

CRITICAL FACTORS IN FIREARMS CONTROL

Errol Mason¹
Senior Sergeant
Victoria Police

THE FIRST STEP IN PROBLEM SOLVING IS TO IDENTIFY THE PRECISE NATURE AND extent of the problem so that strategies can be devised. In firearms control, this means extensive and on-going data collection, analysis and manipulation. Trends and issues identified should be used to educate government departments and through them the community. Using education enhanced by legislation, the community and the government together can work towards a solution for mutual benefit.

So far, political parties, their factions and the shooting organisations are working against one another (Kopel 1992) causing a disturbing waste of scarce and ever dwindling resources that could be used to provide a solution.

Most of the literature on firearms control in Australia has only concentrated on the negative social aspects of firearm ownership. The literature has failed to mention, let alone discuss, the positive social, environmental, economic and national defence aspects of firearm ownership. It is a mistake to exclude these positive aspects from the firearms control debate. To do so could be to unwittingly cause more problems than are solved. This paper will attempt to rectify this imbalance.

Some people ask 'Why firearms control rather than people control, because people kill people?'—firearms are merely one of several weapons used in homicide, and thus authorities should be attempting to control people not firearms. However, lethality and availability are two important factors—irrespective of the weapon involved. Firearms have the potential to be significantly more lethal than knives and other weapons. The use of a firearm requires considerably less proximity, strength, agility, skill and squeamishness, and offers less opportunity for self-defence.

¹ Disclaimer: The opinions expressed in this paper are those of the author and are not necessarily those of the Victoria Police.

People with firearms can kill people much more efficiently than those who only have knives and lesser weapons. And people who have semi-automatic firearms can kill people with even greater efficiency than those who only have repeaters, double-barrels or single-shots. However, whilst controlling weapons is important, the most important strategy in firearms control is preventing those people who should not have firearms from obtaining them—that is, controlling people.

The importance of national firearms control was highlighted by a recent case where several notorious criminals travelled from the mainland to Tasmania and purchased a large number of high-powered assault rifles for use in armed robberies and other crime on the mainland. Although these firearms were legal in Tasmania, they were illegal on the mainland where the criminals lived (Kent 1992, pers. comm.). This case also indicates that well-connected criminals cannot always obtain their weapons of choice, as is often claimed. Professional criminals need to obtain weapons and ammunition types most suited to the crime intended.

For effective national firearms control, each jurisdiction needs to enact uniform firearms legislation and be uniform in the application of it. This is slowly being achieved with all jurisdictions now requiring a licence to possess a firearm.

Will Firearms Control Minimise Firearm Misuse?

The use of handguns in crime in Australia is probably the best and most relevant study to use to answer the question: 'Does firearms control minimise firearm misuse?'

Although firearm ownership is increasing, handguns remain rare. In Western Australia, for example, there are twenty-five times as many long guns as handguns (Kopel 1992). About 60 per cent of Australian firearms are rifles, 30 per cent shotguns, 6.5 per cent air rifles and only 3.5 per cent handguns (*see* Harding 1981, p. 54; Kopel 1992).

Handguns remain rare because, unlike long guns, Australia has had extremely stringent handgun legislation since the 1920s and early-1930s when all eight jurisdictions enacted pistol and revolver registration (Harding 1981, p. 167; Kopel 1992). As a consequence, handguns are rarely used in homicide, whilst .22 rimfire rifles and shotguns account for 80 per cent of all firearm-related homicides (Strang 1991, p. 18).

Firearms are the most common method used in suicide in New South Wales (Dudley et al. c.1991, p. 8). Unfortunately, this study does not provide a breakdown of weapon type but, in general, whilst suicide by long gun is very common, suicide by handgun is rare. Nationally, suicide by firearm is about five times the rate of homicide by firearm (Australian Bureau of Statistics 1991).

These data tend to show that Australians who commit homicide or suicide with a firearm do so with a shotgun or a rifle because these firearms are subject to the least stringent legislation and are consequently the most available. Many firearms used in domestic homicides, suicides and non-fatal assaults are owned legally, allegedly for sporting purposes, but in fact for a purpose that is not acceptable to

authorities. Handguns on the other hand are rarely used in such incidents due to stringent controls which make them the least available of the firearm types.

It was found that firearms were used in 25 per cent of homicides in Australia during the period 1989–90 and in 22 per cent of homicides for the period 1990–91. However, knives were used in 33 per cent of homicides in both 1989–90 and 1990–91, and assault was used in 36 per cent of homicides in both 1989–90 and 1990–91 (Strang 1991; 1992). These data make it obvious that the homicide problem is not specific to weapon type and that causes of homicides are more complex than weapon availability or weapon lethality, although both these factors appear to be important.

Government and Sporting Sector Cooperation

Firearms control is clearly an important strategy in reducing homicides, suicides and other firearm-related crime. Controlling the firearms owned by the sporting sector is particularly important because this sector owns the majority of legal firearms in society (Harding 1988; Mason 1991a, p. 9; Downes 1992, pers. comm.).

Firearms control requires the support and cooperation of the responsible members of the sporting sector. Once this is obtained there is far greater chance that strategies applied to the criminal sector can work. This is important because firearms owned by the sporting sector are easily obtained by criminals (Harding 1988).

The Hoddle Street (Julian Knight), Hungerford (Michael Ryan), Queen Street (Frank Vitkovic), Aromoana (David Gray), and Strathfield (Wade Frankum) massacres were all committed by licensed persons using firearms. The perpetrator of the Top End (Northern Territory and Western Australia) massacre, Josef Schwab, had held a firearms licence in South Australia between 1981 and 1984 for all legal classes of firearms including a handgun (Warren 1992, pers. comm.). When applying for licences, they all—with the possible exception of Ryan—stated they wanted a firearm for hunting (Kapardis 1989).

The potential of responsible members of the sporting sector to be a valuable partner with the government in the prevention of social and environmental misuse of firearms *must* be recognised. The large number of hunter initiated and administered wildlife research, habitat conservation and reclamation projects and hunter education programs in Australia are proof of the great impetus, expertise and goodwill that exists amongst its membership (for examples of these projects, *see* Bentley 1990; Cause 1990a; Harrison 1989; Slee & Young 1986; Stuart 1980; Mason 1991a).

Shooting organisations have a vested interest in strict firearms control, because it is the misuse of firearms which brings about pressure on governments to prohibit private ownership of them. On the other hand, if shooting organisations believe, as some do, that the aim of some current political parties is to eventually ban private firearm ownership irrespective of fact (Kopel 1992), then they are never likely to cooperate with governments to achieve strategies for proper firearms control.

Increases in firearm licences, game licences and firearm registration fees, apparently without benefit, are factors contributing to the widening of the gulf. Cumulatively, these events have convinced firearm owners—including the most responsible among them—that governments are hell bent on a plan to reduce the number of firearm owners and with it the political clout of the shooting organisations to a point that will allow the government to completely prohibit private firearm ownership. This distrust may cause shooting organisations to accept persons amongst their ranks who they would not otherwise.

Leaders of shooting organisations would be a great ally to any government in its fight against firearm-related crime, if they were convinced that cooperation would not lead to such prohibition. One of the greatest fears about firearm registration is that it is the first logical step for any government embarking on prohibition. This belief, plus the absence of a clear case for firearm registration (Greenwood 1972, p. 246; Fine 1988, p. 50), has further increased the mistrust between firearm owners and those governments who have implemented or wish to implement firearm registration.

A national firearms control forum could be established where all parties with a vested interest could be represented. Such a forum could be the cornerstone for the dissolution of mistrust and the development of a positive partnership between governments, criminologists, firearm owners and anti-firearm organisations.

Research and Education

Without creditable research, trends in these important issues can only be impressionistic, unprovable and therefore unable to provide a basis for action. There is a need for an organisation such as the Australian Institute of Criminology (AIC) to be given the responsibility and resources to conduct and coordinate national research into all aspects of firearms misuse—including suicides, armed robberies and aggravated burglaries.

An excellent example of research conducted by the AIC is *Homicides in Australia 1989–90* (Strang 1991). *Youth Suicide in NSW: Urban-Rural Trends—1964–1988* (Dudley et al. c.1991) is another excellent piece of research. Dudley et al. show that adolescent males residing in rural areas are at much greater risk of committing suicide by firearm than their urban counterparts. It is vital that this type of research reaches the relevant groups. Dudley et al.'s research is particularly important for farmers who would be far more likely to secure their firearms because of this knowledge than they would solely because of a legislative requirement.

Education can change or develop behavioural attitudes and, therefore, is a critical factor in firearms control. Costly research must be communicated to those whom it can assist. This was the reasoning behind the establishment of the Violence Prevention Unit (VPU) of the AIC. The VPU performs the function of a national clearinghouse for research and other information relevant to violence.

Timely, relevant and accurate information is important for cost-effective resourcing by governments and government departments of their programs.

Shooting organisations could include the results of research in their publications and education programs as an on-going firearm-owner education strategy. This information would be vital in educating firearm owners in the dangers of firearms—such as the rate of firearm-related suicide amongst rural male adolescents. A society informed of the reason for particular legislation is far more likely to comply.

Licensing of Firearm Owners

The most important step in preventing firearms misuse is to restrict firearm access to those people who have a genuine need and who can be entrusted with firearms. One million firearms in the hands of responsible people will never represent a threat to society but one firearm in irresponsible hands can. For example, thousands of military and sporting type high-powered semi-automatic rifles and shotguns have been used by hunters in Australia since the end of World War II—a period of over forty years—without one being used in a single massacre. However, in the four-year period June 1987–August 1991, four massacres occurred. In each massacre, a lone perpetrator used a high-powered semi-automatic military rifle as the primary weapon. Ten days after the Hoddle Street massacre there was the Hungerford (United Kingdom) massacre, and in November 1990 the Aramoana massacre (New Zealand). Again, high-powered semi-automatic military rifles were the primary weapon used. A total of fifty-four persons were murdered and approximately forty injured in these incidents.

Most of the perpetrators had abnormally violent attitudes which were allegedly influenced by violent pornography. The Hoddle, Hungerford and Aramoana perpetrators all read the *Soldier of Fortune* magazine and other literature on violence, and they all saw themselves as Rambo types. The coroner found that the Strathfield perpetrator was influenced by the Brett Easton Ellis book *American Psycho* and said 'the elimination of grossly violent pornography would surely offend nobody' (*The Age*, 23 November 1991, p. 1).

In each case, research into the lives of these perpetrators revealed that they were either not fit and proper persons for the issue of a shooter's licence, or the reason they gave was not the real reason, which may well have been to commit massacres. However, the interviewing police had no way of knowing this. For example, the Queen Street and Strathfield perpetrators were both issued with licences after giving pig hunting as the reason. Even if police questioned the applicants carefully regarding their attitudes, behaviour, mental condition, knowledge of and access for pig hunting, this may still not have amounted to a safeguard.

One way to educate those who already hold firearms licences would be to legislate compulsory membership of an approved firearm-owners organisation, regardless of the licence endorsement type held. Membership would entitle the firearm owner to receive the organisation's publications which could contain changes to legislation effecting firearms, wildlife and forests, appropriately written articles based on research into firearms misuse and other information of

education value. This material could be disseminated to the shooting organisations as a part of the firearms clearinghouse function of the VPU.

It would also provide badly needed finance for shooting organisations to conduct wildlife research and management and to develop shooting ranges. Currently, firearm owners who do not have a shooting range available within a reasonable distance of their homes are forced to use less safe and otherwise undesirable places such as state forests to conduct firearm testing and practice. In and around our major cities, shooting ranges for handguns are fairly common, whilst ranges for long guns are very scarce, yet long guns represent the biggest number of privately owned firearms. This is an unsatisfactory situation that is a possible cause of vandalism to road signs, wildlife, trees and so on, and unnecessary danger to other forest users.

Uniform National Firearms Licence

Licences to possess firearms should have the same title in each jurisdiction. *Firearms Licence* is the most appropriate title, for which there should be five categories endorsed as follows: collector only, farm use only, target shooting only, security guard, and hunting/shooting club use (Warren 1992, pers. comm.).

For reason of safety and uniform standards, security guards should qualify at a course designed and administered by the police in each state. For example, in Victoria all security guard instructors would be trained by the Victoria Police Firearms Operational Survival Training Unit (FOST Unit). Qualified security guard instructors would then train their personnel, oversighted by the FOST Unit (Stokes 1982, pers. comm.).

It is apparent that firearm owners need to be better educated in the social, environmental and other aspects of firearm ownership. New firearm licence applicants and those who have had their licence cancelled should be required to qualify at a firearm-owner education program. This program would provide information relating to firearm-related homicide (especially domestic homicide), suicide and the theft of privately-owned firearms for use by the criminal sector. The program would include theoretical and competency based modules on:

- social aspects—such as patterns in firearm related suicides, homicides, armed robberies, and accidents—to instil the importance of firearm security;
- the environmental aspects of firearms ownership—such as responsibility for the environment and wildlife;
- firearm safety;
- firearm competency in light rifle, heavy rifle and shotgun;
- firearm, wildlife and forest law;
- first aid for injuries likely to occur in the field;
- bushcraft and survival in the bush;

- principles of ecology;
- wildlife management;
- hunting ethics;
- hunting techniques;
- flora and fauna identification; and
- prevention of cruelty to wildlife.

Some of these modules, such as those relating to social aspects of firearm ownership, would be common to all firearm licences regardless of the endorsement required. An endorsement for a 'collecting only' would only require qualification at a few modules whilst an endorsement for hunting would involve qualifying at all.

Qualification for a firearms licence should not be intellectually demanding, but it must involve a degree of study over a fair length of time for it to become too onerous for the uncommitted firearm owner. This would ensure that the uncommitted, spur-of-the-moment, would-be firearm owners would not complete the course. The person who was really dedicated would complete the course and value his licence (McMillan 1992, pers. comm.).

Those who were not committed firearm owners but still completed the course would have been subjected to long-term scrutiny and been subjected to the education process and its inherent benefits (Williams 1992, pers. comm.).

Twelve months would be an appropriate duration for a part-time course which could be completed through current Victorian Secondary College courses on firearm safety and target shooting (Victoria 1991), through Technical and Further Education by combination of distance education, and through an accredited course administered by approved shooting organisations. Inspired by the writings of Leopold (1949; 1986), the Australian Deer Association (ADA) through the Victorian Hunter Education Committee has been administering a Deer Hunter Education Program since 1986.

Just as educational concepts can be applied to environmental aspects of firearm ownership they can be applied to solving the social problems associated with firearm ownership. Just as environmental managers in Australia and overseas accept hunters as partners to achieve common aims, social managers such as police, criminologists and sociologists should enlist the help of hunters and shooters when attempting to control the adverse social and environmental effects of firearms.

Governments would perform a supporting and advisory role and ensure that the shooting organisations are fully utilised to achieve joint objectives. Governments should also provide some initial funding and equipment. This concept is in fact an Integrated Anti-Crime Strategy which is a current initiative of the Ministry of Police and Emergency Services, Victoria (Brazendale et al. 1992, p. 3).

Success of the Integrated Anti-Crime Strategy will involve the cooperation and assistance of all government departments, semi and local government, private enterprise, the community at large and the police. The cornerstone will be 'partnerships' and positive attitudes, and we must all realise there is no easy remedy, instant solution or 'quick fix' (Glare 1991, p. 3).

Firearm-owner education programs could easily be funded by the shooting organisations with little assistance from the government, provided the threat to shooting and hunting was removed. This would then allow these organisations to divert some of the \$¾ million (approximately) that they have spent defending the sport over the past decade to firearm-owner education programs.

Benefits of Firearm Owner Education

In West Germany, for decades it has been a requirement to qualify at an extremely comprehensive firearm-owner education program as a prerequisite for obtaining a firearms licence (Mason 1992). Sweden introduced a less comprehensive course on a voluntary trial basis in 1981 and as a compulsory prerequisite for a firearms licence in 1985. Many countries have adopted similar programs, and it is worth noting that several international authorities on hunter education and wildlife management have attended the ADA hunter education program.

The firearm-owner education program as a pre-requisite for obtaining a firearms licence is a Total Quality Management (TQM) program which can provide immediate and long-term benefits for governments and firearm owners. Immediate benefits would be the screening out of unsuitable applicants. Long-term benefits would be performance enhancement and attitude conditioning of those approved as firearm owners. Achieving this is dependent upon a continuing cycle of consultation and examination of the process of inputs, transformations and outputs. In the context of firearms control, inputs would be the consultation, research and information management, and transformations in the education process. Outputs would be the enhanced attitudes and performance of firearm owners resulting in a reduction in firearms misuse.

Benefits would be monitored by institutes of criminology and measured by numerical differences in firearm-related homicides, suicides and accidents. Indicators of environmental benefits would be the number and quality of wildlife research projects, habitat reclamation and conservation, and greater concern for land health and wildlife.

Hunters have the potential to be an important partner with law enforcement agencies in countering the extremely lucrative and active trafficking in Australian wildlife which in 1985 was estimated to be worth \$40 million dollars annually (Bottom 1985, pp. 32–6). Hunters are concerned about the effects of this activity on the environment and also their own game yield for which they are required to purchase game licences irrespective of whether or not they obtain a yield (Mason 1991a, p. 2).

In addition to these benefits, the Arthur D. Little Report to the United States Army of January 1966 noted that hunting and firearms training is of great value to the military. More importantly, it provides conclusive evidence that the volunteer or the conscript will be more likely to function as a soldier and survive if he has been a hunter and a shooter in civilian life (Whisker 1981, p. 129). Therefore, it would be beneficial to Australia, which has a weak national defence capability, to have a significant percentage of the population trained and competent in firearms use and hunting.

Firearm Education and Domestic Violence

'Domestic' homicides, that is, those occurring between family members, accounted for 46 per cent of all homicides where relationship was recorded . . . Firearms are more commonly used in 'domestic' homicides than any other category: about a third of spouses were killed by firearms, and nearly half of victims where the relationship was parent-child (this category includes child-parent and parent-adult child). This compares with 20 per cent of killings where the relationship was friend/long term acquaintance and only 13 per cent of stranger killings (Strang 1991, p. 22).

These data suggest that firearm misuse is worse in domestics than in any other area and that Australians are more likely to be murdered in a domestic situation with a firearm than in any other. Legislation such as the Victorian *Crimes (Family Violence) Act 1987*, is necessary and justifiable. Section 18A gives police the power to enter a home without warrant and seize firearms (without warrant) where they believe on reasonable grounds there to be actual or threatened violence.

This legislation is open for abuse by vexatious and vindictive spouses and other family members, but nevertheless, it is a critical strategy in preventing firearm misuse and thereby making Victoria a safer place to live. The potential advantage of lives saved easily outweighs the potential disadvantage of unjustified complaints, which in any event are adjudicated by a magistrate.

Shooting organisations need to realise that this legislation is in the best interests of responsible firearm owners as it is likely to reduce firearm-related homicide—any reduction in which should remove pressure from the government to impose further restrictions on them.

Unfortunately, current data collection practices do not enable the AIC's National Homicide Monitoring Program to determine what proportion of firearms used in homicides are registered, what proportion are owned by the offender, whether the offender held a firearms licence, and whether the weapon was stolen.

The domestic firearm homicide phenomenon can be partially solved by firearm-owner education programs. Firearm owners aware of the problem are more likely to comply with firearm security legislation out of self-interest, even if not because of fear of prosecution. Pressure from family members who have also been made aware of the problem could be significant in causing firearm owners to keep their weapons safe and secure in the home.

The VPU is a useful and neutral point, and a firearms unit could be responsible for administering a national media campaign to educate the community about the problem. Firearm safety in the home could be taught under the theme 'Keeping Ourselves and Others Safe' by the excellent Victoria Police Schools Involvement Program. A parent will often be responsive to suggestions made by his/her children regarding firearm safety in the home.

Conclusion

There are both positive and negative aspects to firearm ownership. The negative aspects need to be minimised, if not obliterated, whilst the positive aspects need to be developed. The tools for achieving this are research, education, legislation and enforcement. The strategy for their application should be one of partnership, positive attitudes and trust. Governments, police and the community have an obligation to work together to minimise misuse, even though no amount of safeguards can ensure against every possibility.

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