



# DO TRIGGERS PULL FINGERS?

A LOOK AT THE CRIMINAL  
MISUSE OF GUNS IN CANADA

Dr. Gary Mauser



July 16, 2015



**THERE IS NO CONVINCING EMPIRICAL RESEARCH SUPPORTING THE PROPOSITION THAT RESTRICTING GENERAL CIVILIAN ACCESS TO FIREARMS ACTS TO REDUCE HOMICIDE RATES.**



## EXECUTIVE SUMMARY

Advocates of restrictive gun laws contend that simply having a firearm available can precipitate violence, transforming an angry encounter into murder, or a fit of depression into an impulsive suicide. In other words: triggers pull fingers. Supporters of civilian gun ownership, on the other hand, argue that, while criminals should not have firearms, guns are a positive social force in the hands of solid citizens. Firearms are even said to be indispensable for protection and for keeping the peace.

This paper examines the available Canadian statistics on criminal misuse of firearms, searching for connections between criminal violence and civilian firearms owners. First, the paper provides a brief review of current firearms laws in Canada. Next, civilian firearms owners and criminals who misuse firearms are compared. In order to probe behind the published statistics, a number of Special Requests to Statistics Canada are reported on.

### 1 Canadian Firearms Legislation

The current firearms legislation is the 1995 Firearms Act (Bill C-68), as amended in 2012. The 1995 Firearms Act brought in owner licensing and universal firearm registration, but in 2012, the long-gun registry was scrapped, making no changes to the licensing provisions. The present firearms control regime has cost taxpayers over \$2 billion since its inception in 1995.

### 2 Civilian Firearms Owners

The results demonstrate stark differences between civilian firearms owners and those who commit violent crimes with firearms. Law-abiding firearms owners are exemplary middle class Canadians, in that they are employed, tax-paying, law-abiding, contributing citizens. Demographically, civilian gun owners are solid citizens who contribute substantially to their communities. Historically, armed civilians have played crucial leadership roles in their communities, including protecting the country from attack.

The primary reason (73%) Canadians give for owning a firearm is hunting. Around one quarter of the adult population in Canada has hunted at some time in their lives. Surveys find that more hunters (55%) live in urban Canada today than in rural Canada (45%). The best estimate is that there are between 3 and 3.5 million upstanding Canadian residents who personally own firearms, whether or not they have obtained a firearms license.

Organized hunters founded the North American model of wildlife conservation early in the 20th century. The result is that North America has the most successful conservation policy on any continent and this success can be traced to the popularization of hunting and widespread civilian firearm ownership.

Despite professional police forces, Canadians still need to take personal responsibility for protecting themselves and their families from violence. All of us have some degree of vulnerability to attack from criminals or wild animals. Surveys find that Canadians use firearms to protect themselves or their families between 60,000 and 80,000 times per year from dangerous people or animals. More importantly, between 19,000 and 37,500 of these incidents involve defence against human threats. The mere presence of a firearm is often sufficient to deter criminal aggression.

Law-abiding gun owners are much less likely to be murderous than other Canadians. Over the 16-year period (1997-2012), a Special Request to Statistics Canada found that licensed gun owners had a homicide rate of 0.60 per 100,000 licensed gun owners. Over the same period, the average national homicide rate (including gun owners) was 1.81 per 100,000 people.

### 3 Criminals & Firearms

Firearms misuse is typically gang-related. In Canada, almost half (47%) of firearm homicides from 1974 to 2012 were gang-related. Lawful firearm owners are rarely involved. Analysis of a Special Request to Statistics Canada found that between 1997 and 2012, just 7% of the accused in firearms homicides had a valid firearms license (or 2% of all accused murderers).

Far from being normal, murderers are aberrant: over half (54%) of those accused of homicide have a previous criminal record, and approximately two-thirds (68%) of those have been convicted of a violent crime. In addition, 19% of accused murderers have mental disorders, and almost three quarters (72%) were under the influence of drugs or alcohol at the time of the murder.

According to police, the lion's share of "crime guns" are smuggled, primarily within the drug trade, in which drugs flow south in exchange for firearms coming north. As long as drug crime is profitable, criminals will actively bring in illegal firearms.

Scrapping the long-gun registry has not increased homicide rates or gun violence. In 2013, the first year following the demise of the registry (and the most recent year statistics are available), the homicide rate dropped 8% from the year before, falling from 1.56 to 1.44 victims per 100,000. The rate of firearm homicides was the lowest since in 40 years. The number of intimate partners who were murdered also fell from 82 in 2012 to 68 in 2013.

No methodologically solid study yet conducted has found that Canadian legislation managed to have a beneficial effect on homicide rates. Criminologists typically argue that demographics, not firearms laws, better explain the decline in Canadian homicides. Between 1990 and 2013, homicide rates in the United States fell even faster than in Canada.

### 4 Firearms & Female Spousal Violence

Firearms are involved in a small percentage of spousal homicides. Knives and other weapons are much more prevalent. In the period 1995 and 2012, 1,056 (10%) of the 10,538 homicides in Canada involved the murder of a female spouse. In the period 1995 and 2012, knives were used in 32% of the murders of female spouses, and firearms in 27%; the percentage for all homicides over the same time period is knives were used in 31% and firearms in another 31%.

The long-gun registry had no discernible effect on spousal murder rates. Registration and licensing are rarely of use to police to solve spousal homicides because in almost all such cases the murderer is immediately identified, so there is no need for such information, and secondly, few firearms used by abusive spouses to kill their wives are possessed legally.

## 5 Multiple-Victim Murders

Multiple-victim murders are rare, constituting about four percent (4.2%) of homicides since 1974, when records began to be kept; almost half (46%) were shootings. A special request to Statistics Canada found that the frequency of multiple-victim murders, including shootings, has gradually declined since the 1970s. This decrease does not appear to be driven by the firearm laws. If it had been then the drop in shootings would have been steeper than that of overall multiple-victim murders.

## 6 International Research

The Canadian findings are consistent with international research. There is no convincing empirical research supporting the proposition that restricting general civilian access to firearms acts to reduce homicide rates. This study briefly reviewed the effectiveness of gun control measures in Australia, Jamaica, Republic of Ireland, the United Kingdom and the United States. Jamaica and the Republic of Ireland are particularly instructive. Both countries attempted sweeping firearms bans in the 1970s, but homicide rates continued to increase dramatically.

## 7 Conclusions

In sum, triggers have not been found to pull fingers. The general availability of firearms does not stimulate criminal violence. The statistics demonstrate stark differences between civilian firearms owners and violent criminals. Every home has many objects, such as hammers or kitchen knives, that are available for use in assault or murder if residents are so inclined.

## Introduction

Gun control will be an important wedge issue again in the 2015 federal election—as it has been for at least two decades. The Conservatives have repeatedly tossed this cat amongst the pigeons, first with Bill C-42, “The Common Sense Firearms Regulation Act,”<sup>1</sup> and then more recently with the Prime Minister’s provocative comments about the defensive uses of firearms. Prime Minister Harper’s comments in Saskatchewan on the usefulness of firearms for security stimulated both NDP Leader Thomas Mulcair and Wayne Easter, the Liberal public safety critic, to warn about the dangers of firearms in hands of civilians and the risk of “vigilantism.”<sup>2</sup>

Bill C-42 would amend the existing Firearms Act by streamlining regulations that are arguably overly complex. Specifically, Bill C-42 relaxes a few of the conditions attached to firearm licences, such as merging Possession Only Licences (POL) with Possession and Acquisition Licences (PAL), introducing a grace period for licence renewal, putting common and coherent controls on both Provincial Firearms Officers and the RCMP, and attaching Transportation Authorizations to PALs. The government argues that the bill does not reduce safeguards for public safety, while critics contend that these changes are likely to increase criminal violence, particularly the use of guns in domestic disputes.

Based on analysis of Canadian statistics, such fears appear misplaced. In 2013, the first year following the demise of the long-gun registry (and the most recent year statistics are available), the homicide rate dropped 8% from the year before, falling from 1.56 to 1.44 victims per 100,000. There were 41 fewer firearms murders in 2013 than in 2012 and the rate of firearm homicides was the lowest in 40 years. The number of intimate partners who were murdered also fell from 82 in 2012 to 68 in 2013.<sup>3</sup> So far at least, scrapping the registry has not increased homicide rates or gun violence, which suggests that Bill C-42 would not have a noticeable effect either.<sup>4</sup>

Arguments over gun control tend to be passionate. Advocates of restrictive gun laws contend that simply having a firearm available can precipitate violence, transforming an angry encounter into murder, or a fit of depression into an impulsive suicide.<sup>5</sup> This assumes that, no matter how responsible a person may be, the mere presence of a firearm poses an overwhelming danger.<sup>6</sup> At the extreme, it is even claimed that, “triggers pull fingers.”<sup>7</sup> Not unlike stern schoolteachers who keep scissors out of the hands of little children, some progressives argue that government must strictly regulate access to firearms. These rules are said to be for public safety, and not just a partisan appeal to their base. During the debate over Bill C-42, MP Randall Garrison, NDP Public Safety critic, reflected this attitude, when he purported to see no distinction between law-abiding Canadians who own firearms and career criminals, saying, “everybody is law-abiding until they are not.”<sup>8</sup> If this susceptibility is intrinsic to the human condition, then trusting government or police appears naïve, as government employees are no less fallible than other citizens.<sup>9</sup> This view appears to not show much respect for citizens, treating otherwise responsible adults as children; namely, gun control advocates are convinced they know what is best for the public.

On the other side of the cultural divide, supporters of civilian gun ownership argue, a little less simplistically, that while criminals should not have firearms, guns are a positive social force in the hands of law-abiding, religious, community spirited, and patriotic citizens.<sup>10</sup> In this telling, citizens in a democracy are adults capable of making their own decisions, and, in any case, responsible gun ownership is a long and respected Canadian tradition. Like any tool, firearms can be misused, but they also can be used for socially valuable purposes, such as hunting and protection. Hunting has long been part of the Canadian heritage. Hunters not only provide food for their families but they are the driving force behind habitat conservation. For many Canadians, such as farmers and rural residents, firearms are indispensable for protecting farm animals from predators, such as bears or wolves, as well as for keeping peace when the police may be hours away.

Armed rural homeowners act as a deterrent to criminal activity, much as armed police do in cities. Target shooting should also not be overlooked. Like any martial art, or Olympic sport, target shooting is as valuable for building character as it is for teaching any particular skill. Moreover, in times of national threat, an armed citizenry can play an important role in defending the country from invaders—and historically they have done so.<sup>11</sup> Even before Confederation, rural Canadians have responded patriotically to their country's call for help during wartime or invasion. More recently, citizen soldiers have served with distinction in the wars during the twentieth century as well as in Afghanistan. The skills civilians gain with firearm use have proved enormously valuable.

Arguments over gun control typically entail disputing facts as much as battling over implications of alternative policy preferences. Facts are important. In order to make rational policy decisions, it is important to thoroughly master the basics. This paper will examine the statistics on criminal misuse of firearms, as well as civilian gun owners, searching for connections between criminal violence and civilian firearms. After reviewing the basic statistics, there will be a brief address of a few myths about firearms, such as the role gun controls play in diminishing the frequency of multiple-victim murders and spousal homicides.<sup>12</sup>

This paper will argue that civilian firearms owners differ considerably from violent criminals. Statistics show that civilian firearm owners are exemplary middle class Canadians, and that firearms ownership is conducive to good citizenship. Statistics Canada is a valuable resource, but, unsurprisingly, they collect many more statistics than can be published; consequently, researchers must necessarily be selective in what is made available to the public. While understandable, such selectivity can obscure reality. For example, Statistics Canada rarely publishes the number of legally held firearms that are involved in violent crime. These are revealing statistics. In order to probe behind the veil, a number of Special Requests to Statistics Canada are shown that help to clarify important questions. This paper presents the findings.

## Canadian Gun Laws

Before attempting to evaluate the proposed changes to the firearms legislation, it is important to understand the current firearms laws. How easy is it to buy a gun legally in Canada? What are the rules for lawful gun ownership? Once we grasp the basics we can ask whether relaxing the gun laws would precipitate violence or whether additional controls are needed.

The current firearms legislation is the 1995 Firearms Act (Bill C-68), as amended in 2012. The 1995 Act brought in owner licensing and universal firearm registration, but in 2012, the long-gun registry was scrapped, making no changes to licensing provisions.<sup>13</sup> The criminal legislation and regulatory framework governing simple possession of a firearm continue.<sup>14</sup> Personal information about licence holders is automatically made available to police officers via the Canadian Police Information Centre (CPIC). Police officers are trained to check CPIC before approaching an address for information about the owner and his (or her) firearms. This is a serious tactical error because the Canadian Firearms Program does not and cannot provide information on unlicensed owners or illegally held firearms. When police approach a suspicious residence, police officers should routinely assume there could be a weapon present, illegal or legal, rather than relying upon a database of demonstrably honest citizens.<sup>15</sup> Unsurprisingly, experienced police officers report that the registry is not useful to them.<sup>16</sup>

The 1995 firearms legislation is remarkable because Canada already had a strict firearm regime that had become progressively more restrictive since the 1930s, when handguns had been registered.<sup>17</sup> Prior to 1977, long guns (rifles and shotguns) had been regulated through provincial hunting regulations, while handguns were controlled under the criminal code. As part of an effort to win support from Members of Parliament to eliminate capital punishment, Parliament in 1977 amended the firearms laws to require police scrutiny for all firearm purchasers and to introduce a new crime regarding “unsafe storage of firearms.”<sup>18</sup> Also in the 1970s, the protection of property was eliminated as a suitable reason for acquiring a handgun, and owners were no longer allowed to register handguns at their business address. Without additional legislation, during the 1970s, police began to refuse permission to anyone who indicated she or he desired a firearm for self-protection (even though individuals have a natural right to use force, up to and including deadly force, to protect themselves or their family from violent attack).<sup>19</sup> Three separate representative surveys I conducted found that in a typical year tens of thousands of Canadians report using firearms to protect themselves or their families from violence.<sup>20</sup> In 1991 the firearm legislation was thoroughly overhauled, a wide range of weapons prohibited, and tighter restrictions placed on large-capacity magazines and semi-automating sporting rifles with a military appearance. The 1991 amendments brought the annual cost of managing the federal firearms control system to \$15 million.<sup>21</sup>

When Bill C-68 became law in 1995 more than half of all lawfully registered handguns were classified as “prohibited” even though they had been legal for more than half a century. As well C-68 increased the penalties for a number of firearm crimes. Due to technical difficulties and bureaucratic blunders, it took until 1998 to begin implementing owner licensing and until 2001 to start registering long-guns; the cost of implementation jumped to over \$2 billion from the estimated cost of under \$2 million.<sup>22</sup> After repeated deferrals, Canadians had to register their rifles and shotguns by 2003. Beginning in 2001, firearm owners who did not have a licence, or who allowed their licence to expire, were subject to immediate arrest and their firearms confiscated.<sup>23</sup> Possession of an unregistered firearm was similarly punishable.



**THE PRESENT  
FIREARMS CONTROL  
REGIME HAS COST  
TAXPAYERS OVER  
\$2 BILLION SINCE  
ITS INCEPTION IN  
1995...**



To obtain a firearms license Canadian residents must take and pass a 20-hour course in firearms handling (costing between CAD\$100-200), pass a criminal records check, have the support of their current spouse (plus a former spouse if separated within the past two years), get the personal recommendations of two other people, fill out a four-page application, and submit a passport-type photograph. The five-year licence costs either \$60 for long-gun owners or \$80 for restricted weapons (mostly handguns). Prospective owners of restricted firearms also must take a second firearms safety course.<sup>24</sup>

In addition to requiring owners to be licensed and their firearms registered, the Firearms Act of 1995 increased police powers of search and seizure and expanded the types of officials who could make use of such powers. Police now had wide latitude to interpret “safe storage” regulations, and coupled with the vagueness of “potential danger to self or others,” the legislation weakened constitutionally protected rights against self-incrimination, and it imposed ever-restrictive requirements for owning a firearm.<sup>25</sup>

Each time owners of restricted firearms wish to take a firearm to a gunsmith, gun show, or target range they must request an Authorization to Transport. Virtually all of these requests are granted. In contrast, transportation and carry permits for protection are limited to a handful of people, such as retired police, judges, and prospectors.

The present firearms control regime has cost taxpayers over \$2 billion since its inception in 1995;<sup>26</sup> cost overruns were so outrageous that in 2006 Parliament limited funding to a maximum of \$80 million per year.<sup>27</sup> Program costs came largely from unexpected consequences of registration. Registering firearms proved to be vastly more complex than civil servants in the Justice Department had believed. The ineptitude of this part of the Canadian bureaucracy became an international embarrassment with the publication of a case study that carefully dissected the administrative errors and made them available on the net for students of information management.<sup>28</sup> As professor Gary Kleck has argued, firearm registration is rarely useful in solving crimes or catching criminals.<sup>29</sup> It merely results in the creation of a considerable bureaucracy and a concomitant black hole of spending that achieves nothing more than busywork, keeping track of the guns owned by responsible citizens.

## Civilian Firearms Owners

Demographically, civilian gun owners are solid middle-class Canadians. They could be characterized as 'Tim Hortons Canadians' in contrast to 'Starbucks yuppies.' Surveys find that firearms owners are older, somewhat less well educated than the average, but with a higher annual income (see Table 1). Rifle owners tend to be hunters who are well-paid skilled tradesmen, such as electricians, machinists, or loggers. Shotgun and handgun owners are generally white-collar professionals, such as medical doctors, bank officials, or administrators who own firearms for target shooting. This profile is that of the "middle class." While gun owners are predominantly male, women are increasingly taking up hunting and the shooting sports. In BC, for example, one-quarter of recent graduates from hunter-training courses are women.<sup>30</sup>

(See Table 1. Demographic profile of firearm owners and general population)

Civilian gun owners are the heart of traditional Canada. The primary reason (73%) Canadians give for owning a firearm is for hunting. The second most popular reason is target shooting (13%).<sup>31</sup> See Table 2. The Canadian Nature Survey found that 8% of Canadians reported that they had gone hunting during the past 12 months. Around 23% of the adult population in Canada has hunted at some time in their lives. At the same time, surveys find that more hunters (55%) live in urban Canada today than in rural Canada (45%).<sup>32</sup>

(See Table 2. Reasons for owning a firearm)

Firearms ownership and hunting are an intrinsic part of small-town life in both Canada and the United States.<sup>33</sup> Growing up in a small town, young children are typically taught how to use firearms responsibly by their parents before taking formal firearms safety classes when older. Learning about firearms from one's parents tends to protect children against delinquency.<sup>34</sup> The small-town hunting culture is more traditional than urban Canada; for example, residents tend to be more religious and patriotic.<sup>35</sup> In this culture, firearms are viewed as tools, much like chain saws or knives, in that they must be treated with respect, and to be used primarily for gathering food for the family. Small towns have lower homicide rates (as well as lower rates of firearm homicide) than large Canadian urban centres or Native Reserves.<sup>36</sup>

(See Table 3. Homicide Rates and Community Size)

For many reasons it is difficult to know with any precision how many civilians own firearms. According to the Canada Firearm Program (CFP), there were 1.96 million licensed firearm owners in 2014. The number of unlicensed gun owners is unknown. Given the bureaucratic awkwardness involved in getting a firearm licence, many otherwise law-abiding people may not have bothered to do so.<sup>37</sup> Telephone surveys produce higher estimates of civilian firearms owners than the CFP, about 3 million, but because of privacy concerns, telephone surveys are necessarily underestimates.<sup>38</sup> The best estimate is that there are between 3 and 3.5 million Canadian residents who personally own firearms, whether or not they have obtained a firearms licence.<sup>39</sup>

Organized hunters are the unheralded heroes of conservation and not just for quarry species but for entire habitats. It is not widely known, but hunters founded the North American model of wildlife conservation early in the 20<sup>th</sup> century.<sup>40</sup> The result is that North America has the most successful conservation policies of any continent and this success can be traced to the popularization of hunting and widespread civilian firearm ownership. Hunters are motivated to provide the bulk of the funding for wildlife conservation, not just because they love the outdoors and want to preserve the wilderness, but also because they view themselves as part owners of wildlife. Hunting in Asia, Europe, and Africa is limited to the elite, which in turn limits the commitment of most people to protecting wildlife or wildlife habitat. This has resulted in destructive practices that threaten wildlife on those continents.<sup>41</sup>

Firearms ownership entails responsibility. The shooting sports have vigorously campaigned for firearms safety at least since the late 1800s. In North America, hunting organizations lobbied state and provincial government to introduce mandatory hunter training.<sup>42</sup> As a result, hunting accidents, including shootings, have dropped precipitously since hunter training became mandatory in the 1960s.<sup>43</sup>

For more than one hundred years, hunters have been the driving force behind wildlife conservation. In most provinces, fees from hunting licences are equal to or greater than provincial budgets for wildlife management. Expenditures on hunting help drive the economy.<sup>44</sup> In addition, hunters continue to be among the most generous contributors of their time and money to environmental conservation. Ducks Unlimited Canada spent \$68.5 million in 2013 on conservation projects. Since 1984, the Rocky Mountain Elk Foundation and its partners have conserved or enhanced more than 6.4 million acres of North American wilderness.<sup>45</sup> Members of provincial hunting organizations, such as B.C. Wildlife Federation and Ontario Federation of Anglers and Hunters, have contributed CAD\$335 million over a fifteen-year period (1985-2000) to habitat conservation projects in Canada. This amount is in addition to the approximately CAD\$600 million in licence fees collected from hunters over this same period that are used to support provincial and federal programs. This sum does not include another CAD\$600 million spent by hunters on equipment, travel, lodging and other expenses directly related to hunting activities over this 15 year period.<sup>46</sup>

Contemporary Canadians have inherited a long history of responsible civilian firearms ownership. Early French and English settlers needed firearms not only to provide for themselves and their families, but also for protection against animal or criminal attacks.<sup>47</sup> Throughout the 17<sup>th</sup> and 18<sup>th</sup> centuries subsistence hunting was essential for many settlers in both British North America and New France. Beginning in the 19<sup>th</sup> century, hunting became less important for providing food for Canadians but was still widely practised. It is very difficult to know just how extensive firearms ownership was in British North America before Confederation. Much more research needs to be conducted on diaries and wills before an accurate count can emerge. Unlike in the United States, there is not the political drive for such research. What work has been done suggests that firearm ownership was quite popular in British North America in the 18<sup>th</sup> and 19<sup>th</sup> centuries, if not as universal as in the United States.<sup>48</sup>

Even before Confederation, both French and British colonies encouraged widespread rifle ownership for defensive purposes in conflicts with Aboriginals. In view of the vulnerability of settlements in British North America, colonial militia laws often required men to own and use firearms.<sup>49</sup> By the middle of the 18<sup>th</sup> century, both Nova Scotia and New Brunswick felt it necessary to require male settlers to be actively involved in the militia and to have them provide their own firearms. The militia laws in both Upper and Lower Canada were similar but did not require firearms ownership.<sup>50</sup> Firearms perhaps were not as ubiquitous in British North America as they were in the United States, but firearms still played an important role in protecting communities from attack and in keeping the peace.<sup>51</sup>

After Confederation, the new government continued to encourage civilians to own rifles, primarily for national defence, but also for personal use.<sup>52</sup> The Militia Act of 1868 encouraged volunteer service by providing rifles, and the Dominion of Canada Rifle Association was formed at the same time to stimulate improvements in marksmanship with regular tournaments. The importance of the civilian militia increased as Britain accelerated the withdrawal of its regular troops from Canada in the latter part of the 19<sup>th</sup> century. Governments continued to encourage civilian firearms ownership throughout the 19<sup>th</sup> century, and continuing into the 20<sup>th</sup> century, citizen firearms owners were valued for their contributions to the military needs of the British Empire.<sup>53</sup>

Despite the vast improvement in public safety since Confederation, Canadians still have the right to take personal responsibility for protecting themselves and their families from violence. A low crime rate does not mean no crime. Some people have more dangerous lives than others, and all of us have some degree of vulnerability to criminal attack.<sup>54</sup>

According to the Criminal Code, Canadians have the right to use deadly force to protect themselves from serious injury or death.<sup>55</sup> Surveys find that Canadians use firearms to protect themselves or their families between 60,000 and 80,000 times per year from dangerous people or animals. More importantly, between 19,000 and 37,500 of these incidents involve defence against human threats.<sup>56</sup> The police are the best available bulwark against criminal violence, but they cannot be everywhere. In any case, they have no legal responsibility for protecting particular individuals.<sup>57</sup> In comparison with the number of households with firearms, the frequency Canadians use firearms to defend themselves against human threats is somewhat less than that of Americans. Policy makers in both the United States and in Canada should be aware that private ownership of firearms has benefits as well as costs for society. Even with lower Canadian rates, the numbers of people who use firearms for self-protection remain substantial and firearms restrictions may cost more lives than they save.

As solid citizens, law-abiding gun owners are much less likely to be violent than other Canadians. Firearm owners have been screened for criminal records since 1979, and it has been illegal since 1992 for people with a violent record to own a firearm. Gun owners may be compared with other Canadians by calculating the homicide rate per 100,000. Statistics Canada reports that 194 licensed gun owners were accused of committing murder over the 16-year period (1997-2012), or an average of 12 owners per year out of an annual average of 2 million licensed firearms owners. This gives a homicide rate of 0.60 per 100,000 licensed gun owners. Over the same 16-year period, there were 9,315 homicides in total, or an average national homicide rate of 1.81 per 100,000 people in the general population (including gun owners). In other words, Canadians who do not have a firearms license are three times more likely to commit murder than those who have a license.<sup>58</sup>



**CRIMINOLOGISTS TYPICALLY ARGUE THAT DEMOGRAPHICS, NOT FIREARMS LAWS, BETTER EXPLAIN THE DECLINE IN CANADIAN HOMICIDES.**



## Criminals & Firearms

Firearms misuse is typically gang-related. In Canada, almost half (47%) of firearm homicides from 1974-2012 were gang-related.<sup>59</sup> Gang-related homicides have plateaued recently, but they have increased drastically from the early 1990s. As shown in Chart 1, gang-related homicides have increased from under 10% of all homicides before firearms licensing to an average of 18% in the past five years (2009-2013).

(See Chart 1. Gang-related homicides (1993-2013))

In 2013 (the most recent year statistics are available), firearms were used in 27% of homicides,<sup>60</sup> but lawful firearm owners are rarely involved. Just 7% of the accused in firearms homicides had a valid firearms licence (or 2% of all accused murderers).<sup>61</sup> Far from being normal, murderers are aberrant: over half (54%) of those accused of homicide have a previous criminal record, and approximately two-thirds (68%) of those have been convicted of a violent crime. In addition, 19% of accused murderers have mental disorders, and almost three-quarters (72%) were under the influence of drugs or alcohol at the time of the murder.<sup>62</sup> Such people cannot legally own a firearm.

According to the police, “crime guns” are smuggled primarily within the drug trade, where drugs flow south in exchange for firearms coming north. The Vancouver Police claim that 99% of crime guns are smuggled, while former Toronto Police Chief Bill Blair stated that 70% of illegal firearms in Canada were trafficked.<sup>63</sup> Smuggling is almost impossible to stop since the US-Canadian border is one of the busiest in the world, and the Canadian Border Services Agency cannot check very many of the millions of shipments that cross the border every day.<sup>64</sup> It is important to note, however, that similar problems occur with gun smuggling in island nations like the United Kingdom and Australia as well as in high-density gun-banning cities such as New York City. As long as drug crime is profitable, criminals will actively bring in illegal firearms. Clearly, legislation controlling the actions of the law-abiding cannot affect this.

A glance at the decreasing homicide rates in Canada since 1990 might suggest that the increasingly restrictive gun laws might have been responsible, but such an implication founders when considering that homicide rates in the United States fell even faster over the same time period. How could that happen? Clearly, the US did not have the supposed benefit of Canadian firearms restrictions. Moreover, the drop in American homicide rates happened in spite of (or perhaps because of) an astonishing increase in the number of Americans who now have a permit to carry concealed handguns—jumping from two million to over 11 million.<sup>65</sup> Apparently, fears about the consequences of allowing ordinary citizens to have access to firearms are misdirected.

(see Chart 2. Trend in US and Canadian homicide rates)

There is no credible evidence that either owner licensing or firearm registration has had any influence on homicide rates, nor on the frequency of gang killings, or spousal murders. The most methodologically solid study yet conducted found that no Canadian legislation managed to have a beneficial effect on homicide rates.<sup>66</sup> In this study, Dr. Langmann used three statistical methods to search for associated effects of firearms legislation: specifically: interrupted time series regression, ARIMA, and Joinpoint analysis. In order to isolate the effects of the legislation, a number of control factors were introduced. The control factors that were found to be associated with homicide rates were median age, unemployment, immigration rates, percentage of the population in a low-income bracket, Gini index of income equality, population per police officer, and incarceration rate. Specifically, no significant beneficial associations between firearms legislation and homicide or spousal homicide rates were found after the passage of any of the three amendments to Canadian firearms legislation (i.e. in 1977, 1991 and 1995). Homicide rates have declined more slowly in the decade following the implementation of licensing in 2001 and the registration of long guns in 2003 than they did in the decade prior to 2001.

One explanation for the impotence of firearms legislation is that virtually all (95%) firearms used to commit murder are possessed illegally.<sup>67</sup> After more than a decade of universal licensing and registration, a pool of firearms of unknown size still exists outside of official notice. These guns are available to anyone who seeks to obtain them—whether or not they wish to use them for criminal purposes. Estimates of the total number of private firearms in Canada vary from 8 million to 11 million.<sup>68</sup> During the period (2001-2012) that long guns were registered, the number of guns registered never exceeded 8 million.<sup>69</sup>

## Firearms & Female Spousal Violence

Despite the failure to find credible evidence supporting the assertion that general access to firearms is linked with violent crime, opponents of civilian firearms ownership have argued that gun laws are effective for dealing with certain specific threats. One such claim is that guns play a central role in spousal violence. Another has to do with multiple-victim murders. Since guns are exceptionally lethal, the argument goes, restrictive gun laws are important for limiting the numbers of deaths from these types of murders. These are poignant claims, so special requests were submitted to Statistics Canada to see what light the available data could provide.

Some supporters of the long-gun registry contend that ordinary rifles and shotguns are often used in domestic homicides, and therefore they should be tightly controlled, even registered, in order to encourage responsible use as well as pinpointing anyone who has misused a firearm. This claim exaggerates the role of guns in spousal violence. Firearms are involved in a small percentage of spousal homicides. Knives and other weapons are much more prevalent. In the period 1995-2012, 1,327 (13%) of the 10,538 homicides in Canada involved the murder of a spouse. Of these victims, 1,056 (80%) were female.<sup>70</sup> The most common weapons in spousal murders are knives, not firearms. In the period 1995-2012, knives were used in 32%, other weapons accounted for 41%, and firearms were used in 27% of the murders of female spouses. Long-guns were involved in 16% of female spousal homicides in this same time period.<sup>71</sup>

The long-gun registry had no discernible effect on spousal murder rates.<sup>72</sup> As seen in Chart 3, female spousal murders (both with and without guns) have slowly been declining since the mid-1970s.<sup>73</sup> There was no detectable change in the years following 2003, the year when all long guns were required to be registered. After the long-gun registry ended in 2012, the the spousal murder rate fell from 82 victims that year to 68 the following year.<sup>74</sup> Even its supporters are disappointed in the long-gun registry, which has had ten years to demonstrate its effectiveness and, despite its high cost to taxpayers, has been unable to do so.<sup>75</sup>

(See Chart 3. Female spousal homicide by weapon, 1995-2012)

Registration and licensing are rarely of use to police to solve spousal homicides because in almost all such cases the murderer is quickly identified, so there is no need for such information, and secondly few firearms used by abusive spouses to kill their wives are possessed legally. An analysis of a Special Request to Statistics Canada found that between 1997 and 2012, only 2% of those accused of homicide had a firearm licence, and just 6% of the firearms were registered.<sup>76</sup> This is consistent with international evidence in Australia and England.<sup>77</sup>

People who are likely to murder their spouse are aberrant and unlikely to be able to qualify for a firearms licence. Approximately two-thirds of spouses (65%) accused of homicide had a history of violence involving the victim.<sup>78</sup> The majority of those known to have a Canadian criminal record had previously been convicted of violent offences. As well, over one-half of the victims were also known to have a Canadian criminal record; most had been convicted of violent offences.<sup>79</sup>

## Multiple-Victim Murders

Could gun control be useful in reducing multiple-victim murders?<sup>80</sup> Arguably, given the lethality of firearms, restricting access to firearms could be effective in reducing the numbers of multiple-victim shootings, whether or not such restrictions would effectively cause a decline in overall murder rates. Since records began to be kept in 1974, there have been seven (6.7) multiple-victim incidents on average each year through to 2010. Multiple-victim murders are rare, constituting about four percent (4.2%) of homicides. Almost half (46%) were shootings, with the proportion of shooting varying tremendously over this time period; from 0% to 100% in a given year because of the small number of incidents.<sup>81</sup>

As can be seen in Chart 4 both the frequency of multiple-victim murders, and specifically those involving firearms, have gradually declined since the 1970s, if somewhat irregularly. Multiple-victim shootings, like criminal violence in general, started dropping in the 1970s and have continued to do so. Despite this drop, it does not appear that either licensing or the long-gun registry have influenced the frequency of multiple-victim shootings or multiple-victim murders. Had the firearm laws been meaningfully effective, the decline in multiple-victim shootings would have been faster rather than slower than the drop in multiple-victim murders involving other weapons.

(See Chart 4. The number of firearm victims and victims of MVH)

Despite the decrease in frequency, multiple-victim shootings figured prominently in the news even after the long-gun registry came into force in 2003. A few examples suffice: Kimver Gill at Montreal's Dawson College in 2006, who shot and wounded 20 people, killing one; James Roszko at Mayerthorp in 2005, who shot and killed four RCMP members; and the murder of six people in an apartment building in Surrey by the Red Scorpion drug gang in 2007.

Criminologists typically argue that demographics, not firearms laws, better explain the decline in Canadian homicides.<sup>82</sup> An aging society means that a smaller proportion of the population is in the age group between 18 and 34, so there is less criminal violence, including murders.<sup>83</sup>

## International Research

There is no convincing empirical research supporting the proposition that restricting general civilian access to firearms acts to reduce homicide rates. In the United States, research sponsored by both the Centers for Disease Control and the National Research Council concluded that there is no empirical support for most common gun control measures.<sup>84</sup> In the United Kingdom, the draconian restrictions of firearms imposed in the 1990s has not brought down the murder rate. In response to horrific gun crimes, the United Kingdom tightened the laws governing civilian firearms in 1988 and again in 1997.<sup>85</sup> Police statistics show the impact of this legislation on the homicide rate in England and Wales.<sup>86</sup> As may be seen in Chart 5, the homicide rate jumped 50%, from 1.1 per 100,000 in 1990 to 1.6 per 100,000 by 2000. The homicide rate has since retreated from this higher rate, but is not yet back to pre-ban levels.<sup>87</sup>

(See Chart 5. Homicide Trend in England and Wales, 1981 - 2010/11)

Australia, like Canada, brought in stricter controls on firearms during the 1990s when homicide rates had already begun declining. In neither case are simple before-and-after comparisons adequate to justify allegations of their effectiveness. A series of studies of Australian homicide rates using a variety of methods failed to identify a link between the 1996 firearms legislation and the continuing decline in Australian homicide rates.<sup>88</sup>

Europe is often used as an example of how gun control has resulted in low homicide rates. But a closer examination does not support this claim. Not only did most European countries have low homicide rates before modern gun controls were introduced, but also homicide rates there are not higher in those countries with larger numbers of firearms in civilian hands.<sup>89</sup> Table 3 compares homicide rates with civilian gun ownership for all the countries in Europe where both statistics are available.<sup>90</sup> Historically, as well as currently, European citizens also have a need to protect themselves from criminal violence.<sup>91</sup>

(See Table 4. European homicide rates and civilian firearms)

If limited gun controls are ineffective, why not simply prohibit all (or virtually all) firearms? Both Jamaica and the Republic of Ireland attempted sweeping firearms bans in the 1970s. In 1972 the Irish Republic imposed the Custody Order, banning (and confiscating) virtually all firearms, including almost all rifles and shotguns previously owned legally.<sup>92</sup> Chart 6 shows that murders continued to increase despite the gun prohibitions.<sup>93</sup>

(See Chart 6. Murder Trend in the Republic of Ireland)

In 1974, the Jamaican government introduced the Gun Court Act that eliminated open hearings and trial by jury for firearms-related crimes.<sup>94</sup> The standard mandatory sentence for almost any firearm offence, even the illegal possession of a single cartridge, was life imprisonment. As shown in Chart 7, this approach did not deter murder rates.<sup>95</sup> In 1973, 227 people were murdered, but, despite draconian efforts, murders increased. In 2001, 1,139 people were murdered.

(See Chart 7. Murder Trend in Jamaica)

## Conclusions

In real life, triggers have not been found to pull fingers. There is no convincing evidence that the general availability of firearms stimulates or encourages criminal violence. Every home has many objects, such as hammers, poisons, or kitchen knives that are available for use in assault or murder if residents are so inclined. Spousal murderers are opportunistic in that they use whatever implements are available to them to kill. Creating an expensive bureaucracy to track one or more of these items does next to nothing to protect vulnerable women or anyone else. The evidence supports proponents of civilian gun ownership in saying that while criminals should not have firearms, guns are a positive social force in the hands of solid citizens.

Given that no solid evidence has been produced linking any of the Canadian gun laws, including the long-gun registry, to the slide in homicide rates, it is not hard to predict that passing Bill C-42 would have no measureable effect on future homicide rates, spousal murders or multiple-victim killings.

Canadian firearms misuse is typically gang-related, and legal firearm owners are rarely involved. Simple possession of a firearm remains enmeshed in a myriad of regulations backed by criminal sanctions. The available statistics are consistent with the contention that civilian firearm ownership is not associated with criminal violence. Even before firearm owners were required to have a licence, ordinary firearm owners were upstanding citizens, but licensing greatly facilitates this demonstration. Normal people are not stimulated to commit murder simply because a firearm is present any more than kitchen knives motivate cooks to kill their family. These findings are consistent with international evidence, as no methodologically sound study—in Canada or elsewhere—has found support for claims that restricting general civilian access to firearms has reduced gun violence.

Available statistics show that law-abiding gun owners are much less likely to be murderous than other Canadians. The long-gun registry did not have a measurable effect on the spousal homicide rate, partly due to the very small numbers of registered firearms involved in homicide. Trusting the registry can get police officers killed because the registry cannot alert police to the existence of unregistered guns; only about half of Canada's gunstock has been registered.

This paper has demonstrated the stark differences between civilian firearms owners and those who commit violent crimes with firearms. It is irrational to conflate civilian firearm owners with violent criminals. Civilian firearm owners are not embryonic killers—they are exemplary middle class Canadians. Firearms ownership is compatible with and conducive to good citizenship, and, accordingly, Canadian firearms owners are found to contribute substantially to their communities as responsible, law-abiding citizens. Historically, armed civilians have played crucial leadership roles in their communities, including protecting their country from invasion.

The Canadian findings are consistent with international research. Homicide rates have not been found to be higher in countries with more firearms in civilian hands. Nor is there convincing empirical support for most of the gun control measures in Australia, Jamaica, Republic of Ireland, Europe, the United Kingdom or in the United States. In sum, the proposition that restricting general civilian access to firearms acts to reduce homicide rates cannot be empirically justified.

APPENDIX

1

Table 1. Demographic profile of firearm owners and general population

	Firearm Owners	General Canadian Population
<b>Sex</b>		
Male	0.88	0.49
Female	0.12	0.51
<b>Age</b>		
18-34	15%	33%
35-54	49%	40%
55 +	34%	27%
<b>Education</b>		
High school or less	51%	43%
College or some post secondary	28%	28%
University degree	19%	30%
No response	2%	1%
<b>Household income</b>		
Under \$20,000	8%	15%
\$20,000 - \$39,999	24%	24%
\$40,000 - \$59,999	25%	19%
\$60,000 and over	33%	27%
No response	10%	15%

Note: Totals may not equal 100 per cent due to rounding

Source: Table 5, GPC Research (2001). Fall 2000  
 Estimate of Firearm Ownership. Submitted to the  
 Public Policy Forum, Ottawa, Ontario (January 2).

2

Table 2. Reasons for owning a firearm

Hunting	73%
Target shooting	13%
Pest control	8%
Collection	6%
Protection	5%
Other	12%
Total	105%

Note: The total exceeds 100% because respondents could choose more than one response

Source: Figure 11 GPC Research (2001). Fall 2000  
 Estimate of Firearm Ownership. Submitted to the  
 Public Policy Forum, Ottawa, Ontario (January 2).

3

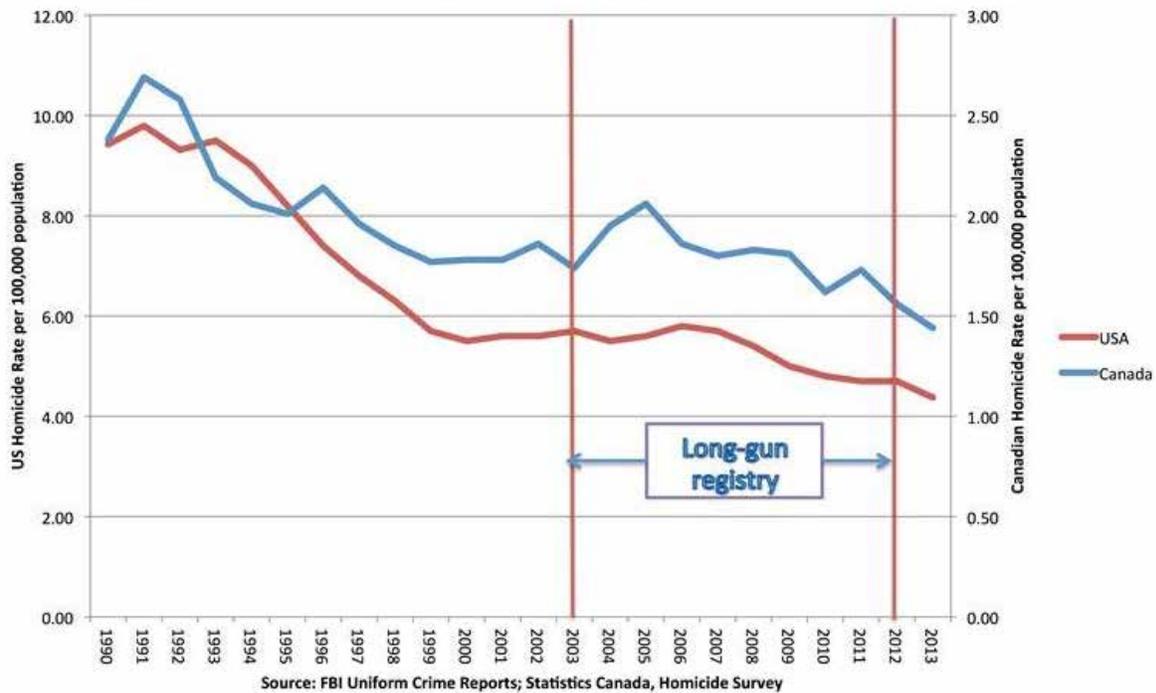
Table 3. Homicide rates and Community Size, 2007

	Total homicide rate per 100,000 population	Firearm homicide rate per 100,000 population	Population
Census Metropolitan Areas 500,000 +	2.07	0.78	16,830,499
Census Metropolitan Areas between 100,000 and 499,999	1.45	0.18	4,888,085
<b>Non-CMA Population</b>			
100,000 to 249,999	1.10	0.14	725,573
50,000 to 99,999	0.84	0.20	2,486,365
10,000 to 49,999	1.20	0.38	5,518,215
Less than 10,000	3.16	0.83	2,532,255
National homicide rate	1.80	0.55	32,976,000

Source: Special Request by Garry Breitkreuz, 14 November 2008  
Homicide Survey, Canadian Centre for Justice Statistics, Statistics Canada,  
October 2008 extraction

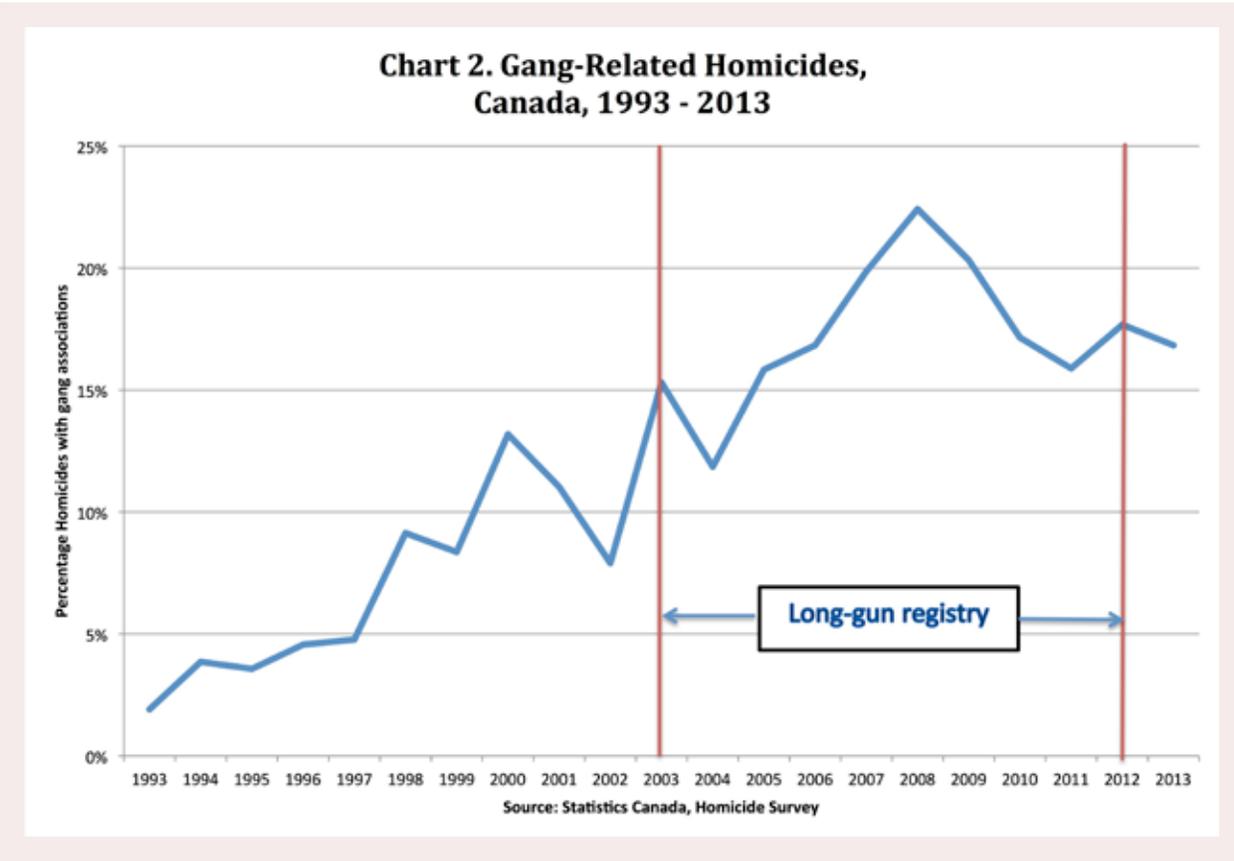
4

Chart 1. Homicide Rate Trends in the United States and Canada  
(Canada's homicide rate is given on the right; the US homicide rate on the left)



Note: The scale for the US on the left is four times greater than the scale used for Canada on the right.

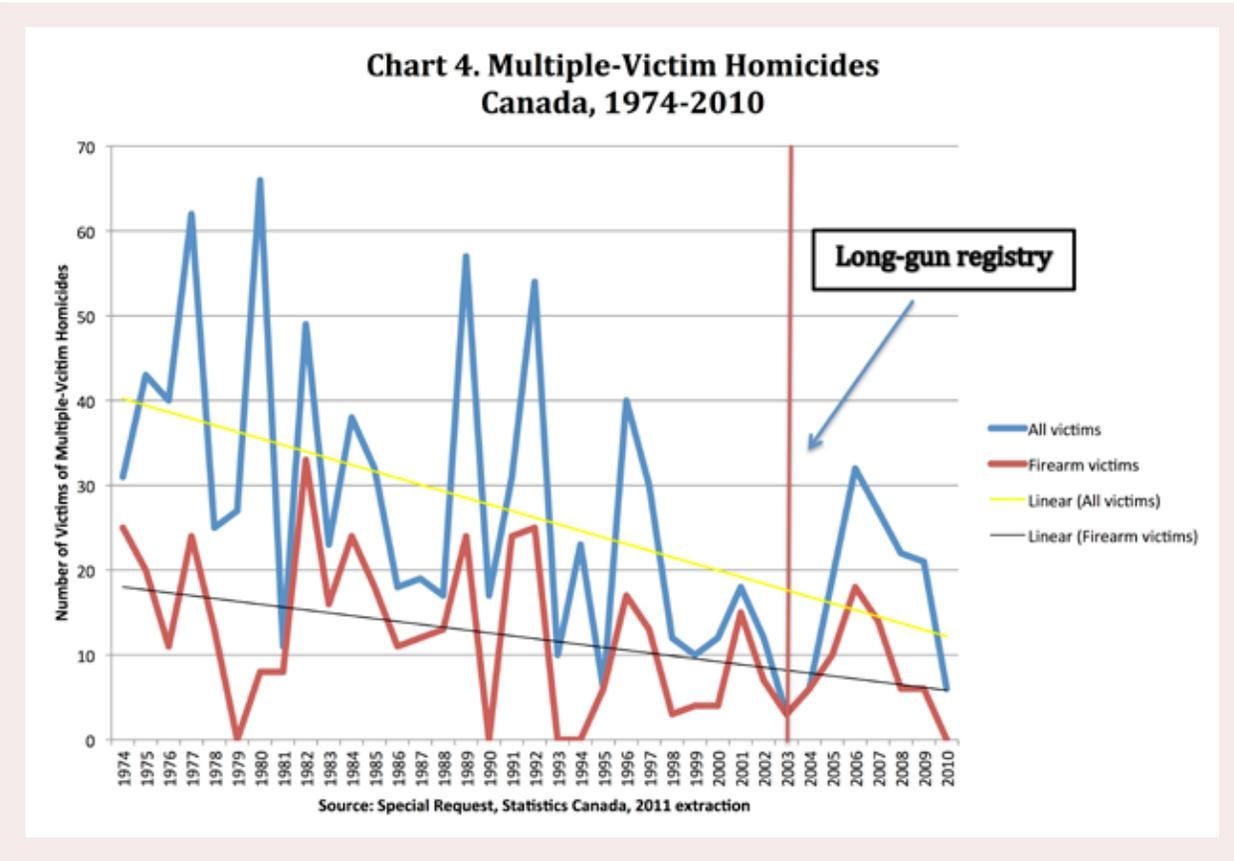
5



6



7



8

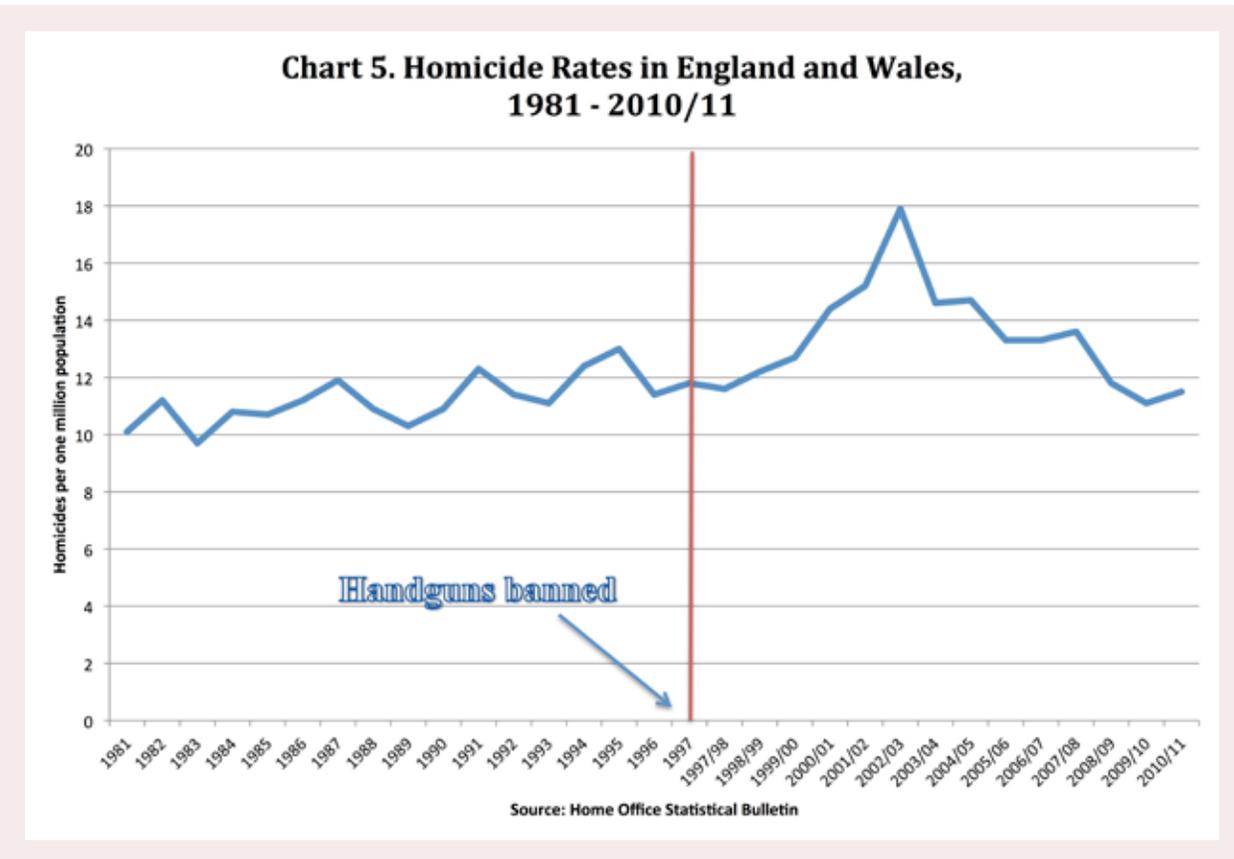


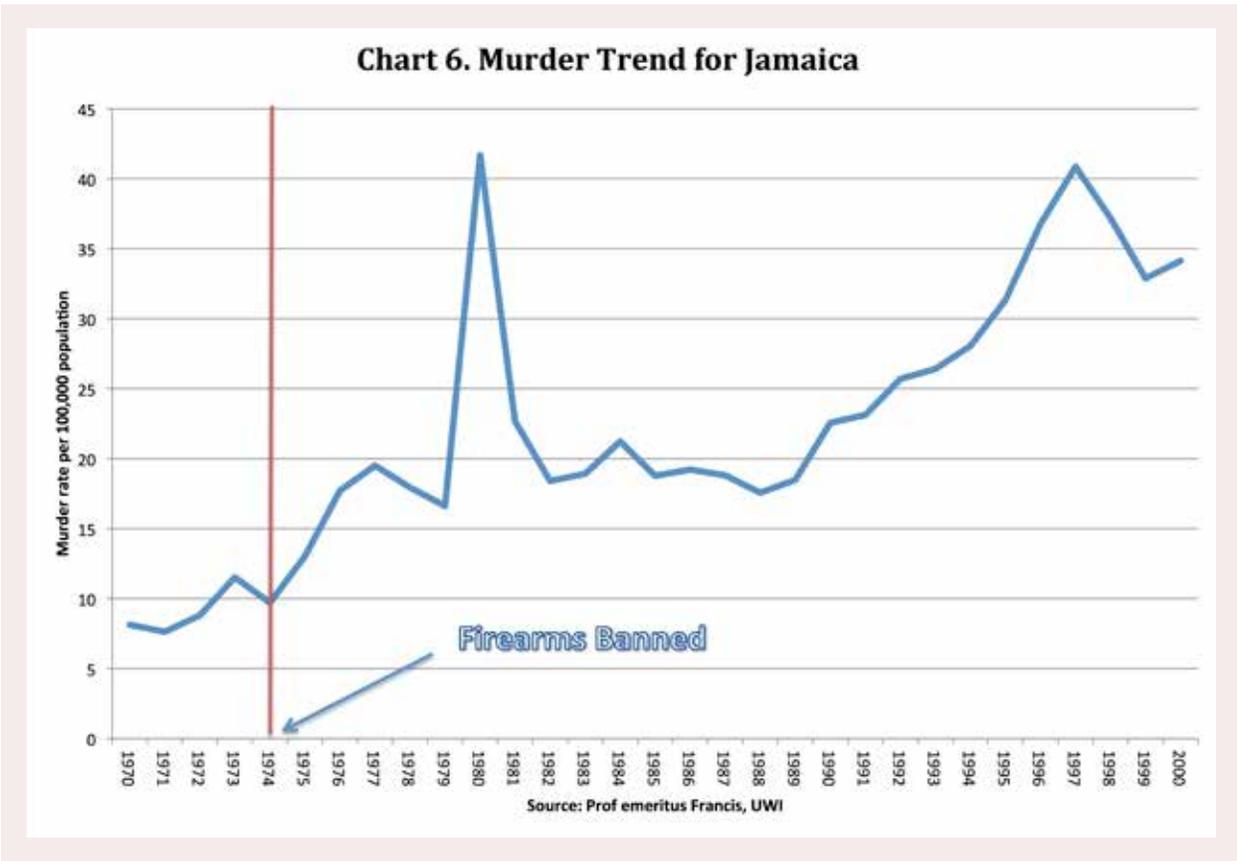
Table 4. European homicide rates and civilian firearms

Country	Homicide rate	Civilian firearms	Date of homicide
Albania	2.9	8.6	2010
Austria	0.5	30.4	2008
Belarus	5.6	7.3	2008
Belgium	1.9	17.2	2008
Bosnia and Herzegovina	1.7	17.3	2008
Bulgaria	2.3	6.2	2008
Croatia	1.6	21.7	2008
Czech Republic	1.9	16.3	2008
Denmark	1.0	12.0	2008
Estonia	6.3	9.2	2008
Finland	2.5	45.3	2008
France	1.4	31.2	2008
Germany	0.9	30.3	2008
Greece	1.2	22.5	2008
Hungary	1.5	5.5	2008
Iceland	0.0	30.3	2008
Ireland	1.1	8.6	2008
Italy	0.9	11.9	2010
Latvia	3.1	19.0	2010
Lithuania	6.6	0.7	2010
Luxembourg	2.5	15.3	2008
Macedonia	1.9	24.1	2010
Malta	1.0	11.9	2010
Montenegro	3.5	23.1	2009
Netherlands	1.1	3.9	2008
Norway	0.8	31.3	2010
Poland	1.1	1.3	2010
Portugal	1.2	8.5	2010
Republic of Moldova	7.5	7.1	2010
Romania	2.3	0.7	2008
Russian Federation	10.2	8.9	2010
Serbia	1.2	37.8	2010
Slovakia	1.5	8.3	2009
Slovenia	0.7	13.5	2010
Spain	0.8	10.4	2010
Sweden	1.0	31.6	2009
Switzerland	0.7	45.7	2010
United Kingdom	1.2	6.6	2009
Ukraine	5.2	6.6	2010

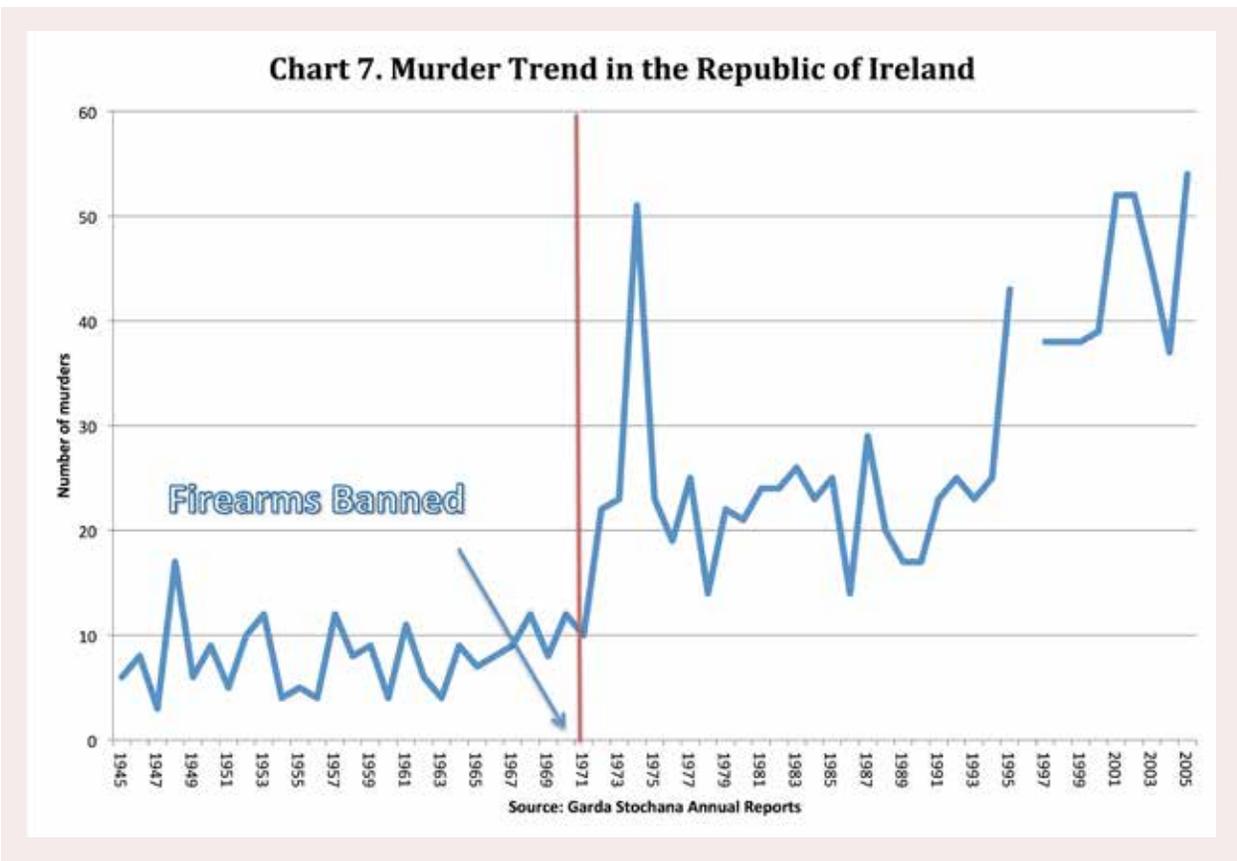
Sources: UNODC. Global Study of Homicide, 2011  
 Police reported homicide data are provided to UNODC annually by the statistical office of the European Union.  
 Number of firearms per 100 persons estimated by Swiss Small Arms Survey, 2007  
 Chapter 2, Completing the Count, Civilian Firearms, Annexe 4.

Pearson correlation -0.3542692

10



11



## ENDNOTES

- 1 [Bill C-42](#)
- 2 [Harper says guns are needed for safety and Mulcair shoots down Harper's comments.](#)
- 3 Adam Cotter, 2014. Homicide in Canada, 2013. Juristat. Statistics Canada.
- 4 Criminologists consider homicide rate as a valuable index for criminal violence because police in virtually all jurisdictions treat homicide with consistent and high-level attention. In addition, Statistics Canada collects more statistics about firearms involvement in homicides than they do with other violent crimes.
- 5 This paper focuses exclusively on criminal violence. For a discussion of the role of firearms and suicide in Canada, see Gary Mauser "Hubris in the North: The Canadian Firearms Registry," 2007, Fraser Institute, pp. 49-50, and in the United States, see Gary Kleck, Point Blank, Aldine, 1991, Chapter 6.
- 6 This assumption is widespread among public health activists. For example, Wendy Cukier and Victor W. Sidel. 2006. The Global Gun Epidemic: From Saturday Night Specials to AK-47s. Praeger.
- 7 A thorough review of the American research on gun control is found in Gary Kleck, Targeting Guns, Aldine, 1997. In Chapter 7 he discusses in-depth the research linking firearms with violent crime, including (on p 222) the famous hypothesis that, "triggers pull fingers."
- 8 Hansard. House of Commons Debates. Official Report. Vol. 147, No. 149, 2nd Session, 41st Parliament, Wednesday, November 26, 2014, p. 9839. His comment echoes the radical feminists who view all men as potential rapists. Barbara Kay cites a revealing quote from Alison Jaggar in her December 22, 2014 column in the National Post, "More rape statistics by the biased for the biased." In her 1983 book, Feminist Politics and Human Nature, a standard text in North American universities, Alison Jaggar argues that "[f]rom prehistoric times to the present, rape...is nothing more nor less than a conscious process of intimidation by which all men keep all women in a state of fear." Note, not some, but all men.
- 9 Police misconduct, up to and including shooting suspects, is an ongoing problem. Perhaps the most egregious example is the RCMP killing of a distraught Polish tourist at the Vancouver airport. [RCMP taser death at YVR.](#)
- 10 For elaborations of these benefits, see Gary Kleck, 1997, Op. cit., p. 74; John Lott, More Guns, Less Crime, 3<sup>rd</sup> Ed, 2010, U Chicago Press.
- 11 A variety of countries currently rely on armed civilians, who have received military training at some point in their lives, to serve as a national militia for defence against invasion, including Finland, Israel, Norway, Singapore, Switzerland, Taiwan, and the United States. The threat of a protracted battle with the famously well-armed Swiss militia was one of the factors that persuaded Hitler's Nazi government not to invade Switzerland; see Stephen Halbrook, Target Switzerland, Swiss Armed Neutrality In World War II, HarperCollins, 1998.
- 12 Many of these myths are promulgated by public health activists. For a thorough debunking of popular fallacies in gun control, see Gary Kleck, 1997, Op.cit. Chapter 1.
- 13 This was confirmed in the recent Supreme Court of Canada decision. [Quebec has no legal right to long-gun data](#)
- 14 For additional details see the [Canadian Firearms Program](#) website.
- 15 A police instructor at the Ontario Police Institute told me that many young officers trust CPIC to alert them about the presence of a firearm. He was concerned that this attitude dangerously confuses firearm licences with firearms.
- 16 Testimony to the Standing Committee on Public Safety and National Security, House of Commons, Tuesday, November 15, 2011 by Det Sgt Murray Grismer, and testimony to The Standing Senate Committee on Legal and Constitutional Affairs, Wednesday, March 28, 2012, by Rick Hanson, Chief, Calgary Police Service.
- 17 See the RCMP's abbreviated [History of firearms law.](#)
- 18 Friedland, M.L. (1984) A Century of Criminal Justice. Carswell, Toronto, Ontario, p. 137.
- 19 The use of violent force to protect oneself or family is recognized in Canadian law. [A reasonable perception.](#) Diverse political philosophers, including John Locke, in Two Treatises of Government, and Thomas Hobbes, in his Leviathan, have argued that the use of force to protect oneself or one's family against violent attack is an inherent natural right. This right may also be found in the Jewish Torah and the Christian Bible, in Exodus 22: 2-3, Nehemiah 4: 13, Esther 8: 11-12, as well as in Luke 22: 35-38. Scholars, such as Maimonides and Augustine, argue that the right to use deadly force in defending oneself or one's family is based on scripture. See David B. Kopel, The Torah and Self-Defense, 109 Penn State Law Review 17 (2004) and Rodger Charles, An Introduction to Catholic Social Teaching 49 (1999).
- 20 This is undoubtedly an underestimate. See G. Mauser, "Armed Self Defense: the Canadian Case," Journal of Criminal Justice, Vol. 24, No. 5, 1996, 393-406, and Gary Kleck, "Defensive Gun Use Is Not a Myth, Why my critics still have it wrong," [Politico.](#)
- 21 Garry Breitkreuz, MP. [Gun control issues.](#)
- 22 Serious problems with the overly-complex and expensive system were uncovered by the Auditor General in 2002; her investigations also resulted in criminal charges being laid for corruption. Auditor General of Canada. 2006. May Status Report of the Auditor General. Ottawa: [Chapter 4](#) Canadian Firearms Program. Queen's Printer.  
Auditor General of Canada. 2002a. December Report of the Auditor General. "Chapter 11. Other Audit Observations. Royal Canadian Mounted Police—Canadian Firearms Program." Auditor General of Canada. 2002b. April Report of the Auditor General of Canada. "Chapter 4—The Criminal Justice System: Significant Challenges." [OAG 2002 Chapter 4.](#)
- 23 Violation of criminal code Section 91(1) carries a penalty of up to five years imprisonment.
- 24 See the Canadian Firearms Program website, Op. cit.
- 25 Gary Mauser, Misfire, Firearm Registration in Canada, Fraser Institute Occasional Paper, 2001. SSRN. More recently, see Solomon Friedman's commentary in the National Post, 17 October 2011, Firearms laws deny law-abiding citizens their rights, [National Post.](#)
- 26 Lott, John Jr. and Gary Mauser. 27 March 2012. "Ask Canada—gun registration won't make D.C. safer," [National Review Online](#)
- 27 The federal cost of administering the firearms control program was \$15.5 million in 1993/94. See [Commons Debates, Garry Breitkreuz, MP, and Canada accounts.](#) I am indebted to Dennis Young, former Administrative Aide to Garry Breitkreuz, MP, for this information. Mr. Breitkreuz was an indefatigable critic of Bill C-68 for the Opposition.
- 28 Duvall, M. (July 2004). [Canada Firearms: Armed Robbery.](#) Baseline, 1, 32: 55-57.
- 29 See Gary Kleck, 1997, Op. cit., 336.
- 30 CORE Graduate Report (2010-2014), Kerry Smith, BCWF Programs Coordinator.
- 31 GPC Research (2001). Fall 2000 Estimate of Firearm Ownership. Submitted to the Public Policy Forum, Ottawa, Ontario (January 2). Since personal protection is actively discouraged by the authorities, it is likely that an unknown number of people also own firearms for protection in addition to their stated reasons of hunting or target shooting.

- 32 Federal, Provincial, and Territorial Governments of Canada. 2014. 2012 Canadian Nature Survey: Awareness, participation, and expenditures in nature-based recreation, conservation, and subsistence activities. Ottawa, ON: Canadian Councils of Resource Ministers, p 58.
- 33 Gary Kleck, 1997, *Op. cit.*, Chapter 3; Philip C. Stenning and Sharon Moyer, *Firearms Ownership and Use in Canada, A Report of Survey Findings*, 1976. Working Paper, U Toronto, 1981, Chapter 2.
- 34 A methodologically sophisticated study of adolescents in Rochester, New York found that children of legal gun owners had a lower level of delinquency than adolescents whose parents did not own firearms. “Boys who own legal firearms, however, have much lower rates of delinquency and drug use and are even slightly less delinquent than non-owners of guns. The socialization into gun ownership is also vastly different for legal and illegal gun owners. Those who own legal guns have fathers who own guns for sport and hunting.” Huizinga, David, Loeber, Rolf, and Terence P. Thornberry. *Urban Delinquency and Substance Abuse, Initial Findings, Research Summary*, Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. [NCJRS](#). See Figure 13, and discussion on page 18.
- 35 [Statistics Canada](#) finds that 82.6% of the farm population in Canada reported a religious affiliation in 2011. This was higher than the total population, in which 76.1% reported a religion affiliation. Reginald Bibby reports that Canadians living in small towns attend church services more often than do urban residents. *The Bibby Report*, (1995), *Social Trends Canadian Style*. Stoddart. p. 127. Canadian armed forces have traditionally relied upon residents in rural or small towns. [Journal Forces](#).
- 36 U-shaped distributions can yield radically different results depending upon how the categories are defined. Compare the multi-category table presented in this paper with recent reports by Statistics Canada that use fewer categories. See Northern vs. Southern regions of Canada, [Statistics Canada](#). Another Statistics Canada’s study reported homicide rates higher in “rural” areas than in large cities, “A comparison of large urban, small urban and rural crime rates, 2005,” [Urban vs. Rural Crime](#).
- 37 A complicating factor is that the definition of “owner” has a penumbra. Firearms are household property, much as the kitchen stove or television set, and are treated as such in divorce cases. Spouses own household property jointly and, as with other household property, are legally considered to be co-owners of household firearms. However, the law requires that each firearm have a single owner, although other people are allowed to use that firearm, “under direct supervision.” Firearms are seen as tools in some households, tools that may be used by any family member to put food on the table or to protect farm animals or crops. Thus, since the cost of a firearm licence is non-trivial, households may elect to licence only one member of the household, even though more than one person may use the firearm on a regular basis.
- 38 There are a variety of reasons that law-abiding people might not want to tell a stranger on the telephone that they have firearms, including ignorance and uncertainty. Not only might a respondent forget that a long-unused firearm lies ignored in a closet, but given the complexity of firearm laws, he or she might not be confident about understanding them. Anyone unsure about the legal status of their firearm would be understandably reluctant to admit its presence for fear of alerting authorities—or criminals. It is also important to remember that we live in a multi-cultural society with large numbers of recent immigrants, some of whom have emigrated from countries intolerant of civilians owning firearms. Surveys of minority groups, such as Indo-Canadians living in British Columbia or Black Americans living in Louisiana, have much higher refusal rates, as well as finding exceptionally few minority respondents (if any) who admit to owning a firearm. See Bankston, William B., Carol Y. Thompson, Quentin A.L. Jenkins, and Craig J. Forsyth, “The Influence of Fear of Crime, Gender, and Southern Culture on Carrying Firearms for Protection,” *Sociological Quarterly*, 31[2]: 287-305, 302, 1990, and Gary Mauser, unpublished research study, 2004.
- 39 This estimate excludes people with criminal records that would disqualify them from legally possessing firearms. Mauser, Gary (2005). *An Assessment of Canada’s 1995 Firearm Legislation Ten Years Later*. *Journal on Firearms and Public Policy* 17 (Fall): 1-25.
- 40 Prior to the First World War, US President Teddy Roosevelt founded the [Boone and Crocket Club](#) to promote wildlife conservation in the US.
- 41 One of the foremost advocates of the North American Model is Professor Val Geist, Professor Emeritus of Environmental Science, The University of Calgary. For more information, see, “The North American Model of Wildlife Conservation as Means of Creating Wealth, Protecting Public Health while Generating Biodiversity,” presented at the *Wildlife Conservation: In Pursuit of Ecological Sustainability Symposium*, 16-19 June 2004 Limerick, Ireland.
- 42 In 1960, Ontario was the first province in Canada to require hunters to complete [mandatory safety training](#). The other provinces soon followed. In the US, see the [National Shooting Sports Foundation](#).
- 43 Accidental firearms deaths in Canada have dropped from 143 in 1971 to 16 in 2011, the latest year statistics are available. Statistics Canada. Chapter XX: External causes of morbidity and mortality. CanSim, March 2015 extraction. The National Safety Council reports similar decreases in the US as well. See [NSC Injury Facts 2014](#).
- 44 Canadian Nature Survey, *Op. cit.*
- 45 See the websites of Ducks Unlimited Canada and the Rocky Mountain Elk Foundation for more information. As well, Canada’s provincial hunting organizations have contributed vast resources to wildlife conservation. See, for example, the websites of BC Wildlife Federation and Ontario Federation of Anglers and Hunters. In the US, the Pittman-Robertson legislation has become the touchstone for other countries that wish to have sound conservation.
- 46 Jeannene Powers, *Investors in Habitat, Hunter Contributions to Wildlife Habitat Conservation in Canada, 2000*. *Wildlife Habitat Canada*, Presented at the 2000 Premier’s Symposium on North America’s Hunting Heritage, Ottawa, Ontario.
- 47 In New France and in British North America, firearms were important for defence of families in troubled areas. Consider the example of Madeline Vercheres who at 14 led the defence of her family fort. See this account: [Madeline Vercheres](#)
- 48 In *Armed America: The Remarkable Story of How and Why Guns Became as American as Apple Pie*, Thomas Nelson, 2009, Clayton Cramer digs into many primary sources, including newspaper accounts and probate records, to show that people relied on guns to hunt, as well as being important to the success of colonial militias in the American colonies.
- 49 For a more detailed history of aboriginal threat to early Canadian settlers, see Desmond Morton, *A Military History of Canada*, 5<sup>th</sup> ed., 2007. Toronto, McClelland and Stewart.
- 50 For a discussion of the militia in Lower Canada, see Desmond Morton, *Op. cit.* and [The History of the Canadian Militia](#).
- 51 See R. Blake Brown’s, *Arming and Disarming. A history of gun control in Canada*, University of Toronto Press, Toronto, 2012.
- 52 Sir John A. Macdonald opposed gun control legislation on the grounds that the defence of self, family or property was a legitimate reason for carrying a pistol upon the person. *Debates, House of Commons*, 5 June 1872, 997. Cited in Brown, *Op. cit.*, p 70.
- 53 Morton, *ibid.* In addition to the impressive military contribution that Canada made in both World Wars, Canadians served creditably during the South African War (1899-1902). However, it is less well known that the Canadian government issued rifles to civilians for coastal defence during World War II. Despite lacking formal military training, these volunteers, the Pacific Coast Militia Rangers, were formally designated a corps in the Canadian Army as [Special Forces](#).
- 54 The Charlie Hebdo terrorist attack in France and “lone wolf” attacks in Canada and elsewhere are reopening the debate over the wisdom of arming civilians. Rabbi Menachem Margolin urged the EU to allow Jews to carry firearms for protection. [Israel National News](#). In 2013, after the attack by al-Shabab at the Westgate shopping mall in Nairobi, Kenya that killed 67 people, Interpol Secretary General Ronald said, “What I’m saying is it makes police around the world question their views on gun control. It makes citizens question their views on gun control. You have to ask yourself, ‘Is an armed citizenry more necessary now than it was in the past with an evolving threat of terrorism?’ This is something that has to be discussed.” [Interpol Secretary General Ronald](#).

55 See section 34 of the Canadian Criminal Code. However, the Ian Thomson saga illustrates how police approach those who use firearms to protect themselves. See the article in Macleans.

56 See G Mauser, *Armed Self Defense: the Canadian Case*, Op. cit.

57 This is usually stated as, “Under the common law and police statutes the police owe a duty to the public as a whole and not to specific individuals.” For a discussion of exceptions to this standard, see Legal Standards on Policing Obligations.

58 Source: G Mauser, *Special Request Statistics Canada, CCJS, Homicide Survey, 2014 extraction*.

59 Adam Cotter. Op cit. A homicide is classified by Statistics Canada as gang-related when police suspect or confirm that the accused or the victim was either a gang member, or a prospective member, of an organized crime group or street gang, or was somehow associated with an organized crime group or street gang, and that the homicide was carried out as a result of this association.

60 Adam Cotter, Op. cit.

61 Source: G Mauser, *Special Request Statistics Canada, CCJS, Homicide Survey, 2014 extraction*.

62 Adam Cotter, Op. cit.

63 Stolen firearms have not been found to be a major contributor to crime. According to the Toronto Police, between 2% and 20% of “crime guns” (depending upon the year) have been stolen from a lawful owner. In my 2014 Special Request to Statistics Canada I found that just 6% of guns used in murder had ever been registered, implying that firearms stolen from law-abiding owners must be even fewer than that. Philip J. Cook, Wendy Cukier and Keith Krause report similar findings in their article. The illicit firearms trade in North America, *Criminology and Criminal Justice*, August 2009, vol. 9, No. 3, 265-286.

64 In 2013, Canada imported over \$300 billion in goods from the US, and \$20 billion from China. International Imports.

65 Lott, John Jr., *Concealed Carry Permit Holders Across the United States*. 9 July 2014. Concealed Carry Permit Holders.

66 See Caillin Langmann, MD. 2012. *Canadian Firearms Legislation and Effects on Homicide 1974 to 2008*. *Journal of Interpersonal Violence*, 27(12) 2303–2321. JIPV Sage.

67 Between 1997 and 2012, 4.5 % of firearms used in murder were reported registered to the accused. Source: G Mauser, *Special Request Statistics Canada, CCJS, Homicide Survey, 2014 extraction*.

68 GPC Research. 2002. *Fall 2001 Estimate of Firearms in Canada, Report on Findings*. These estimates are based on surveys, but such estimates tend to be low, Kleck, 1997. Op. cit. Import/export estimates of gun numbers tend to yield somewhat higher estimates, but they are undoubtedly too high because usually greater care has been taken to track imports than exports. Import/export estimates find at least 11 M and were calculated as follows: 1.9 M registered by RCMP in 1945, plus 6 M manufactured by Cooney between 1920 and 1970s, plus 8 M imported between 1945 and 2000. Approximately 4.7 M exported between 1970 and 1998, and approximately 300,000 were deactivated between 1978 and 2000. Garry Breitkreuz, MP. How many guns are there in Canada? 13 December 2001. Guns in Canada.

69 RCMP, *Commissioner of Firearms Annual Report, 2011*.

70 In general, homicide victims are male (71%), as are accused persons (88%).

71 Source: Gary Mauser, *Special Request Statistics Canada, CCJS, Homicide Survey, 2013 extraction*.

72 Samara McPhedran and Gary Mauser. 2013. *Lethal Firearm-Related Violence Against Canadian Women: Did Tightening Gun Laws Have an Impact on Women’s Health and Safety? Violence and Victims, Volume 28, Number 5, 875-883*. McPhedran and Mauser.

73 Adam Cotter, Op. cit. Research has shown that these decreases may be driven by social and economic changes such as the ageing society and increased labour force participation rates for women. For more information, see Dawson, M., V. Pottie Bunge and T. Baldé. 2009. *National Trends in Intimate Partner Homicides: Explaining Declines in Canada, 1976 to 2001*. *Violence Against Women*, Vol. 15, Issue 3. p. 276-306, and Sinha Maire. 2012. *Family violence in Canada: A statistical profile, 2010*. Juristat. Statistics Canada, catalogue no. 85-002-X, Ottawa, Canada.

74 Adam Cotter, Op. cit.

75 Neither the federal Liberals nor the NDP appear eager to reinstate the long-gun registry. Trudeau forthrightly rejects its reintroduction, as do key lieutenants in the NDP, although NDP Leader Mulcair promises he would reintroduce it.

76 Source: G Mauser, *Special Request Statistics Canada, CCJS, Homicide Survey, 2013 extraction*.

77 The Home Office reports that under 10% of firearms used in homicide are legally held by the murderer, see Home Office (2001), *Criminal Statistics, England and Wales, 2000*, Norwich: HM SO. The Australian Institute of Criminology report that 18% of firearms used in homicide are legally held, see Mouzos, J. (2000), *The Licensing and Registration Status of Firearms Used in Homicide*. Trends and Issues no. 151, Canberra, ACT: Australian Institute of Criminology.

78 Maire Sinha. Op. cit.

79 Adam Cotter, Op. cit.; Gary Mauser, *Special Request Statistics Canada, 2014*.

80 The definition of “multiple-victim murders” varies from two or more victims to four or more victims. To conform to the definition used in a recent FBI report, multiple-victim murders will be defined here as murders with three or more victims in a single incident. *Investigative Assistance for Violent Crimes Act of 2012, 28 USC 530C(b)(1)(M)(i)*.

81 Source: G Mauser, *Special Request Statistics Canada, CCJS, Homicide Survey, 2011 extraction*.

82 In addition to an aging society, other important demographic factors in Canada that are significantly correlated with the murder rate are unemployment, foreign immigration, and the relative size of the aboriginal population. See Gary Mauser and Richard Holmes, *An evaluation of the 1977 Canadian Firearms Legislation, Evaluation Review*, December 1992, Vol. 16, No 6, pp. 603-617.

83 Derek Abma. *Canada’s murder rate drops to lowest level since 1966*. National Post.

84 Hahn, Robert A., Oleg O. Bilukha, Alex Crosby, Mindy Thompson Fullilove, Akiva Liberman, Eve K. Moscicki, Susan Snyder, Farris Tuma, Peter Briss, (2003). *First Reports Evaluating the Effectiveness of Strategies for Preventing Violence: Firearms Laws*. Findings from the Task Force on Community Preventive Services, Center for Disease Control. Wellford, Charles F., John V. Pepper, and Carol V. Petrie, eds. (2004). *Firearms and Violence: A Critical Review*. National Academies Press.

85 UK Legislation.

86 “England and Wales” is the principal jurisdiction of the UK. Scotland and Northern Ireland collect crime statistics independently.

87 Alison Walker, Chris Kershaw and Sian Nicholas. *Crime in England and Wales 2005/06*. Home Office Statistical Bulletin 12/06; Gary Mauser, *Do Restrictive Firearm Laws Improve Public Safety? In Prohibitions*, John Meadowcroft (ed.), the Institute of Economic Affairs, London, England, 2008.

- 88 Baker, J. and S. McPhedran. 2007. Gun Laws and Sudden Death: Did the Australian Firearms Legislation of 1996 Make a Difference? *British J. Criminology*. 47, 455–469; Wang-Sheng Lee and Sandy Suardi, 2008. The Australian Firearms Buyback and Its Effect on Gun Deaths. Melbourne Institute Working Paper No. 17/08; McPhedran, S., J. Baker, and P. Singh. 2010. Firearm Homicide in Australia, Canada, and New Zealand: What Can We Learn From Long-Term International Comparisons? *Journal of Interpersonal Violence* XX(X) 1–12; and
- 89 See Kates, Don B., and Gary Mauser. 2007. Would Banning Firearms Reduce Murder and Suicide? A Review of International Evidence. *Harvard Journal of Law and Public Policy* 30, 2 (Spring): 649–94.
- 90 The homicide rates are drawn from Global Study of Homicide, 2011, UN Office of Drugs and Crime. Estimates of civilian gun ownership are much more problematic, as observed earlier in this report. Despite their inadequacies, they nevertheless are the best available estimates of the number of civilian who own firearms in Europe. They were drawn from the compilation by Small Arms Survey. *Completing the Count, Civilian Firearms, Chapter 2, Small Arms Survey 2007*.
- 91 According to the Daily Mail European rabbis demand that Jews be allowed to carry guns to protect themselves in the wake of recent terror attacks. The Times of Israel reports that a contemporary Polish politician argues that the Holocaust would have been preventable if every Jew had a gun.
- 92 The restrictions were policy interpretations of the 1925 Firearms Act. In Ireland, murder does not include manslaughter. For additional information, see Gun Policy.
- 93 For more thorough discussion, see Gary Mauser, 2008. Op. cit.
- 94 The Gun Court Act, Ministry of Justice, Government of Jamaica. The Gun Court Act. For supplementary information, see Gun Policy—Jamaica
- 95 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. The murder rates in Jamaica include manslaughter, as they do in the United States.



**Dr. Gary Mauser** is professor emeritus in the Institute for Canadian Urban Research Studies and the Beedie School of Business, Simon Fraser University. He has written two books and over 30 academic publications in criminology, economics, marketing, and political science. He has testified on criminal justice issues before the Supreme Court of Canada, the Senate of Canada and the Canadian House of Commons. Professor Mauser earned his doctorate from the University of California, Irvine in quantitative methods and interdisciplinary social science.

#### **The Mackenzie Institute**

P.O. Box 338, Adelaide Station  
Toronto, Ontario, Canada  
M5C 2J4  
T +1 416 686 4063  
E [institute@mackenzieinstitute.com](mailto:institute@mackenzieinstitute.com)  
[www.mackenzieinstitute.com](http://www.mackenzieinstitute.com)

*The opinions of the writers published herein do not necessarily reflect the views or politics of The Mackenzie Institute or its Board.*



The  
**Mackenzie Institute**  
Security Matters.