

# **National Experiences with Firearms Regulation: Evaluating the Implications for Public Safety <sup>1</sup>**

by Gary A. Mauser  
Professor  
Institute for Canadian Urban Research Studies  
Faculty of Business Administration  
Simon Fraser University  
CANADA

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*Abstract: Activists promise that tightening up on firearm regulations will make society safer by reducing criminal violence and even suicide rates. This brief review of selected countries in the British Commonwealth suggests that recently introduced firearm legislation has failed to reduce either violent crime rates or suicide rates in any of these countries. If the goal is to improve public safety, governments are urged to seek more cost effective approaches.*

Widely televised firearm murders in France, Germany, and Switzerland in the past few years have spurred politicians in Europe to introduce changes in their countries' already strict gun laws to make them even more restrictive. Most of us will remember the headlines about a depressed student in Germany who ran amok and killed several people in his school after he'd been expelled. In both France and Switzerland, angry individuals have stormed into local councils and begun shooting legislators seemingly at random.

This is not a new story. We've seen this drama before. First, there is a horrible event, say a disturbed student shoots people in a school, or a maniac goes on a rampage in a public place. Media coverage is intense for a few weeks. Then, the government feels it must be seen as "doing something" to protect the public, so the police are given sweeping new powers, or new restrictions are introduced on owning firearms. Claims are made that the

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<sup>1</sup> A very early version was presented at the 6<sup>th</sup> Annual Civitas Conference, Vancouver, BC, Canada, April 26-28, 2002.

new firearm regulations will reduce criminal violence and create a safer society. Afterwards, the media rush off on a new story, and the public forgets. Later, there is another widely televised incident somewhere else, and the process starts over again.

This has been the pattern followed by virtually every gun law that has been introduced in the past century around the world. We've also seen this drama on television from Australia, Great Britain, Canada, and the United States, as well as other countries. It's time to pause and ask, if gun laws are expected to work to prevent criminal violence, have they actually done so?

Activists are quick to promise that tightening up on gun regulations will reduce criminal violence and make society safer. Some also imply, or even claim outright, that gun regulations will reduce suicide rates. But do they? Do increased restrictions upon firearm ownership reduce homicide rates? Armed robbery rates? Criminal violence in general? Suicide rates? In short, do firearm regulations act to create a safer society as claimed by their supporters?

If gun laws are supposed to reduce violent crime, then this must be demonstrated to be true, or gun control is no more than a hollow promise. However, criminologists admit (albeit reluctantly) that there is very little empirical support for the claim that laws designed to reduce general access to firearms reduce criminal violence.<sup>2</sup> Frequently, however, assertions that they do turn out to be wishful thinking.

This paper examines the claim that recently introduced firearm regulations, which restrict public access to firearms, create a safer society by reducing criminal violence. The question being addressed here is not whether gun laws cause a drop -- or an increase -- in firearms crime. That is a distinctly different question. It is important to note that even if firearm regulations were to cause a drop in firearms crime, since firearms violence is only

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<sup>2</sup> Perhaps the best known is Gary Kleck, in his 1997 book, on page 377, but similar statements have been made by Peter Reuter and Jenny Mouzos, in their presentation to the American Society of Criminology in 2002.

a fraction of criminal violence, often only a small fraction, other violent crimes may increase to compensate and so render society less safe.

In examining the general claim that, by reducing the access to firearms by the general public, a society can be made less criminally violent, I will examine the trends in criminal violence in selected countries that have recently introduced legislation restricting the general access to firearms. Where possible, I will compare their trends in criminal violence with the trends found in the United States.

In assessing the impact of legislative changes, it is necessary to examine changes over time. This is a *sine qua non* in linking cause with effect. Cause must precede effect. This paper will examine crime trends in each country to see if there are any changes after the introduction of the gun regulations. The crime rates selected are appropriate to evaluate how “safe” a society is: i.e., the homicide rate, the violent crime rate, and the property crime rate. In addition, I will also look at the suicide rate since activists often claim that reduced access to firearms reduces the temptation for vulnerable people to commit suicide.

Obviously, cross-national averages are irrelevant to this endeavour. This paper does not address, for example, whether the Canadian average for a particular crime rate is higher (or lower) than the United States or England. Such patterns speak to historical and cultural differences, not the effectiveness of recent firearm legislation. Only changes are pertinent to the question of interest. If the homicide rate was low before the firearm law was passed, and it continues to stay low, how can we credit the firearm law with causing the low homicide rate?

That said, the United States provides a valuable point of comparison with Europe and the Commonwealth for assessing crime rates because the criminal justice system in the United States is so unique<sup>3</sup>. Not only are criminal penalties typically more severe in the

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<sup>3</sup> For a more thorough discussion of the differences among a variety of countries and the United States, see Dave Kopel, [The Samurai, the Mountie, and the Cowboy](#), 1992,

United States, often much more severe, but also conviction and incarceration rates are usually much higher.<sup>4</sup>

Perhaps the most striking difference is that the US is one of the few countries to encourage qualified citizens to carry concealed handguns for self defence. During the past few decades, while Britain and the Commonwealth were making firearm ownership increasingly difficult, more than 25 states in the United States passed laws allowing responsible citizens to carry concealed handguns. There are now over 33 states where citizens can get such a handgun permit. As a result, the numbers of armed Americans in malls, on the street, and in their cars has grown to almost 3 million men and women. As surprising as it may seem to casual observers, these new laws appear to have caused violent crime rates to drop, including homicide rates. Professor John Lott has shown how violent crime has fallen faster in those states that have introduced concealed carry laws than in the rest of the US.<sup>5</sup>

Whatever the reason, over the past decade, violent crime rates, and homicide rates in particular, have been falling in the United States.<sup>6</sup> The drop in the US crime rate is even more impressive when compared with the rest of the world. In 18 of the 25 countries surveyed by the British Home Office, violent crime increased during the 1990s (Barclay et al, 1999). This contrast should provoke thinking people to wonder what happened in those countries where they believed that introducing more and more restrictive firearm laws would protect them from criminal violence.

The next part of the paper will examine the impact of recent firearm regulations on England and Wales, Australia, and Canada.

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<sup>4</sup> These points have been made most tellingly by Patrick Langan and David Farrington in their 1998 paper where they compare the criminal justice systems of the US with that of England and Wales. Marie Gannon also compares crime rates in the US and Canada in her 2001 paper.

<sup>5</sup> John Lott, *More Guns, Less Crime*, 2001. Despite being subjected to much empirical scrutiny by critics, his basic assertions still stand.

<sup>6</sup> These trends are easily seen in the UCR data on the FBI website. (<http://www.fbi.gov/ucr/01cius.htm>)

## England and Wales

Both Conservative and Labour governments have introduced restrictive firearm laws in Britain. The Firearms (Amendment) Act of 1988 was brought in following the Hungerford incident, and the Firearms (Amendment) Act of 1997, which banned all handguns, followed another shooting in Dunblane in 1996 (Greenwood 2001; Munday and Stevenson 1996).

Unfortunately, these Draconian firearm regulations have not curbed crime.<sup>7</sup> 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 twenty years, the homicide rate in England and Wales has been growing over the same time period. In the 1990s alone, the homicide rate jumped 50%, going from 10 per million in 1990 to 15 per million in 2000 (British Home Office 2001).<sup>8</sup>

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Figure 1 – US vs England homicide rates  
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Police statistics show that violent crime in general has increased since the late 1980s and has been more serious than in the United States since 1996.<sup>9</sup> The violent crime rate has jumped from 400 per 100,000 in 1988 to almost 1400 per 100,000 in 2000. (However, 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

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<sup>7</sup> See Joyce Malcolm's analysis, Guns and Violence: The English Experience, 2002.

<sup>8</sup> According to police statistics published by the Scottish Executive, the homicide rate in Scotland has also increased during this same time period, going from 16 per million population to 21 per million population (Scottish Executive, 2001).

<sup>9</sup> Recent survey data show a decline in violent crime, but this is not reflected in police data. See Jon Simmons et al, Crime in England and Wales, 2001/2002, July 2002.

States, they are continuing to decline (British Home Office 2001; Federal Bureau of Investigation, 2003).

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Figures 2 & 3 - US and England violent crime rates and property crime rates  
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Property crime has also grown more serious since the early 1980s. Although property crime rates have fallen back somewhat in the 1990s, they are still higher in 1997, at over 8000 per 100,000 population, than they had been in 1982, at about 6,000 per 100,000). In contrast, property crime rates are falling in the United States (British Home Office 2001; Federal Bureau of Investigation, 2003).

Suicide rates have eased somewhat in England and Wales. In 1989, age standardized mortality rates for suicide of all types was 10 per 100,000, and in 1999, it is now 9.5 per 100,000. Similarly, suicide rates in the US have also declined, even as firearm ownership has risen, going from 12.4 to 10.7 per 100,000 population (McIntosh, 2000).

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Figure 4 –Trend in suicide rates in England and Wales  
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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 example, shotgun permits have fallen almost 30% since 1988 (Greenwood 2001). The British Home Office admits that only one firearm in 10 used in homicide was legally held (British Home Office, 2001). But, there is little pressure from within bureaucratic and governmental circles to discontinue the policy of disarming responsible citizens.

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Figures 5 & 6 – increase in crime rates vs. decline in registered guns

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Clearly, there is no evidence that firearm laws have caused violent crime to fall. The firearm laws may even have increased criminal violence by disarming the general public. Despite banning and confiscating all handguns, violent crime, and firearm crime, continues to grow. The number of violent crimes involving handguns has increased from 2,600 in 1997/98 to 3,600 in 1999/00. Firearm crime has increased 200% in the past decade.

#### Australia

Following shocking killings in Tasmania by a deranged man in 1996, the Australian government brought in sweeping changes to the firearm legislation in 1997. The new firearm controls included the prohibition and confiscation of almost 600,000 semi-automatic “military style” firearms from their licensed owners as well as new licensing and registration regulations (Lawson, 1999; Reuter and Mouzos, 2002).

Unfortunately, the recent firearm regulations do not appear to have had much impact on making the streets of Australia safer. Consider homicide rates. Homicide involving firearms is declining, but the total homicide rates have remained basically flat from 1995 through to 2001 (Mouzos, 2001). However, early reports show that the national homicide rate may have begun climbing again. Mouzos (2003) reports that homicide victimization in 2001/02 increased by 20% from 2000/01. She also reports that, despite the declining firearm homicides, there is an increase in multiple victim incidents. Homicide rates remain at a historic high. Shortly after World War II, the Australian homicide rate was around 1 per 100,000. Since then, it has climbed until it peaked at 2.4 in 1988 (Graycar, 2001).

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Figure 7 – Trend in Australian homicide rate  
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The decline in homicide rate in the United States stands out against the flat or even increasing homicide rate in Australia.

The divergence between Australia and the United States is even more apparent with violent crime. While violent crime is decreasing in the United States, it is increasing in Australia. Over the past 6 years, the overall Australian violent crime rate continues to increase. Both assault and robbery show no signs of decreasing (AIC, 2003). It is too early to tell whether the gun ban has exacerbated the problem or simply not had any effect.

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Figures 8 & 9 – Trends in Australian Robbery and Violent Crime  
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Recent changes in the firearm law appear to have had no impact upon the suicide rate (ABS, 2001). Despite the new prohibitions and firearm buybacks, the suicide rate in Australia continues to increase. This contrasts with the slight decline in suicide rates in the United States even while firearm availability continues to increase.

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Figure 10 – increase in Australian suicide rates  
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The destruction of the confiscated firearms cost Australian taxpayers an estimated \$A 500 million, and has had no visible impact on violent crime (Lawson, 1999). Robbery and armed robbery rates continue to rise. Armed robbery has increased 166% nationwide -- jumping from 30 per 100,000 in 1996 to 50 per 100,000 in 1999 (AIC, 2001; Mouzos and

Carcach, 2001). The homicide rate has not declined, and the share of firearm homicide involving handguns has doubled in the past five years (Mouzos 2001). The proposed solution to the failure of gun regulations is banning handguns, even though, as in Great Britain and Canada, few firearms used in homicide are legally held; in 99/00 only 12 out of 65 (18%) were identified as being misused by their legal owner (Mouzos 2001).

## Canada

In response to the horrific murders at the University of Montreal, Canada twice introduced sweeping changes to its firearms laws, first, in 1991, under the Conservative government, and then again in 1995, before the first changes had been fully implemented, under the Liberals. The 1995 Firearms Act is still being phased in.

The Canadian government uses the falling homicide rate, and the falling rate of violent crime, to support the claim that firearm laws are working to reduce criminal violence. Unfortunately for this argument, the homicide rate has been falling as fast or faster in the United States, where during the same time frame, more than 25 states have introduced less restrictive firearm laws. The homicide rate in the US has fallen from 10.5 per 100,000 in 1991 to 6.1 per 100,000, while the Canadian rate has fallen from 2.7 per 100,000 to 1.8.

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Figure 11 – US vs. Canadian homicide rates  
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The contrast between the criminal violence rates in the US and in Canada is much more dramatic. Over the past decade, the Canadian violent crime rate has increased, while in

the US during the same time period, the violent crime rate has slid from 600 per 100,000 to 500 per 100,000 (Gannon 2001).<sup>10</sup>

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 Figure 12 – US vs. Canadian violent crime rates  
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Firearm legislation has little to do with the drop in the homicide rate in Canada. This is clearly shown in a study that Professor Richard Holmes and I did, where we found that firearm legislation had no significant impact on the homicide rate (Mauser and Holmes 1992).<sup>11</sup>

Nor is firearm legislation operating to reduce other violent crimes. Professor Dennis Maki and I have shown that this legislation may even have caused an increase in armed robbery (Mauser and Maki, 2003). Both of these studies are econometric analyses, and the model attempts to account for the most important other factors as “co-variates.” In the most recent study, we found that once we factored out the effects of the other variables, the Canadian gun law still had a significant effect. Unfortunately, this effect was positive, that is to say, the gun law acted to increase criminal violence.

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 Figures 13 & 14 - M&H and M&M t-test tables  
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Nearly identical trends are seen in property crime rates declining in both Canada and in the United States.

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<sup>10</sup> The comparison here shows the official statistics from both countries. Gannon (2001) constructs indices of violent crime that are more directly comparable. In her analysis, the trends in violent crime in the two countries resemble each other more closely, but her data also show that violent crime in Canada is increasing, while it is decreasing in the US.

<sup>11</sup> This study is consistent with almost all other research on Canadian firearm legislation. The only studies that have found an impact have been funded by the Canadian Department of Justice.

## Figures 15 – US vs. Canadian property crime rates

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Suicide rates are increasing in Canada but not in the United States. Interestingly, while there has been a drop in suicide involving firearms in Canada, this decline is not reflected in the total suicide rate, which continues to increase (Preville, 2003). The lack of linkage is one of the points obscured by the misleading factoid of ‘gun death.’ By creating this pseudo-scientific amalgam of suicide, homicide and accidental deaths, anti-firearm activists impede a serious understanding of the link between government policy and firearm misuse.

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## Figure 16 – Firearms and Suicide in Canada

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The Canadian experiment with firearm regulation is moving to farce. Originally claimed to cost only \$2 million (Canadian), the Auditor General reported that the effort to register all firearms has now topped one billion dollars (Canadian). The final costs are unknown, but if the costs of enforcement are included, estimates now reach three billion dollars (Canadian).

## Conclusion

This brief review of gun laws of a few countries in the British Commonwealth suggests that restrictive firearm legislation has failed to reduce violent crime. However, more research needs to be done before we can draw this conclusion with confidence. For the most part, this paper merely examines simple two-way analyses. Not only must this analysis be extended to a larger number of countries, but more econometric studies are

needed in order to disentangle the complex events that occurred at the same time that new firearm laws were introduced.

Nevertheless, the results strongly suggest that disarming the public has not reduced criminal violence in any country examined here: not Great Britain, not Canada, and not Australia. In all cases, the means of public disarmament have been ineffective, expensive, and more than irritating to those victimized. In all cases, the means have involved setting up expensive bureaucracies that produce scant improvement to public safety. Disarming the public greatly increases the cynicism about government among much of the population, and it diminishes their willingness to comply with other, future regulations that might even be more sensible. The sense of alienation grows with the severity of the restrictions and with the ineffectiveness of their result. Unfortunately, policy dictates that the current directions will continue, and, more important, will not be examined critically. This last is a guarantee of the increase of that future alienation.

It will only worsen as the mass media become slowly aware that their bias towards the banning of guns has been misdirected, and begin shifting their attention to the large quantities of money that have been wasted in pursuit of a social engineering dream that was doomed from the start to anyone who wanted to look at these graphs presented here today – and these are becoming more and more freely available.

Only the United States has witnessed a dramatic drop in criminal violence over the past decade. One of the important reasons may be that many states in the past two decades have encouraged responsible citizens to carry concealed handguns. Perhaps it is time criminologists encouraged more individual self-reliance.

Gun laws may not reduce violent crime, but criminal violence causes gun laws. At least well-publicized crimes do. The loser in this drama is the right of all human beings to be safe. The winner is bureaucracy. Since it is a truism that only law-abiding citizens obey gun laws, or any other kind of law for that matter, it is an illusion that further tinkering with the law will protect the public. No law, no matter how restrictive it is, can protect us

from people who decide to commit violent crimes. There have always been criminals, and there have always been deranged people. Murder has been illegal for hundreds if not thousands of years. The mass media find gun crimes more newsworthy, but multiple civilian murders by arson have historically claimed more lives incident by incident than firearm-based events. The truth is we live in a dangerous world, and the government can't protect us, if for no other reason than the police can't be everywhere.

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