

# Do Restrictive Firearm Laws Improve Public Safety?<sup>1</sup>

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<sup>1</sup> An earlier version of this paper was published by the Fraser Institute (Mauser 2003). This paper has been expanded to include discussions of Scotland, the Republic of Ireland and Jamaica. I would like to thank Peter Allen and C.B. Kates for their critical comments on earlier drafts. The paper has benefited from their contributions. Despite their gracious help, I remain responsible for any and all errors or omissions that may remain.

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Human ingenuity is impressive, and no less so when it comes to finding ways to kill. How effective can it be to limit the availability of one of these tools, firearms, in reducing the incidence of criminal violence, murder or suicide?<sup>3</sup> The introduction of stricter firearms regulations is almost always justified as a reaction to a recent rise in violent crime, although fears of political unrest may be equally important if less often discussed publicly<sup>4</sup>. Politicians promise that restrictive gun laws will make society safer, but proof has been lacking. Such laws must be demonstrated to cut violent crime, homicide and suicide, or these claims are hollow promises. It's time to ask if stringent gun laws actually work because regardless of how restrictive such laws are, and the trend is to be ever more restrictive, these kinds of laws impose high costs on citizens by stimulating the growth of governmental bureaucracy.

Firearms pose an intractable problem for government: on the one hand, allowing individuals to own firearms risks relinquishing power which might facilitate criminal violence, or more ominously, encourage local regions to claim independence from the central government, or even lead to revolution. English history, for example, is replete with examples of local Barons or Dukes rebelling against the King, often encouraged by foreign powers. On the other hand, a government might wish under some conditions to allow “responsible” civilians to have firearms as a means of extending its power. The police might reluctantly admit that they cannot protect everyone, so individuals could be encouraged to take greater steps to protect themselves and their local communities. While perhaps difficult to imagine today, historically, England has relied upon armed civilians to help maintain law and order. More recently, the Home Guard was created to play a vital role during World War II.

Empirical support for firearms laws has proved to be elusive in the US as well as the UK. In 2004 the US National Academy of Sciences released its evaluation from a review of 253 journal articles, 99 books, 43 government publications and some empirical research of its own. It could not identify any gun law that had reduced violent crime, suicide or gun accidents (Wellford, 2004). The US Centers for Disease Control reached a similar conclusion in 2003 in their independent review of research on firearms laws

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<sup>3</sup>As startling as it may appear, many powerful tools for murder (even mass murder) are readily available in highly regulated societies. For example, petrol, propane, and knives are easy to obtain. As recent events in the UK have shown, even amateurish terrorists are familiar with the first two, and knives are involved in more murders in the UK than guns. Given the ubiquity of ropes, tall buildings, and motor vehicles, it is not difficult for suicidal individuals to find adequate substitutes for firearms. See Kates and Mauser (2007) for an analysis of the effectiveness of gun laws in reducing overall murder or suicide rates in Europe.

<sup>4</sup>Historical analyses of private Cabinet papers reveal that British firearms laws have reflected government concerns about the potential for public disorder and revolution as well as criminal violence (Malcolm 2002, p.142.)

(Hahn et al. 2003). The recent mass shootings at Virginia Tech vividly illustrate the failure of restrictive gun laws to protect the public. Virginia Tech, like almost all schools, is a “gun free zone.” Obviously, gun bans do not keep murderers from obtaining or using guns.<sup>5</sup>

Historical ignorance allows some to credit the generally low homicide rates in the United Kingdom and Western Europe to stringent gun control. This claim cannot be accurate because murder in Europe was generally lower before the gun controls were introduced (Barnet and Kates, 1996, p 1239). Stringent gun controls were not adopted in either the United Kingdom or Western Europe until after World War I. Consistent with the outcomes of the American studies mentioned above, these strict controls did not stem the general trend of ever-growing violent crime throughout the post-World War II industrialized world (Malcolm, 2002, pp 209, 219).<sup>6</sup>

The divergence between firearm laws in the UK and the US increased during the 1980s and 1990s. In the late 1990s the UK moved from stringent controls to a complete ban on handguns and many types of long guns. Without suggesting this caused violence, the bans' ineffectiveness was such that by year 2000 violent crime had so increased that England had the developed world's highest rate of violent crime, far surpassing even the US (van Kesteren, et al. 2001). During these same two decades, more than 25 states in the United States passed laws allowing responsible citizens to carry concealed handguns. There are now 40 states, including more than 60 per cent of the population, where qualified citizens can get such a handgun permit (O'Hanlon 2006). As a result, the number of Americans who are allowed to carry concealed handguns on the street has grown to 3.5 million (Kates, 2005, p.64).

This paper examines the claim that restrictive gun laws are effective in protecting public safety. If this approach to violent crime, widely adopted by the UK and other countries in the British Commonwealth, is more effective than the gun laws in operation in the US, then, other factors being equal, the crime rates in Commonwealth countries with restrictive gun laws should fall faster than the corresponding crime rates in the US. If, on the other hand, the British-style gun laws do not live up to the promises made for them, that is, they are not as effective in reducing violent crime as the American approach, then one would not expect to see differences in the trends, or conceivably that crime rates in the US may fall even faster. The uniqueness of the criminal justice system

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<sup>5</sup> Strict gun laws are effective however in keeping guns out of the hands of responsible citizens who might then be better able to defend themselves and others.

<sup>6</sup> The most frequently proposed reasons for the increasing crime rate in Europe since World War II are demographic changes, organized crime, and the international drug trade. Clearly, the increasingly integrated nature of Europe facilitates illegal activity as well as legitimate businesses. See (van Duyne and Levi, 2005 and Malcolm, 2002).

in the United States makes the US a singularly valuable point of reference.<sup>7</sup>

A variety of Commonwealth countries have adopted British-style gun laws. Surely, if this approach is effective in dealing with criminal violence, stringent restrictive gun laws will have actually reduced violent crime in at least some place where they have been introduced.

Two sets of Commonwealth countries will be compared with the United States in this paper. First, I will look at countries that introduced laws restricting general access to firearms in the 1990s (i.e., the United Kingdom, Australia and Canada). Next, I will compare the crime trends in two countries that attempted near comprehensive firearms bans in the 1970s (Jamaica and the Republic of Ireland). In each of these countries, I compare the trends in violent crime, particularly homicide trends, with corresponding crime rates in the United States over the same time period.

It is important to remember that the goal claimed for stringent firearm laws is to reduce total criminal violence, not just gun violence. As Mr Kates and I have argued in another paper, the determinants of murder and suicide are basic social, economic and cultural factors not the prevalence of any particular deadly mechanism (Kates and Mauser, 2007). Thus it follows that to evaluate the effectiveness of firearms legislation, one must measure the increase or decrease in criminal violence as a whole, not whether gun laws cause a drop—or an increase—in just firearms crime. If gun crime declines, but crimes with other weapons increase, so that the number of violent crimes does not decline, then these gun laws must be seen as failing (Malcolm, 2002).

The crucial test is whether gun laws improve public safety. There is no social benefit in restricting the availability of guns if total murder and suicide rates remain unchanged. It is difficult to claim that public safety is better if there is no decrease in the number of lives lost. The evidence, as I will show, indicates that all that is accomplished (at best) by the removal of one particular means is that people manage to kill themselves or others by some other means.

In assessing the impact of legislation on crime rates, it is necessary to examine changes over time. A direct comparison of national averages is irrelevant. It is an entirely different question whether the Canadian average for a particular crime rate is higher (or lower) than that of the United States or England. Such patterns speak to the historical and cultural differences among nations, not to the effectiveness of recent firearm legislation<sup>8</sup>.

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<sup>7</sup> For a more thorough discussion of the differences among a wide variety of countries, including the United States see David Kopel (1992).

<sup>8</sup> Arguably, one of the reasons that violent crime rates tend to be higher historically in the United States and Jamaica than in Canada is that slavery played a smaller role in Canada than in either of the other two countries. Slavery had been

Evaluating legislation is analogous to evaluating a new diet. If we want to determine whether our new diet is effective, we must ask if our weight changes after the diet is introduced. While it may be reassuring, it is logically irrelevant to our diet's efficacy that other people are fatter than we are.

Of course, even if crime rates decline (or increase) after the introduction of a new firearm law, this does not prove that the legislation caused the change. There may be alternative explanations that are more persuasive, such the continuation of long-term trends. The question of causality is never fully answered even in complex econometric analyses or in experiments conducted under strict laboratory conditions. All that anyone can do is to attempt to eliminate most of the alternative explanations. By examining the trends in a diverse set of countries, I argue that alternative factors can be discounted to some extent. In none of these cases covered in this paper do total homicide rates drop as a consequence of the introduction of more restrictive firearm laws.

Comparative studies rely upon police statistics rather than victim surveys. There are several reasons for this even though there are well-known limitations to police data<sup>9</sup>. The first is that police statistics are the only data that are consistently available for the range of countries that I am considering over the full thirty years. Second, not only are victim surveys often unavailable for some countries,<sup>10</sup> but also the most important index of criminal violence is homicide, for which victim surveys are not possible. Third, despite their high reputation, victim interviews are of strikingly uneven quality both across nations and within nations across time<sup>11</sup>.

The first countries I shall examine are the United Kingdom, Australia, and Canada. Each of these countries introduced Draconian general laws in the 1990s that severely restricted access to firearms by citizens in an effort to improve public safety. These countries are large western democracies with modern, functioning police forces, customs bureaucracies, with high levels of education. If any country could be expected to control firearm misuse through the legal system, these countries would qualify. In subsequent sections of this paper, both the experiences of the Republic of Ireland and Jamaica will be considered.

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abolished in Canada by 1810 by Lieutenant Governor John Graves Simcoe. For more information about slavery in Canada see Michael Craton (1974).

<sup>9</sup> Police statistics have been criticised because they are subject to changes in the public's willingness to report crimes, and, equally important, to variations in police recording practices.

<sup>10</sup> Excellent victim surveys exist in Australia, Canada, the United States, as well as in England and Wales, but not in Scotland, the Republic of Ireland or Jamaica. See Nicholas et al. (2005).

<sup>11</sup> Recent criticisms of the British Crime Survey's practice of placing arbitrary limits upon numbers of violent crimes that can be reported indicates the problem inherent in any survey approach (Barrett 2007).

## **The United Kingdom<sup>12</sup>**

Firearm policy in the United Kingdom has been driven by sensationalised coverage of firearm murders for almost 20 years. First, the Hungerford incident in August 1987 shocked Britain, and almost 10 years later in 1996, another murder in Dunblane, Scotland captured media attention (Malcolm 2002, pp 201-203). In both cases, the media were outraged that licensed target shooters were able to own handguns, not that the police failed to follow established rules that should have prevented granting these killers a firearm permit, nor why no one attempted to stop these murders during the extended time over which they were committed.

The Firearms (Amendment) Act of 1988 was brought in by the Conservative government following the Hungerford incident, and the Firearms (Amendment #2) Act of 1997, which banned all handguns, was introduced by the Labour government following the shooting in Dunblane in 1996 (Greenwood 2001, p. 8; Munday and Stevenson, 1996). Unfortunately, these Draconian firearm regulations have not curbed violent crime.

### **England and Wales**

In assessing the impact of this legislation, the principal jurisdiction of the UK is England and Wales. For historical reasons, police statistics are reported for England and Wales as if they formed a single unit.

Police statistics show that England and Wales are enduring a serious crime wave. In contrast to North America, where the homicide rate has been falling for over 20 years, the homicide rate in England and Wales has been growing over the same time period. (See Figure 1.) In the 1990s alone, the homicide rate jumped 50 per cent, going from 1.1 per 100,000 in 1990 to 1.6 per 100,000 in 2000, and has remained at this higher rate, averaging 1.7 per 100,000 since 2001 (Home Office 2001).

As for violent crime in general, police statistics show a huge increase since the handgun ban, and since 1996 violent crime has been more serious than in the United States. The rate of violent crime has jumped from 400 per 100,000 in 1988 to almost 1,400 per 100,000 in 2000 (Home Office 2001; Nicholas et al. 2005; Walker et al. 2006). (An unknown amount of the recent increase may be attributed to changes in the recording rules in 1998 and 1999.) In contrast, not only are violent crime rates lower in the United States, there they are continuing to decline (FBI 2003, 2006).

The Home Office has also tightened up on enforcement of regulations to such an extent that the legitimate sport-shooting community has been virtually destroyed. For

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<sup>12</sup> The crime trends of the Channel Islands and other nearby islands associated with the UK will not be examined here.

example, shotgun permits have fallen almost 30 per cent since 1988 (Greenwood 2001). The British Home Office admits that only one firearm in 10 used in homicide was legally held (Home Office 2001). (See Figure 2). But, there is little pressure from within bureaucratic and governmental circles to discontinue the policy of disarming responsible citizens who hold their firearms for target shooting or for taking game for the table, after some centuries of being allowed to do so by the law. The costs of the firearms bureaucracy for taxpayers are unknown.

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Figures 1 & 2. England and Wales  
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Clearly, there is no evidence that firearm laws have caused homicide or violent crime to fall. The firearm laws may even have increased criminal violence by disarming the general public.<sup>13</sup>

### Scotland

It is important to examine the violent crime trends in Scotland as well, because it has almost 9 per cent of the total population of the United Kingdom. Firearms laws in Scotland are essentially the same as in England, despite differences between the English and Scottish legal systems (Peele 1995, p. 417).

As can be seen in Figure 3, the homicide trend in Scotland resembles that in England and Wales. The restrictive firearms laws have failed to slow down murderers; homicides continue to increase. For the ten years prior to 1997, there were 104 homicides per year. 1997 was an exceptionally low year, with only 90 homicides, but homicides have continued to increase. Since the handgun ban, there have been 110 homicides each year through 2003, but for the past three years (2001-2003) there have been an average of 114 homicides per year (Scottish Executive 2004a; Scottish Executive 2006).<sup>14</sup>

Violent crime is also increasing. This is evident in both police statistics and victim surveys. Violent crime has increased from 14,500 in 1994 to over 15,000 in 2001, 2002 and 2003. Over the same time period, rape and attempted rape has also increased from under 6,000 per year to over 6,500 per year (Scottish Executive 2004b). A recent victim survey, conducted as part of a United Nations sponsored survey of crime victims in 21 countries, identified Scotland as one of the most violent places in Europe (Tweedie

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<sup>13</sup> It is not necessary to argue that disarming the citizenry caused the increase in violent crime, although that might have contributed. All that is required is that the cost of the British firearms bureaucracy has diverted scarce resources away from more effective crime fighting approaches.

<sup>14</sup> Note that the increase in the frequency of homicide represents a real growth in the Scottish homicide rate because the population of Scotland decreased by approximately 1 per cent between 1992 and 2003.

2005).

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Figure 3. Homicide Trend in Scotland

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### Australia

Publicity surrounding a multiple murder triggered recent changes in Australian firearm policy. In Port Arthur, Tasmania, on April 28, 1996, Martin Bryant, a mentally deranged man, went on a rampage murdering anyone he encountered, killing 35 people. The media afterwards focused almost exclusively on the killer's use of military-style semi-automatic firearms (Bellamy 2003). Confusion remains over many of the details of this incident, including how Bryant came to have the firearms he used, and whether or not the police response was adequate. No Royal Commission has ever examined the incident, despite the public perception that an open inquiry was required. The media focus on the firearms diverted public concern from police procedures.

Following garish media coverage of the Tasmanian killings, in 1997 the Australian government brought in sweeping changes to the firearm legislation. The new controls on firearms introduced included the prohibition and confiscation of over 600,000 firearms, mostly semi-automatic or pump-action firearms, from their licensed owners, as well as new licensing and registration regulations (Lawson 1999; Reuter and Mouzos 2002)<sup>15</sup>.

These stringent firearm regulations do not appear to have made the streets of Australia safer. In the years following their introduction, homicides involving firearms declined but murders with other weapons increased so that the total homicide rate remained basically flat from 1995 through to 2001 (Mouzos 2001). A subsequent report found that, despite the declining firearm homicides, there was an increase in multiple-victim incidents (Mouzos 2003). The homicide rate reached a peak in 1991 and then began to decrease. The rate of decline prior to the 1996 firearms laws is indistinguishable from the rate afterwards<sup>16</sup>. Logically, this suggests that the firearms legislation had no effect upon the gradually declining homicide rate.

The plummeting homicide rate in the USA during the 1990s contrasts strongly with the slow decline in Australia (see figure 4). In the US, the homicide rate has dropped 32 per cent between 1995 and 2001, while it has slid only 10 per cent in Australia. At the same time Australia banned and confiscated legally owned firearms, the number of states in the US that allow their residents to carry concealed handguns increased from 28 to 40

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<sup>15</sup> For further information on the firearms legislation, see James Lawson (1999) and Peter Reuter and Jenny Mouzos (1999, 2000).

<sup>16</sup> A recent study has found no statistically significant link between the Australian gun laws and the trend in the homicide rate (Baker and McPhedran 2007).



out of the total of 50 states.

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Figure 4. Australian Murder Trend

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The divergence between Australia and the United States is even more apparent when one considers violent crime. While violent crime is decreasing in the United States, it continued to increase in Australia for four years following 1997, although it has recently started to decline. In 2003, the violent crime rate had decreased by 22 per cent in the US since 1997, while it had increased by over 14 per cent in Australia<sup>17</sup>. Assault rates have jumped from 623 per 100,000 in 1996 to 815 per 100,000 in 2002, and easing just slightly to 798 per 100,000 in 2003. Robbery jumped from under 90 per 100,000 prior to 1997 up to 137 per 100,000 in 1991 before returning to pre-1997 levels in 2004 (ABS 2005; AIC 2001; Mouzos and Carcach 2001). Despite the recent decline in violent crime in Australia, it is illogical to credit the 1997 firearm law for this drop given that violent crime did not begin to decline until four years after the gun law.

The destruction of the confiscated firearms cost Australian taxpayers an estimated \$AUS500 million and has had no visible impact on violent crime (Lawson 1999). The costs of the confiscation do not include the costs of bureaucracy, which, as has been shown in Canada, can be considerable. The proposed solution to the failure of the 1997 gun regulations is to pass even more restrictions on handguns. This is all the more remarkable because in Australia, as in Great Britain and Canada, few firearms used in homicide are legally held; in 1999/2000 only 12 out of 65 (18 per cent) were identified as being misused by their legal owner (Mouzos 2001).

### Canada

As in other countries, recent changes in firearm policy were precipitated by a media frenzy over a multiple murder. On December 6, 1989, Marc Lepine, born Gamil Gharbi, went to the University of Montreal campus, where he killed 14 women and wounded another 13 students, including four men, before he finally shot himself (Jones 1998). Even though Gharbi encountered almost one hundred students and at least three teachers, no one tried to stop the murderer.

An investigation by the Montreal coroner severely criticized the police for their inadequate response and stated that the type of weapon used was not a significant factor in the murders (MacDonald 1990, p A1). Nevertheless, Canada twice introduced sweeping changes to its firearms laws, first, in 1991, under the Conservative government

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<sup>17</sup> Violent crime is defined differently in the two countries, so they cannot be compared directly. The primary differences lie in how assault and particularly sexual assault are defined. In addition, in 2004, Australia withheld reporting on crimes of assault due to a concern over the definitional variance across reporting states.

and then again, in 1995, under the Liberals. These changes included prohibiting over half of all registered handguns in 1995, licensing firearm owners and requiring the registration of long arms (i.e., rifles and shotguns) in 1998<sup>18</sup>.

The Canadian homicide rate has remained essentially stable since the mid-1990s after declining during the early 1990s. In 2000 it began to increase again. Over this same time period, firearm murders have also declined, although this has been compensated by increases in murders involving knives and clubs. The homicide rate plummeted in the United States while the Canadian homicide rate has remained flat (see Figure 5). Between 1991 and 1997, the homicide rates in both Canada and the US fell by 32 per cent. Since 1997, the homicide rate in the United States has fallen an additional 19 per cent, from 6.8 per 100,000 in 1991 to 5.5 per 100,000 in 2004, while the Canadian rate has remained stable at 1.8 – 1.9 per 100,000 (Dauvergne 2005; Gannon 2006).

The contrast between the rate of criminal violence in the United States and that in Canada is much more dramatic. Over the past decade, the Canadian violent crime rate has stayed basically stable while, in the United States during the same time period, the rate of violent crime has slid from 600 per 100,000 to 500 per 100,000 (FBI 2003, 2006; Gannon 2006).<sup>19</sup>

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Figure 5. Canadian Homicide Trend  
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The Canadian experiment with firearm regulation is moving towards farce. Although it was originally claimed that this experiment would cost only \$2 million (\$), the Auditor General reported in 2001 that the costs of the firearm registry were out of control and would be more than \$1 billion CAD (Fraser 2002, chapter 10)<sup>20</sup>. Unfortunately, her mandate was limited so she could not examine the entire sprawling programme. The final costs are unknown but, if the costs of enforcement are included, estimates now reach \$3 billion (CAD). It is important to recognize that the introduction of any expensive program, such as universal firearm registration, typically causes expenditures for other policing priorities to be reduced. In Canada, the police budget was effectively frozen in the 1990s – that is, after factoring in inflation, there has been no real increase in the budget.

Though the stated goal of firearms registration is to disarm legally unqualified

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<sup>18</sup> Handguns have been required to be registered in Canada since 1934.  
[http://www.cfc-cafc.gc.ca/pol-leg/hist/firearms/default\\_e.asp](http://www.cfc-cafc.gc.ca/pol-leg/hist/firearms/default_e.asp)  
<sup>19</sup> See Marie Gannon (2001) for a thorough discussion of the differences in measurement of crime rates in the United States and Canada.  
<sup>20</sup> This estimate was confirmed in a more thorough audit four years later (Fraser 2006).

persons, the Ministry discontinued background investigations in order to speed up the protracted process (Breitkreuz 2004). This was one of the reasons that the RCMP announced it does not trust the information in the registry (Fraser 2002, chapter 11).

An even more serious problem is that the security of the firearm registry has come under question after a series of large-scale robberies from gun collectors and gun shops in southern Ontario. These robberies appear to have been specifically directed by criminals who had access to inside information about the locations of gun collections (Bonokoski 2006, p. 10; Tibbits 2006, p. A10).

The countries considered to this point merely attempted to restrict certain types of firearms or to register firearms. A critical reader may well ask whether a more thorough firearms ban would have been more effective. The next two countries to be discussed will evaluate the effectiveness of firearm bans. In the 1970s, both the Republic of Ireland and Jamaica passed legislation in order to prohibit virtually all firearms. These countries did not simply regulate firearms, or ban a particular type of dangerous firearm, but instead they attempted a comprehensive ban of nearly all firearms. Each did so in a desperate effort to break the spiral of violence that had infected it. Each of these countries has serious problems with organized crime or terrorists that a gun ban does not address.

### **The Republic of Ireland**

Concerned with the rapid rise of sectarian violence in Northern Ireland, on 2<sup>nd</sup> August 1972 the Irish Republic issued a Firearms Temporary Custody Order under the extraordinary powers it had given itself in the 1964 Firearms Act, Clause 4. It required no debate in Parliament; it became Law as soon as the Minister for Justice issued the Order.<sup>21</sup> Virtually all firearms were required to be surrendered to the authorities within three days.

Even though the Irish Republic was not hit as hard as its northern neighbour, the threat was perceived as very real and the Irish Government claimed that the risk of the IRA stealing firearms from private homes justified the Custody Order<sup>22</sup>. Despite the firearms ban, the number of murders in the Republic of Ireland doubled with the introduction of the Custody Order. Prior to 1972, there were an average of no more than 13 murders per year; but in 1972, the number jumped to 28 murders, and the average remained at this level for the next 20 years, when it started to rise again to its present

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<sup>21</sup> This legislation included all handguns, including air guns, and all rifles over .22 caliber. Thus shotguns and .22 rifles were excluded.

<sup>22</sup> The recent 30-year period of violence, colloquially called “The Troubles”, began with Civil Rights marches in 1968, but rapidly escalated into extreme violence. Murder in Northern Ireland jumped from 5 per year up to 1968, to 123 in 1971, and then to 376 in 1972.

level of about 45 murders per year (Brewer et al. 1997; Garda Stochana 2006).<sup>23</sup> Even more troubling, the murder of police officers rose dramatically as well. When Officer Fallon was murdered in 1970, with an illegal pistol, it was the first murder of a police officer for 28 years; but in the 29 years that followed, another 13 officers were murdered, all with illegally-held firearms. With a substantially static population, these figures represent dramatic rate increases. Apart from allowing small calibre hunting rifles (calibres up to .270) in 1993, the Firearm Custody Order continued to be enforced right up until 2004 (Bernard 2005)<sup>24</sup>.

Clearly, the evidence linking the doubling of the murder rate to the introduction of the Custody Order is only circumstantial. Nevertheless it can clearly be seen from Figure 6 that government efforts, including the Draconian Firearms Custody Order and its extension for 32 years, certainly did not bring the murder rate down.

Other violent crimes have also increased over the past thirty or so years. For example, the number of robberies (including thefts) jumped up from under 500 per year in the early 1970s to over 2,000 per year in the early 1980s, and even hit 3,500 in 1995. There were over 4,000 robberies in 2005, the most recent year for which statistics are available.

In hindsight, it appears difficult to believe that banning and confiscating firearms from target shooters, hunters and farmers could ever have been imagined to be a successful strategy to combat an organized group of terrorists such as the IRA. Nevertheless the Irish government and police steadfastly pursued it for 32 years, regardless of its questionable legality, until forced to abandon it by legal action<sup>25</sup>.

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Figure 6. Murder trend in the Republic of Ireland

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<sup>23</sup> Murder statistics for the Republic of Ireland are given as raw frequencies rather than rates per 100,000 population. In this way we can avoid any possible error introduced from over (or under) estimating annual population increases. The Republic of Ireland has grown but slowly over the past thirty years; the population has only increased by 3 per cent over the past 15 years.

<sup>24</sup> I am indebted to Mr. Derek Bernard for supplying the information about the murder of Officer Fallon and the detailed nature of the Irish firearms laws. Personal communication, Derek Bernard, October 27, 2005.

<sup>25</sup> This legislation has recently been overturned in an Irish court. At the time of writing, the Custody Order and associated firearm ban has gone, only to be replaced by massive obstructionism and delay, defended usually on the grounds that “a new Firearms Law is on the way and no new authorizations will be issued until it comes out” (private correspondence from John Sheehan).

## Jamaica

In the early 1970s, Jamaica was shocked by a horrifying increase in drug-related violence involving guns. The murder rate jumped from between 6 and 7 deaths per 100,000 population in the late 1960s to 8 per 100,000 in 1970 and then to over 11 per 100,000 by 1973. In response, the Jamaican government decided to introduce the Gun Court Act in 1974. The Gun Court was a drastic institution that eliminated many safeguards in the British legal tradition such as open hearings and trial by jury (although these were retained for capital cases). The standard, mandatory sentence for almost any firearm offence, even the illegal possession of a single cartridge, was life imprisonment. Those charged would be imprisoned without bail until tried, often for 2 years or more<sup>26</sup>.

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Figure 7. Murder Trend in Jamaica

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The results of the Jamaica Gun Court were not encouraging even though the number of murders dropped the year the Gun Court was introduced. In 1973, before the Gun Court, 227 people were murdered, and in 1974, this number fell to 195. Unfortunately, the number increased in 1975 to 266, and it increased again to 367 in 1976. Despite the continuation of draconian controls on firearms, the number of people murdered has continued to increase. In 2001, the most recent year statistics are available, there were 1,139 people murdered in Jamaica.

The raw figures do not tell the full story because of population changes. Consequently, we have calculated murder rates per 100,000 people in the general population (Francis 2001)<sup>27</sup>. As may be seen in Figure 7, the murder rate jumped more than 50 per cent from 9 per 100,000 to over 16 per 100,000 from the early 1970s to the mid-1970s and has continued to climb. Nor did the gun ban reduce gang shootings. A few years after the introduction of the Gun Court, the murder rate reached a deplorable figure of over 40 deaths per 100,000, but it soon fell back down to between 18 and 19 per 100,000 for the rest of the 1980s. The murder rate began climbing again in the 1990s until it surpassed even the previous high in 2001 with 43 murders per 100,000.

It is difficult to argue that the Gun Court was successful. Perhaps more so than most, Jamaica is a special case. The two major political parties are both rumored to have consistently employed criminal gangs to terrorize their opponents; and, as a result of political corruption, these gangs have no trouble in smuggling whatever offensive weapons they desire. In a very real sense the gangs associated with whichever party

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<sup>26</sup> In 1982 and 1983, these conditions were relaxed somewhat but they nevertheless remain draconian to the present day.

<sup>27</sup> I am indebted to Professor Emeritus Alexander Francis of the University of the Western Indies for access to his extensive time-series of crime statistics in Jamaica.

happened to be in power were above the law. Let us remember that people accused of nothing more than the ownership of a single bullet lost their most basic legal rights and were punished with sentences harsher than those served for murder in other societies. As would be expected, there is no shortage of hypotheses about who or what is to blame. Each political party blames the other, and both blame the United States. Nevertheless, it is clear that the crackdown on firearms did not manage to reduce either gun crime or criminal violence.

## Conclusion

This review of violent crime trends in the United Kingdom, Australia and Canada found that in the years following the introduction of British-style gun laws, despite massive increases in governmental bureaucracy, total homicide rates either increased or remained stable. Similar trends were observed in total violent crime. Importantly, in not one of these countries did the new gun laws appear to result in a decrease in total homicide rates despite the enormous costs to taxpayers. The situation is even clearer in the Republic of Ireland and Jamaica where violent crime, particularly murder, became much worse after the bans in both countries. Clearly, the factors driving the increasing rates of violent crime, e.g., organized crime or terrorism, were not curtailed by British-style gun laws.

The failure of British-style firearm laws to influence the total homicide rate in any of the jurisdictions examined here is suggestive but not conclusive. The causal link remains unproven. The British Home Office argues that crime would have increased even more rapidly had the gun laws not been imposed. That explanation is problematic, given the failure of British-style gun laws in other countries.

These trends contrast with the situation in the United States where there was an impressive drop in the American homicide rate and violent crime rate. Three plausible explanations have been advanced for the plummeting criminal violence. First, it is driven by concealed-carry laws. Based on impressive analyses, John Lott and David Mustard conclude that adoption of these statutes has so deterred criminals from confrontation crime as to cause murder and violent crime to fall faster in states that adopted this policy than in the states that did not (Lott 2000; Lott and Mustard 1997).<sup>28</sup> Alternatively two other American phenomena might be driving crime rates: the dramatic increase in both

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<sup>28</sup> Several critics have now replicated Lott's work using additional or different data, additional control variables, or new or different statistical techniques they deem superior to those Lott used. Interestingly, the replications all confirm Lott's general conclusions; some even find that Lott *underestimated* the crime-reductive effects of allowing good citizens to carry concealed guns. See the seven articles printed in the Oct. 2001 issue of *The Journal of Law and Economics*, vol. 44; See also Plassman & Whitley (2003). Lott (2003) reiterates and extends his earlier findings.

the prison population and the number of executions in the United States. During this time period, the prison population in the US tripled, jumping from roughly 100 prisoners per 100,000 in the late 1970s to over 300 per 100,000 people in the general population in the early 1990s (Beck and Harrison 2005). In addition, executions in the United States soared from about 5 per year in the early 1980s to more than 27 per year in the early 1990s (Bonczar and Snell 2004). None of these trends are reflected in Commonwealth countries (Langan and Farrington 1998). Further research is required to identify more precisely which elements of their approach is the most important, or whether all three elements acting in concert was necessary to reduce criminal violence.

Whatever the reason, the upshot is that violent crime in the United States, and homicide in particular, has plummeted over the past 15 years.<sup>29</sup> This paper merely scratches the surface in attempting to understand the link between firearm laws and crime rates. However, this study corroborates American research that has been unable to identify any gun law that had reduced violent crime, suicide or gun accidents (Hahn et al 2003; Wellford 2004). Much more research needs to be conducted before firm conclusions may be able to be drawn. We may need to wait for other countries to experiment with aspects of the American approach to crime to be able to determine which elements are the most effective in reducing crime: aggressive police activity, increasing prison populations, capital punishment or empowering citizens to defend themselves. Nevertheless, the failure of British-style gun laws in all of the countries examined here should give pause to anyone who imagines that efforts to impose international controls on firearms will be successful in reducing criminal or political violence.

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<sup>29</sup> These trends are easily seen in the Uniform Crime Reports (UCR) data on the website of the federal Bureau of Investigation (<http://www.fbi.gov/ucr/ucr.htm>).

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