



## Non-fatal shootings in NSW

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**Aim:** To analyse the pattern of non-fatal shootings in NSW including trends, spatial distribution and other characteristics.

**Method:** This study considers the incidence of non-fatal shooting incidents recorded by NSW Police, in particular shoot with intent, discharge firearm into premises and unlawfully discharge firearm. Analysis is limited to the information recorded about these incidents by NSW Police on the Computerised Operational Policing System.

**Results:** Between 1995 and 2012 there have been frequent fluctuations in the recorded number of non-fatal shootings but no sustained increase over the period. The most notable results in 2012 were in April and July which showed record incidence of discharge firearm into premises. There was still, however, no discernible upward trend in offending even for this sub-offence. Shooting incidents are most common in Canterbury-Bankstown, Fairfield-Liverpool and Central Western Sydney. At least a third of shoot with intent and discharge firearm into premises incidents are gang, drug or organised crime related and about one in four shootings result in an offender being legally proceeded against.

**Conclusion:** Despite a high number of incidents of discharge firearm into premises recorded in some months of 2012, shooting offences are not trending upwards, nor are they historically higher than at previous times.

**Keywords:** Shootings, 'drive-by shootings', firearms, violence, Sydney, weapons

**Detectives hit wall of silent witnesses after 48 drive-by shootings in NSW and no charges laid**, The Daily Telegraph, 13 January 2012

**Drive-by shootings up by 41 percent**, The Australian, 17 April 2012

**100 Shootings and counting: Merrylands tops drive-by list**, Sydney Morning Herald, 11 September 2012

As can be seen by the headlines above, in the last year New South Wales residents have heard a lot of reports of shooting offences and there is a perception that these offences are escalating. This brief presents information bearing on this issue including trends and the characteristics of these offences, such as where they occur, what legal action has been taken in response to them and whether they are believed to be gang related or not. The data reported here are based on criminal incidents of non-fatal shootings recorded by the NSW Police Force. Incidents that do not come to the attention of police are not included.

### The nature of non-fatal shooting incidents

NSW Police record four types of non-fatal shooting offence. These are: *Shoot with intent to murder*, *Shoot with intent other than to murder*, *Discharge firearm into premises* and *Unlawfully discharge firearm*. Below are some general descriptions of these four incident types which are taken from police descriptions of a sample of these incidents.

Shoot with intent offences are incidents where a victim is deliberately shot. These are classified as *shoot with intent to murder* (5% of all non-fatal shootings in 2012) or *shoot with intent other than to murder* (16%). In this paper, for convenience, we combine the offences into general *shoot with intent*. The victims of these offences are overwhelmingly male (88% in 2012) and many do not wish to cooperate with police investigations. Many incidents are apparently planned attacks against known individuals where the victim is approached and shot at their residence or in the street with the intention to

maim (as evidenced by injuries to the legs or knee caps) or kill (injuries to the chest or head). In other incidents it appears that the shooting is not premeditated and it arises in the course of the commission of another offence or where a dispute escalates and one of the involved parties has a firearm.

In 2012 incidents of *discharge firearm into premises* accounted for a third of non-fatal shootings (31%). In most of these incidents gunshots were fired into a residential premises from the street. It appears that the intention is usually to threaten rather than to physically harm residents. Some of these are shootings where the firearm is discharged from a vehicle but many gunshots are also fired by an offender on foot. Police reports suggest that there is usually a pre-existing relationship, often of a criminal nature, between offender and victim. Some residences, however, appear to be mistakenly targeted such as where shots are fired into the former residence of a known offender. Often residents are present at the time of the shooting and this sometimes includes family members and children.

The most voluminous non-fatal shooting offence is *unlawfully discharge firearm* (48% of non-fatal shooting incidents in 2012). In most of these incidents gunshots are fired with the apparent intention to threaten or frighten the victim (similar to *discharge*

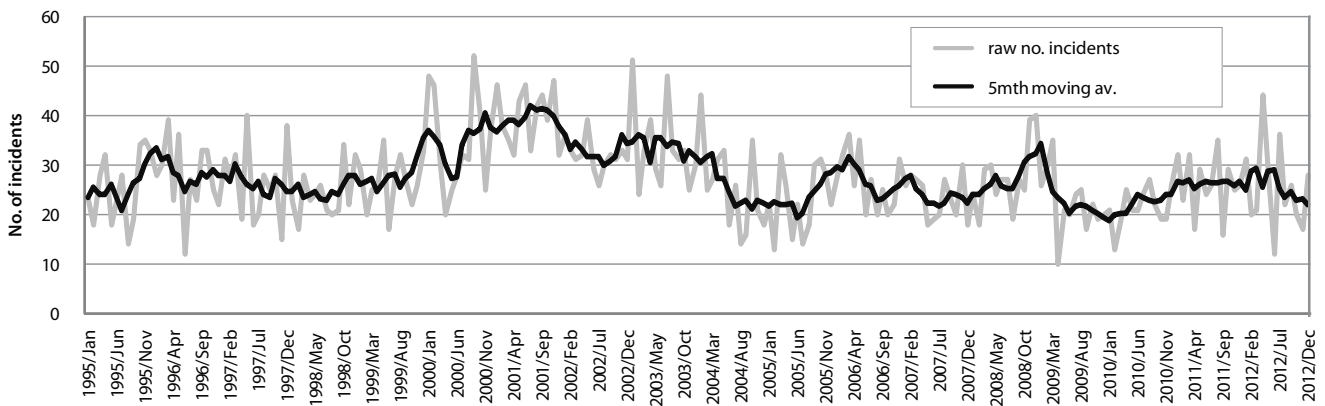
*firearm into premises*). This offence also includes (but is not limited to) shootings where the firearm is discharged from a vehicle. Frequently gunshots are fired into the air, towards a dwelling, into parked cars or in the vicinity of (but not necessarily at) a victim. In most cases the victim is present to hear or see the gunshot. Most incidents take place in suburban areas but regional incidents are not uncommon. This category also includes a small number of cases where people are either accidentally shot, shot in ambiguous circumstances or where an animal is shot. It appears that few of these incidents are for the sole purpose of maliciously damaging property as they tend to involve an element of menace.

### Is there an increase in shootings?

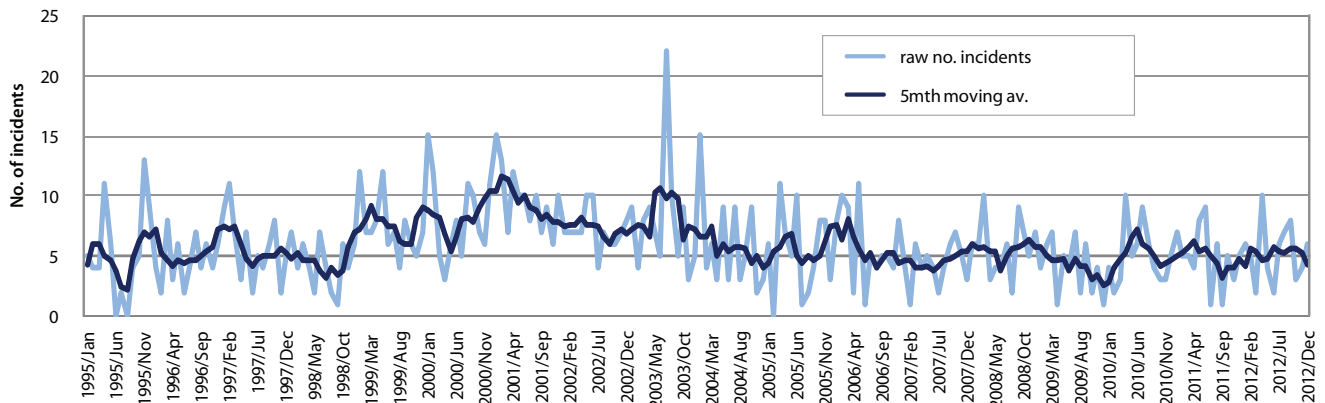
Much of the discussion around shootings relates to whether the problem is increasing or whether we are seeing a 'record' number of shootings. Figures 1 to 4 below show the monthly number of incidents recorded from January 1995 to December 2012.

Figure 1 shows the total number of non-fatal shooting incidents in each category combined (*shoot with intent, discharge firearm into premises and unlawfully discharge firearm*). The shaded line is the actual number of recorded incidents. The solid line shows the average number of incidents in the five months around the reference month – the moving average. The moving average in

**Figure 1. All recorded incidents of non-fatal shooting**



**Figure 2. Incidents of Shoot with intent (both to murder and other than to murder)**



this and succeeding graphs smoothes out the monthly variation in order to better show the underlying trend in offending.

Figure 1 shows that the average number of non-fatal shooting incidents rose from around 25 incidents a month between 1995 and 1996 to a peak of over 40 incidents a month in 2001 and then returned to around 20 incidents in 2004. The series since that point has been characterised by sharp but brief spikes in 2006, 2008/09 and 2012.

The five month moving average indicates that, in historical terms, the number of non-fatal shooting incidents in 2012 is comparable to what it was in 1995 and lower than it was at its peak in 2001.

As discussed above, NSW Police categorise a number of different types of shooting offences. It is possible that the incidence of a particular type of shooting offence has increased which is not apparent in the aggregated total figures shown in Figure 1. As such, we present the trends for the various sub-categories of shooting incidents.

Figure 2 shows the number of incidents of *shoot with intent* (including both incidents of *shoot with intent to murder* and *shoot with intent other than to murder*). The light blue line shows the raw number of recorded incidents, while the dark blue line shows the five month moving average. It can be seen from the

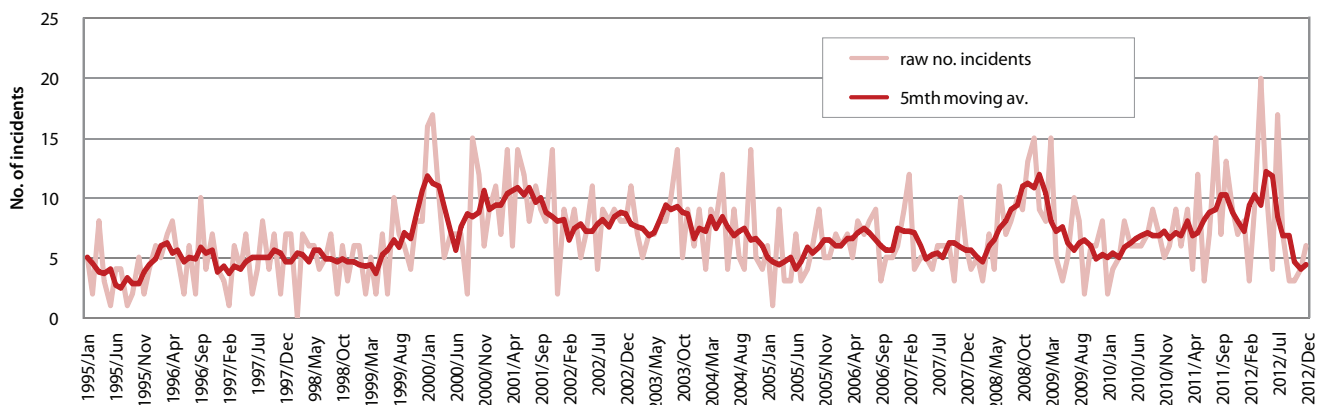
figure that the average number of *shoot with intent* incidents rose from around five a month in 1998 to a peak of over 10 a month in 2001, fell back to an average of about five a month in 2004 and has remained fairly stable ever since.

Figure 3 shows the incidence of *discharge firearm into premises*. There are distinct peaks in 2000, 2001, 2008/09 and 2012 and the series is elevated between 2000 and 2003 but there is no evidence of a systematic upward trend since 1995. It is worth noting, however, that the months of April 2012 and July 2012 had the highest and second highest number of recorded incidents of *discharge firearm into premises* of all the months shown (20 and 17 incidents respectively).

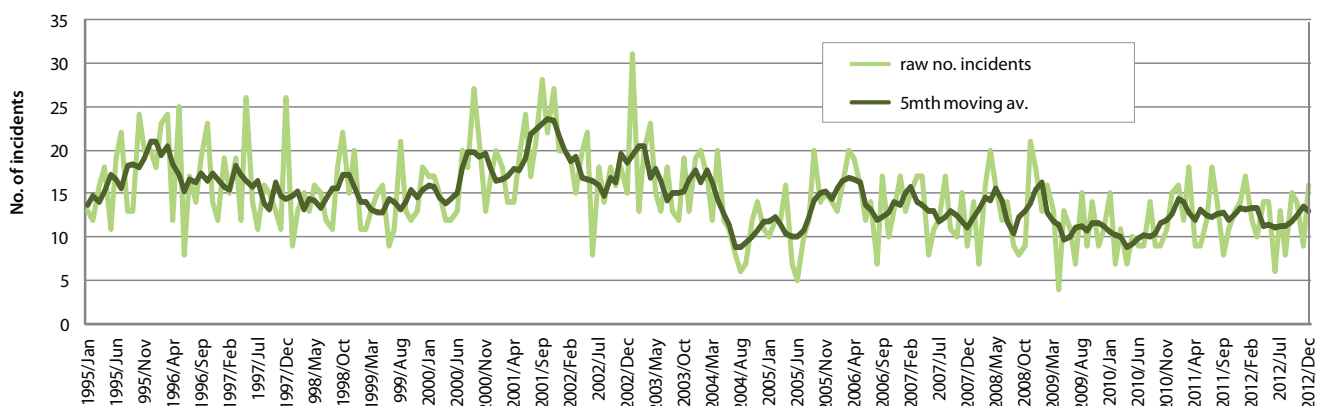
Figure 4 shows the incidence of *unlawfully discharging a firearm*. The series was elevated during the early and middle years shown in this figure, that is, around 1995 and 2001. It dropped during 2003 and 2004, then remained around an average of about 13 incidents a month to the end of 2012. Over the long term there appears to be no systematic upward trend.

It is of interest to know whether the trends shown in Figures 1-4 could have come about by chance. Table 1 below shows the results of a Kendall's rank order correlation test for trend. Because of the abrupt changes in parts of the series, separate tests have been conducted over 2, 5, 10 and 15 years.

**Figure 3. Incidents of Discharge firearm into premises**



**Figure 4. Incidents of Unlawfully discharge firearm**



**Table 1. Trends in the number of recorded incidents of non-fatal shootings, NSW**

	15 year trend Jan 98 to Dec 12	10 year trend Jan 03 to Dec 12	5 year trend Jan 08 to Dec 12	2 year trend Jan 11 to Dec 12
Shoot with intent	Down <sup>2</sup>	Stable	Stable	Stable
Discharge firearm into premises	Stable	Stable	Stable	Stable
Unlawfully discharge firearm	Down 1.3% <sup>1</sup>	Down 3.8% <sup>1</sup>	Stable	Stable
TOTAL	Down <sup>2</sup>	Down 3.0% <sup>1</sup>	Stable	Stable

<sup>1</sup> Average annual percentage change

<sup>2</sup> The percentage change is not shown here because, while the overall trend across the years was down, the change between 1998 and 2012 was slightly up.

The lack of any upward trend is confirmed by the results in Table 1 which shows the 2, 5, 10 and 15 year trends in the series. This table shows that the only trends over these periods were statistically significant decreases over 10 and 15 year terms.

### Regional characteristics

Here we consider where in NSW shooting offences most commonly occur. Figure 5 shows a map of the rate of non-fatal shootings in NSW by residential population. It can be seen that the highest rates of these offences are in Canterbury-Bankstown, Fairfield-Liverpool and Central Western Sydney (comprising Parramatta, Auburn and Holroyd) in Sydney. These locations house only 15 percent of NSW residents but

they account for 44 percent of all non-fatal shooting incidents in NSW (59% of shoot with intent incidents, 42% of discharge firearm into premises incidents and 39% of unlawfully discharge firearm incidents respectively).

Shooting offences are next highest in parts of regional NSW, presumably where firearms are more common.

Figure 6 shows a hotspot map of non-fatal shootings in Sydney focussing on the known problem areas. An area is classed as a hotspot if it has a high number of incidents relative to the land area (irrespective of population). This map shows where in Bankstown, Fairfield and Holroyd the major shooting concentrations are.

**Figure 5. Map of non-fatal shooting incidents in NSW, Rate per 100,000 residential population, 2012**

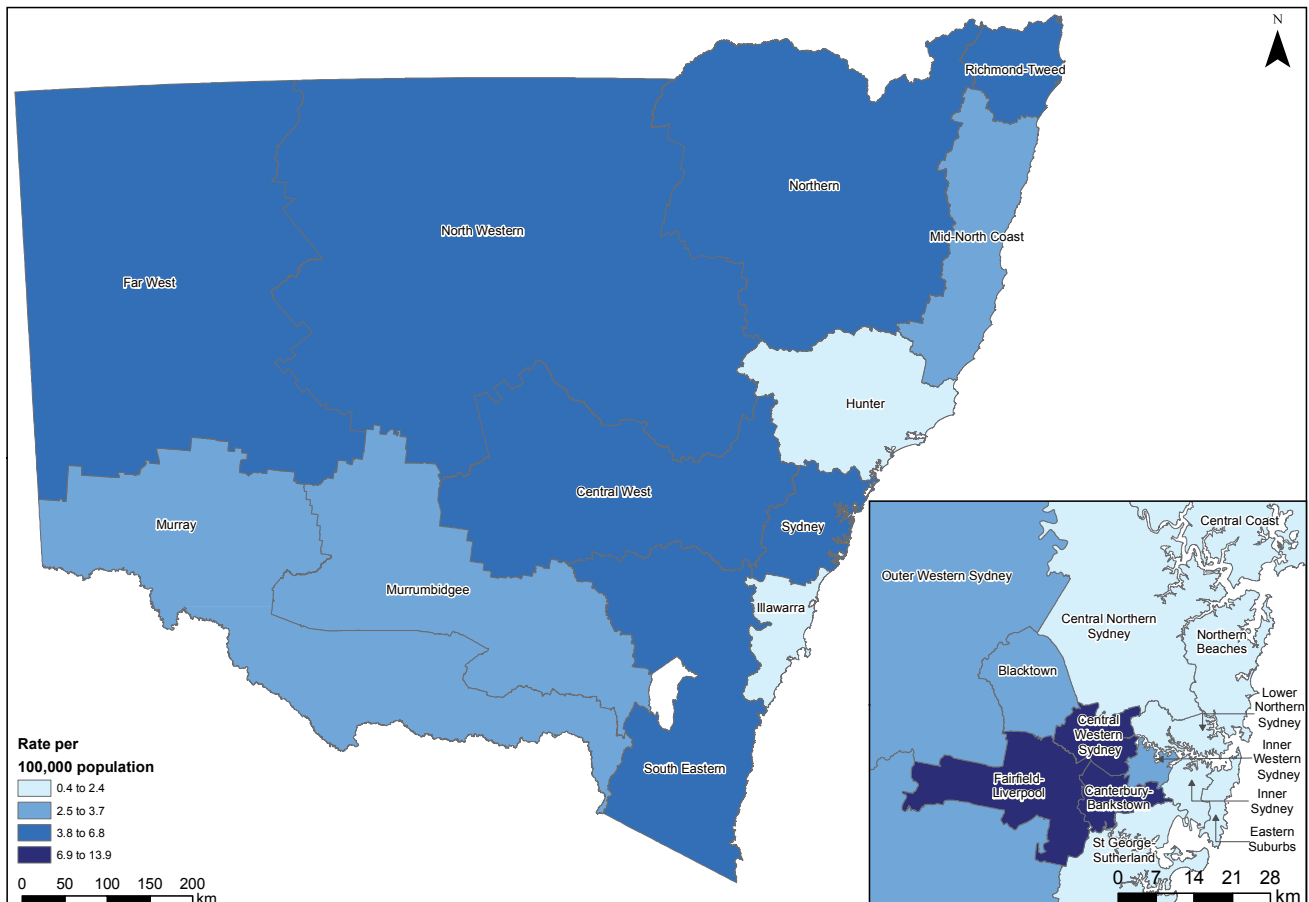
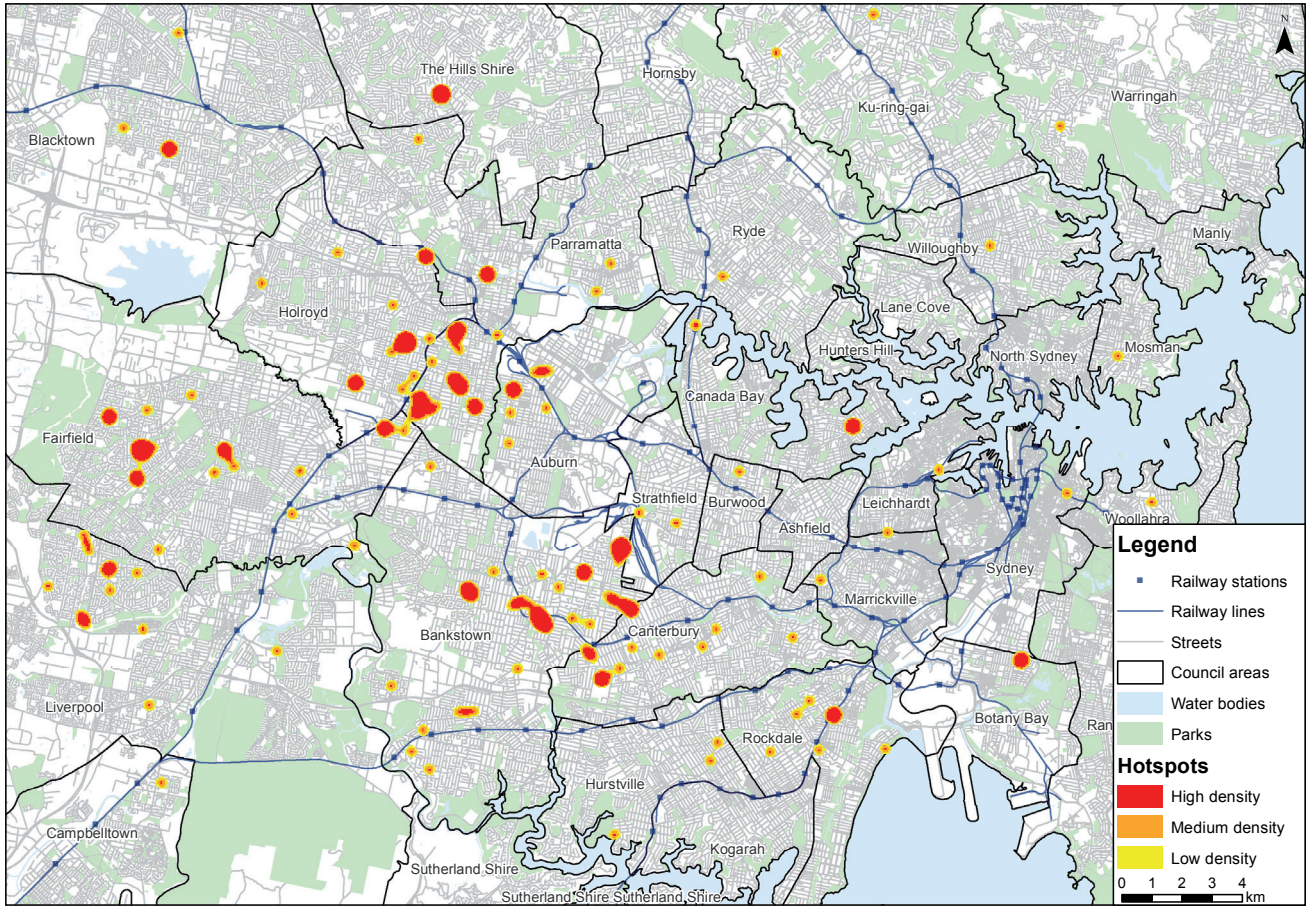




Figure 6. Hotspot map of non-fatal shooting incidents in Sydney, 2012



**Key premises**

Figure 7a, b and c shows the types of premises on which non-fatal shootings occurred. The location of incidents of *shoot with intent* and *unlawfully discharge firearm* are quite similar with about half the incidents occurring on residential premises and about 40 percent occurring in outdoor/public places such as on the street.

The pattern of *discharge firearm into premises* is different. More than 80 percent of these incidents involve shots fired into a residential premises<sup>1</sup>. Another 11 percent (or 10 incidents) involve shots being fired into a business. Of these 10 businesses, five were tattoo shops.

Figure 7b. Incidents of discharge firearm into premises by premises type (n=95)

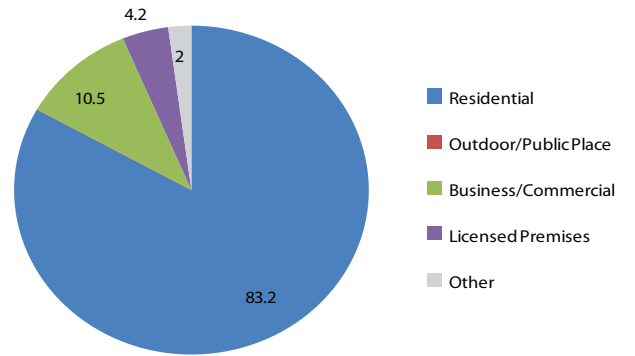


Figure 7a. Incidents of shoot with intent by premises type (n=63)

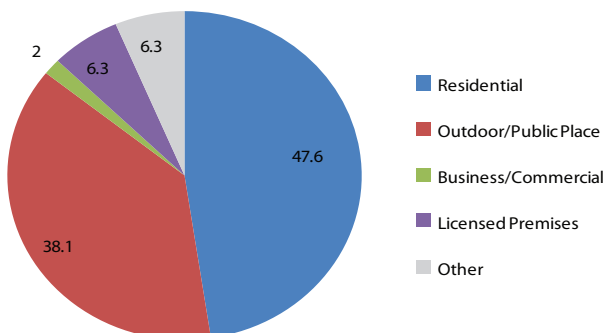
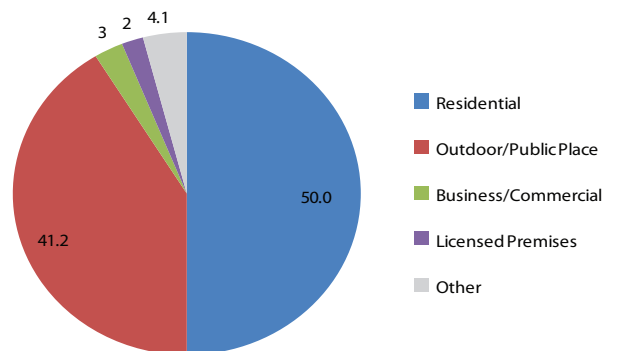


Figure 7c. Incidents of unlawfully discharge firearm by premises type (n=148)



## The involvement of gangs, drugs and organised crime

When recording an offence, NSW Police have the option to record whether certain important characteristics (known as 'factors') are associated with the incident (if they are aware of them). The associated factors offer us some insight into the relationship between non-fatal shootings and gangs, drugs and organised crime. Table 2 shows the proportion of non-fatal shooting incidents with selected associated factors.

**Table 2 Selected associated factors<sup>1</sup> recorded by police in non-fatal shooting incidents, 2012 (%)**

	Shoot with intent (n=63)	Discharge Firearm Into Premises (n=95)	Unlawfully Discharge Firearm (n=148)
No related factors recorded	33.3	36.8	48.6
Alcohol related	15.9	4.2	5.4
Domestic Violence related	1.6	1.1	2.7
Drug related	11.1	7.4	4.1
Gang related	27.0	26.3	4.7
Organised Crime related	11.1	9.5	0.7
Only other related factors recorded <sup>2</sup>	15.9	20.0	35.8
<i>Either drug, gang or org. crime related</i>	<i>38.1</i>	<i>38.9</i>	<i>9.5</i>

1. Recorded criminal incidents can have more than one associated factor

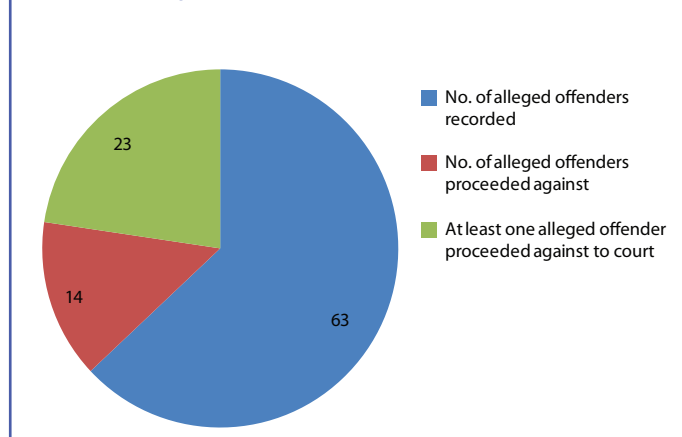
2. The main other associated factors are 'public place shooting', 'personal violence related' and 'rural crime related'

The first point to note is that between a third and a half of incidents in each incident type had no associated factor recorded. The most common associated factor for *shoot with intent* and *discharge firearm into premises* incidents (where there was one) is 'gang related' (27% and 26% of all incidents respectively). *Unlawfully discharge firearm* incidents are much less likely to have this association (5% of incidents). More than a third of *shoot with intent* and *discharge firearm into premises incidents* were either drug, gang or organised crime related. The actual proportion of incidents with this association is likely to be higher than this by an unknown margin due to the high proportion of incidents with no associated factor recorded. For instance, many of the individuals involved in these offences are recorded as having gang connections even though the incident is not recorded as gang related.

## How many offenders are caught?

In this section we consider how many non-fatal shooting incidents result in an offender being apprehended. Figure 8 shows how many 2012 incidents had legal actions commenced against an alleged offender.

**Figure 8. Clear up rate in non-fatal shooting incidents, 2012**



Less than one in four incidents resulted in an alleged offender being referred to court. Most commonly, no offender details are recorded (about two-thirds of all incidents). This arises when police do not have sufficient information to identify the offender. In about one in seven incidents an alleged offender record is created but no legal proceedings are commenced. This might be because the available evidence is too weak to permit a prosecution.

## Weapons used

It is often difficult, if not impossible, for police to determine the type of weapon used in a shooting incident. Table 3 shows the weapons involved in non-fatal shooting incidents where the weapon type was known. In more than half the *shoot with intent* incidents the firearm could not be described or the details were not recorded. Where the type of firearm involved is recorded it is most often a handgun or revolver.

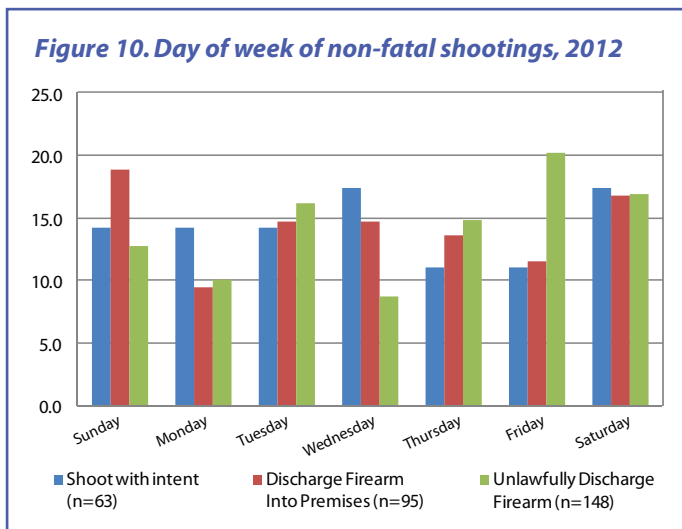
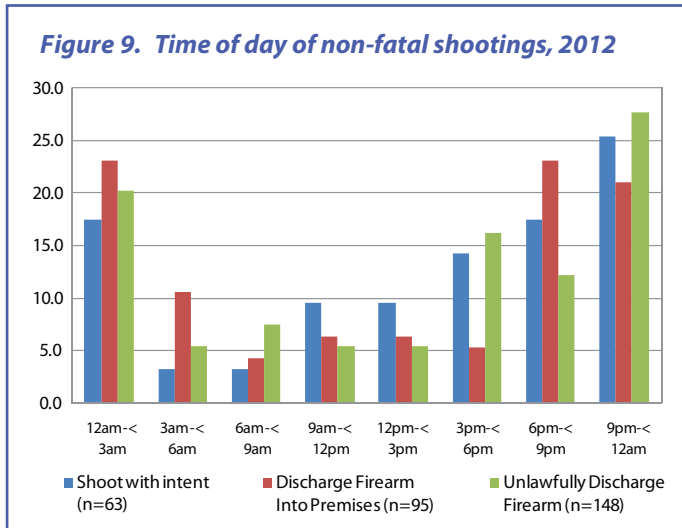
Weapons were not recorded in incidents of *discharge firearm into premises* or *unlawfully discharge firearm*.

**Table 3. Weapon type recorded by police in non-fatal shooting incidents, 2012**

		2012	
		No	%
Shoot with intent	Handgun/ Revolver	18	28.6
	Other firearm	7	11.1
	Firearm not seen/ not described	27	42.9
	No weapon recorded	11	17.5
	<b>Total</b>	<b>63</b>	<b>100</b>
Discharge firearm into premises	No weapon recorded	95	100
	<b>Total</b>	<b>95</b>	<b>100</b>
Unlawfully discharge firearm	No weapon recorded	148	100
	<b>Total</b>	<b>148</b>	<b>100</b>

## When do shootings occur?

Figure 9 shows the time of day of non-fatal shootings and Figure 10 shows the day of the week when they occurred. Figure 9 clearly shows the peak time for shootings in 2012 was between 6pm and 3am: a period during which more than 60 percent of incidents occurred. Figure 10 shows no particular pattern in offending across the days of the week.



## Summary

- In the 17 years from 1995 to 2012 the peak period for all recorded non-fatal shooting incidents other than *discharge firearm into premises* was around 2001;
- The offence of *discharging a firearm into a premises* has had peaks in 2000, 2001, 2008/09 and 2012;
- In April 2012 and July 2012 NSW Police recorded the highest and equal second highest number of incidents of *discharge firearm into premises* ever recorded since January 1995;
- Despite this, the trends in *discharge firearm into premises*, *shoot with intent* and *unlawfully discharge firearm*, individually and in total, have not shown statistically significant increases in the 2 years, 5 years, 10 years or 15 years up to December 2012. Generally speaking the pattern has been one of surges in the frequency of such incidence followed by periods of relative quiescence;
- Nearly half (44%) of all non-fatal shooting incidents in NSW in 2012 occurred in Canterbury-Bankstown, Fairfield-Liverpool or Central Western Sydney. This is despite these locations housing only 15 percent of NSW residents;
- More than a third of *shoot with intent* and *discharge firearm into premises* incidents were recorded by police as drug related, gang related or organised crime related;
- Almost one in four (23%) non-fatal shooting incidents resulted in police commencing legal proceedings against an alleged offender; and
- More than 60 percent of non-fatal shooting incidents occurred between 6pm and 3am.

## Notes

1. For incidents of *discharge firearm into premises* it appears that the premises recorded is the premises that was shot at, not where the offender was located during the incident. For instance, if an offender fired shots into a residence from the street the premises of the offence recorded would be residence.