

## Gun Crime, does any policy work?

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Although incidents of multiple deaths by shooting are comparatively rare, they attract a great deal of attention and sometimes are the catalyst for tougher gun control laws. Thus the 1996 murder of 16 children in Dunblane in Scotland, using pistols, led to a handgun ban in the UK; and the murder of 35 people in Port Arthur, Tasmania a few months later, using a rifle, led to a ban of a wide range of rifles throughout Australia.

A ban is the most extreme form of gun control. It will remove guns from those who lawfully own and register them, despite them having committed no crime, while having no impact on illegal ownership. Its introduction will consume substantial resources: typically millions of police man-hours, which could have been used in other ways; very large sums of taxpayers' money in partial compensation (c. £150m in UK and c. \$600m in Australia); and it will damage and sometimes bankrupt, all those individuals, businesses and clubs lawfully involved in the manufacture, sale, servicing, or use, of the types of firearm banned.

5 years after the killings that triggered these bans, it seems reasonable to attempt to assess whether these policies have produced measurable and identifiable benefits.

	1998/9	1999/00	2000/01	Change
<b>Shooting</b>	47	61	73	+55%
<b>Homicide</b>				
<b>Handgun</b>	239	352	396	+66%
<b>Woundings</b>				
<b>Handgun</b>	1,814	2,561	2,700	+49%
<b>Robberies</b>				

### **England – post Ban**

The position in England (and Wales) is not encouraging for those that hoped that such a draconian and expensive policy would produce substantial social benefits. According to Home Office statistics (*Source: Criminal Statistics 2000, tables 3.7, 3.9 & 4.3*), the decline in gun crime that started in '94 (i.e. 3 years before the ban started), came to an end in '98 when the ban came into full effect. Since then, every measure of serious gun crime (homicide, woundings and armed robbery) has climbed strongly:

Very worryingly, the trend appears to be getting rapidly worse. According to the London Metropolitan Police, during the 10 months to 31 January '02, there were 939 crimes involving firearms in their area, compared with 322 in the 10 months to the end of January, 2001 - an almost three-fold increase.

In Merseyside the trend is even steeper: there were 57 shootings during the 12 months to December '01, compared with 15 in the same period the year before, a near four-fold increase. Large increases have also been reported in many other parts of the UK.

### **Australia – post Ban**

Criminal violence with firearms had been declining steadily in Australia for some 20 years prior to

the ban of '97/8. It would seem reasonable to have hoped for a greatly accelerated decline following the ban.

Shooting murders have indeed continued their downward trend, but attempted murder by shooting has risen by more. Thus the previous declining trend in the total of actual and attempted murders by shooting, reversed when the ban came fully into effect and started to slowly rise. A stronger upward trend since the ban is very clear with gun assaults. (*Source: 2001 Recorded Crime, Australian Bureau of Statistics.*)

	<i>1999</i>	<i>2000</i>	<i>2001</i>	<i>Change</i>
<i>Shooting Murders</i>	<i>62</i>	<i>60</i>	<i>49</i>	<i>-21%</i>
<i>Shooting Attempted Murders</i>	<i>113</i>	<i>120</i>	<i>132</i>	<i>+ 7%</i>
<i>Shooting M &amp; AM</i>	<i>175</i>	<i>180</i>	<i>181</i>	<i>+3%</i>
<i>Gun Assaults</i>	<i>639</i>	<i>780</i>	<i>867</i>	<i>+36%</i>

### ***Do any policies produce measurable and sustained benefits?***

Although European commentators frequently refer to “*the lack of gun control laws in America*”, as though the same rules applied throughout the USA, nothing could be further from the truth. In addition to several Federal gun laws, each of the 50 States has its own law, as do many cities. They range from extremely strict licensing and registration, in e.g. Washington D.C., Maryland, Massachusetts, California and Chicago, sometimes including partial bans and prohibitions, to a very relaxed regime in Vermont, where no permit has ever been required to possess most firearms, or to carry a concealed firearm. This variety permits the effects of alternative legislative strategies to be compared and analysed with a degree of thoroughness probably not possible anywhere else in the world.

On the basis of the rather crude generalisations common in Europe, to the effect that, without strict gun control laws, violent crime will climb out of control, Vermont should have very much higher crime rates than those US jurisdictions with strict controls. In fact, Vermont violent crime rates are consistently amongst the very lowest in the whole USA, typically a small fraction of the rates in the “strict control” jurisdictions.

### **Florida and “Shall Issue” legislation**

In 1987 the State of Florida moved somewhat towards the Vermont position, by greatly relaxing its approval process for issuing Concealed Carry Weapon Permits (CCWP). It was the first large State to liberalise in this way for several decades. In essence it changed the process from a discretionary one, in which the police would routinely reject most applications, to one in which the CCWP had to be issued if the applicant met clear and simple requirements, i.e. being an adult Florida resident with no relevant criminal convictions. This process is now commonly referred to as a “Shall Issue” regime. As a result of the new law, the number of Florida CCWP issued rose rapidly, from 8,000 to over 300,000. In parallel with the growth in CCWP, the Florida murder, assault, and rape rates all declined much faster than the US average.

This sustained success has led many more States to adopt similar Shall Issue laws, bringing the total to 32 out of 50, encompassing over half the population of the USA. This provides a very large database for analysis.

## **John Lott, jr.**

In the January '97 *“Journal of Legal Studies”*, John Lott, jr and another academic, David Mustard, published a major study of the FBI crime statistics in all 3,054 counties in the USA. They analysed major crime rates in relation to local gun control policies and, of particular interest, the “before” and “after” rates in relation to the introduction of Shall Issue CCWP laws.

The results were very interesting: no restrictive gun control policies such as owner licensing, firearm registration, waiting periods etc., demonstrated any benefits. On the contrary, they tended to be associated with increased crime rates. By comparison, the introduction of Shall Issue CCWP laws was associated with modest, but consistent and sustained crime reductions: 10% lower homicide, 3% lower rape and 5.6% lower aggravated assault.

## **Multiple Killings**

The most startling improvements, however, related to multiple killings. It will be noted that this is the category of crime which would include the Dunblane and Port Arthur killings. I quote below a summary written by John Whitley, Economics Lecturer at Adelaide University, on 31<sup>st</sup> October '02.

*“The most comprehensive empirical study on this (i.e. multiple killings in a single incident) to date was conducted by John Lott and William Landes and examined all such events from 1977 to 1995 in the US, excluding gang violence and shootings during the commission of other crimes (like drug deals and robbery). They tested for the impacts of numerous gun control laws and law enforcement activities (arrest rates, execution rates etc.). The only policy found to be associated with a decline in multiple-victim public shootings was allowing the concealed carrying of firearms. States that passed such laws experienced an 84 per cent drop in the number of events and a decline of deaths of 90 per cent and injuries of 82 per cent.”*

Whitley concluded:

*“The shooters in these events generally desire to kill as many people as possible and often do not plan to live through the attack. Criminal penalties will not deter them, and it would be impossible to eliminate the possibility of them obtaining a gun. The only effective deterrence appears to be the prospect of failure.”*

The number of multiple killings involved in the analysis was quite small. From a statistical point of view, one would have liked a larger database. Nevertheless, in 23 years of amateur study of firearm laws and their effects, I have never encountered any study of any crime reduction policy, anywhere in the world, that credibly demonstrates such dramatic social benefits.

## **Northern Ireland**

Northern Ireland is the only part of the British Isles where significant numbers of civilians, as well as members of the security forces and police when out of uniform, are granted permits to carry a concealed handgun for self-defence. There were just under 10,000 in issue according to a Parliamentary answer in 1997, spread amongst a population of 1.6m.

According to the International Crime Victim Survey released in August '01, whereas England had

the highest level of victimisation of any of the 15 industrialised countries studied, Northern Ireland had one of the lowest. For example, an English resident had a 1.2% chance of suffering a robbery; while someone in Northern Ireland only faced a 0.1% chance; a reduction of about 90%. It would require more careful study before a causal link with the issue of Carry Permits could be claimed with confidence for such a remarkable and favourable difference, but it is certainly very interesting and calls out for just such a study.

## Conclusion

The evidence suggests that strict gun control laws only disarm victims (and, of course, sport users); and that even the most severe controls, such as substantially complete bans, do not even diminish the number of criminals obtaining and misusing guns, much less stop them. Indeed, the knowledge that victims are very unlikely to be armed, seems to positively encourage violent crime, both with and without guns. This analysis indicates that strict gun control is probably responsible for higher rates of murder, criminal injury and property loss than would otherwise be the case.

When most government schemes for dealing with violent crime tend to be both very expensive and ineffective, the substantial and consistent evidence of the effectiveness of encouraging personal responsibility and capability – at no cost whatsoever to the public purse – warrants close attention.

Legal jurisdictions often differ widely in the protection that they provide against prosecution, for persons who take violent, including lethal, self-defensive action. In the UK, for example, self-defensive action that leads to the death of the criminal, will almost always lead to the defender being charged with murder. This may well diminish the overall willingness of individuals to take effective defensive action, particularly on behalf of others. Any jurisdiction considering adopting a Shall Issue regime in the hope of reducing violent crime, would probably be well advised to ensure that those taking violent defensive action against criminals, are provided with a substantial measure of clear and unambiguous statute protection.

Dealing properly and thoroughly with all these controversial and important issues, calls for the highest standards of research - and courage - in both politicians and the media.