“New Zealand gun laws were probably strong enough to prevent a mass shooting, Police Minister John Luxton told Parliament yesterday. Mr Luxton said massacres like that in which 34 were killed in Tasmania on Sunday would probably be prevented by New Zealand’s tougher gun laws.”

-- *The Dominion*, 1 May 1995

“Police Minister John Luxton will not say whether New Zealand should follow Australia’s lead in banning semi-automatic guns. Mr Luxton said he would not support licensing of all guns, rather than owners [registration], because police had told him it would be too difficult and expensive.”

-- *The Dominion*, 13 May 1995

“Any registration system would be strongly resisted by a large number of owners. They would see it as the first step towards eventual seizure of their firearms. Compliance would be a major problem... New Zealand has in place an effective system of firearms licensing and arms control... It is considered that there are no significant gains to be made by introducing universal registration at this time.”

-- NZ Police Headquarters. ‘A Review of Firearms Control in New Zealand.’ 5 May 1996

And From Australia, Before Port Arthur:

“What will it take to convince the Government that we need a register of firearms? More misuse of guns, more murders?”

-- Lloyd Taylor, Secretary, Police Association of NSW.
Sydney Morning Herald, 11 Nov 1993

“Uniform gun laws in Australia are an impossible dream.”

-- Bob Wiese, Minister of Police for Western Australia.
The West Australian, 13 Nov 1995

“It will take a massacre in Tasmania before we get gun law reform in Australia.”

-- Barrie Unsworth, then Premier of New South Wales.
 This was a 1987 comment, re-published in the
Sydney Morning Herald of 3 May 1996



ALL IN FAVOR OF "GUN CONTROL" RAISE YOUR RIGHT HAND

Political prisoners and Death Camps can't exist without "Gun Control".

Some Americans still feel "Gun Control" is a good idea.

To save America from these Nazi-lovers, we must destroy "Gun Control"!!

© 1991 JPFO



JEWS FOR THE PRESERVATION OF FIREARMS OWNERSHIP, INC.
2872 S. Wentworth Avenue • Milwaukee, WI 53207 • 414 - 769 - 0760

Commonly circulated in the United States, this poster was faxed to the author by a New Zealand gun owner.

Conspiracy Theories

Strong Beliefs Fuel the Resistance

Some believe that registration is merely a prelude to dictatorship – a plot to disarm free people. From this springs the belief that individuals should not be denied the right to keep and bear arms.

Bearing arms has never been a right of any description in New Zealand, where such claims have been dismissed by the courts without exception. The United States Supreme Court has also consistently ruled against such an interpretation of that nation's Second Amendment to the Constitution, and US gun lobby groups have not risked sponsoring such a case in many years.

Yet predictions of widespread resistance to firearm registration persist, fuelled by fear of a corrupt government somewhere in New Zealand's future. Some published examples:

“Fascist, Nazi and Communist regimes have all used registration to locate and confiscate guns. Very few New Zealand owners of semi-automatic firearms of any type would be prepared to register them for this reason.”

-- John Dyer, President, Sporting Shooters Assn of NZ. Letter to
John Banks MP, Minister of Police, 12 Aug 1992

“So what is the real reason for registration? It's confiscation -- plain and simple. The anti-gun lobby seeks registration of firearms because their long term plan is the confiscation of firearms -- ALL firearms including YOUR firearms!”

-- John Howat, NZ Council of Licensed Firearms
Owners. NZ Outdoor, Feb 1997

“This year will go down in history. For the first time, a civilised nation has full gun registration. Our streets will be safer, our police more efficient and the world will follow our lead into the future.”

(Adolf Hitler, 1935)

-- Sporting Shooters Assn of NZ Summer Newsletter, Feb 1995. Commonly
published as fact, such quotes lack citations and have been labelled
“a hoax” by Canada's main pro-gun lobby group

“Ultimately registration will let the government know who owns guns and what guns they own. History provides the outcome: confiscation. And a people disarmed is a people in danger. In Germany, firearm registration helped lead to the holocaust.”

-- Wayne LaPierre, Executive Vice President, National Rifle Association of America.
Guns, Crime, and Freedom. Harper Perennial. New York, 1995; 86

“Registration is widely viewed by sporting shooters as preparatory to confiscation... A few years ago we didn't even have a gun lobby in New Zealand. Now we have a rapidly growing one... In short you've awakened a sleeping giant. What it's capable of only time will tell but the NRA in America is rated by many to be second in power only to the Mafia and standing up to it is widely regarded there as political suicide.”

-- John Dyer, President, Sporting Shooters Assn of NZ. Letter to
John Banks MP, Minister of Police, 22 Sep 1992

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Conclusion

A Call for Registration

“No honest man can object to [gun] registration, a procedure much simpler than the registration and licensing procedure applicable to automobiles.

Show me the man who doesn’t want his gun registered, and I will show you a man who shouldn’t have a gun.”

US Attorney General Homer Cummings, 1936

In New Zealand, 97% of licensed firearm owners are allowed to keep an unlimited number of guns in secret. The firearms held by these people – common sporting shotguns and rifles – are also the guns most often used in family violence, homicide, suicide, injury and crime.

By contrast the remaining 3% of gun owners possess weapons deemed more dangerous, namely handguns, military-style semi-automatics and machine guns. These must be individually registered by serial number to each owner. As a direct result of this careful registration, such weapons are far less commonly misused.

So the guns most often used to kill, injure and intimidate are those which are least controlled. Shotguns and rifles can be collected and kept in any quantity without the need to show a genuine reason to own them, and with no official record of the guns being kept anywhere.

Firearm registration, a system proven to work in many countries around the world, is not applied in this country to the guns which are most misused. New Zealand is now one of the very few Western countries which does not have this elementary form of control over all firearms.

Though it is true that some guns will always escape a firearm register, such an argument is never advanced as a reason to abandon the registration of motor vehicles. Mere threats of disobedience were not allowed to derail changes in our cultural attitudes towards drink driving, yet senior police say they cannot make a success of a firearm register for this very reason.

Firearms, though they have a special place in the hearts of some men, are a hazardous household product like any other. Members of the non-shooting public have as much right to call for the sensible regulation of guns as pedestrians have to request road safety rules.

Universal firearm registration is seen in many countries as an obvious, proven step to protect the rights and safety of the wider public by making gun owners personally accountable for each weapon. A commitment to registration at this stage may avert the day when New Zealand police are forced to admit that firearms and their owners have become largely ungovernable.

Philip Alpers
Auckland
July 1997

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Appendix 1

Comparison of Key Gun Control Laws in Similar Commonwealth Countries

Law or statutory regulation	Aust ¹	UK ²	Canada	NZ
Every shotgun and rifle to be individually registered with police ³	Yes	Yes	Yes	No
“Genuine reason” needed to obtain a firearm licence ⁴	Yes	Yes	No	No
Ban on military-style semi-automatic (“assault”) weapons	Yes	Yes	Part Ban ⁵	No
Ban on semi-auto centrefire (“high power”) hunting rifles	Yes	Yes	No	No
Ban on semi-automatic & pump-action shotguns	Yes	Yes	No	No
Ban on semi-automatic rimfire .22 (“rabbit”) rifles	Yes	No	No	No
Ban on unrecorded private gun sales	Yes	Yes	Yes	No
Mail order gun sales restricted to arms dealers only	Yes	Yes	Yes	No
Fine or jail sentence for insecure gun storage	Yes	No	Yes	No
Enforced disabling of automatic weapons (machine guns, etc.)	Yes	Yes	Yes	No
Minimum age for unsupervised use of a shotgun or rifle	18	15-17	18	16
Years between police relicensing inspections of gun owners	5	5	5	10

New Zealand Gun Laws Lag Behind

Comprehensive new gun laws in Australia and Canada have left New Zealand out on a limb. While Tasmania once had the slackest gun laws among all similar Commonwealth states, New Zealand has now dropped to last place after Australia, Great Britain and Canada.

At the Australasian Police Ministers’ Conference in Canberra on 10 May 1996, New Zealand was the only member state which did not resolve to impose stringent uniform gun laws following the Port Arthur shootings.

Malaysia, Singapore, Hong Kong, India and Jamaica are some of the 47 other Commonwealth nations with stricter gun laws than New Zealand. Singapore keeps all guns in communal armouries, while Malaysia has the death penalty for illegal possession of a firearm. Imitation handguns, widely on sale in New Zealand and commonly used in crime, are now banned in Canada. Penalties for insecure storage of firearms in Australia and Canada range up to a \$2,000 fine and two years in jail.

Notes to the Appendix

1. Resolutions of the Australasian Police Ministers’ Conference, 10 May 1996, now adopted by all member states and territories with the exception of New Zealand.
2. England, Scotland & Wales. Northern Ireland has more stringent laws.
3. In practice in all British police districts for many years, registration of individual guns of all types is now federal law in Canada. All eight Australian jurisdictions agreed to universal gun registration in July 1996.
4. While applicants for a gun licence in other countries must belong to a registered target shooting club, produce written evidence of permission to shoot on a named rural property or be primary producers with a proven problem with feral animals, New Zealanders need only write the word “sport” for an application to be granted.
5. In Canada, weapons of this type are banned, severely restricted or “grandfathered” by brand and model.

Appendix 2

Firearm Registration Around the World

Country	Owner Licensing	Registration of All Firearms
Australia	Yes	Yes ¹
Austria	Yes	Yes ²
Belgium	Yes	Yes
Brazil	Yes	Yes
Canada	Yes	Yes ³
Finland	Yes	Yes
France	Yes	Yes ⁴
Germany	Yes	Yes
Great Britain	Yes	Yes
Greece	Yes	Yes
Hong Kong	Yes	Yes
India	Yes	Yes
Ireland	Yes	Yes
Italy	Yes	Yes ⁵
Japan	Yes	Yes
Malaysia	Yes	Yes
Mexico	Yes	Yes
Netherlands	Yes	Yes
New Zealand	Yes	No
Norway	Yes	Yes
Philippines	Yes	Yes
Portugal	Yes	Yes
Russia	Yes	Yes
Singapore	Yes	Yes
Slovakia	Yes	Yes
Spain	Yes	Yes
Sweden	Yes	Yes
Switzerland	Yes	No – legislation pending ⁶
United States	In some states	No – except Hawaii ⁷

Notes to the Appendix

1. Universal registration was adopted by all member states and territories (except New Zealand) at the Australasian Police Ministers' Conference on 10 May 1996
2. Legislation is in progress to add long guns to the Austrian firearm register
3. Legislation has been passed by Canada's federal parliament for full implementation by 2003
4. Until recently France did not register hunting rifles, but now does so on new sales only
5. Italy registers guns sold only through merchants
6. Government proposals for universal gun registration are currently the subject of referenda in Switzerland
7. Alone among US states, Hawaii recently introduced universal gun registration

NB: This is by no means a complete list, and additional sourced contributions would be welcome

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Many of these publications are also available from the
Department of Public Health & Community Medicine Web site at the University of Sydney:
<http://www.health.usyd.edu.au/cgc>

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